



**NORWICH**  
City Council

## **Notice of Determination**

**Date of Hearing:** Wednesday 26 June 2013

**Licence Type:** Application for a variation of a Premises Licence

**Name of Applicant:** The Norwich Tap House Limited, 8 Redwell Street, Norwich  
NR2 4SN

**Name of Premises:** The Norwich Tap House, 8 Redwell Street, Norwich NR2 4SN

**Licensing Sub-Committee ("the Committee"):**

Councillors Button (Chair), Barker and Maxwell

**Other Persons Present:**

Luke Parker – Legal advisor to the Committee (Solicitor, nplaw)

Rosalyn Thompson (Trainee Solicitor, nplaw)

Ian Streeter – Licensing Manager (Norwich City Council)

**On behalf of the applicant:**

Stuart Laidlaw - Applicant's representative (Premises manager)

Bruce Faulkner – Applicant's legal representative (Rogers & Norton solicitors)

**Interested Parties**

Carol Hardman – Local resident

Edward Hardman – Local resident

**Determination:**

Ian Streeter, the Council's Licensing Manager, presented the Head of Citywide Services' report to the Committee ("the Report").

The Committee heard from the Applicant's representative, Mr Faulkner. He said the reason for the application was so that the opening hours from Sunday to Thursday mirrored those on Friday and Saturday and so as to bring the premises' opening hours more in line with other premises in the area. In addressing the written representations from the interested parties Mr Faulkner submitted that: the representation from the United Reform Church was not relevant to the licensing objectives as AA meetings were not held that late in the evening; Mr Thorburn's address was an office address and not residential; and regards Ms Hardman's representation, Mr Faulkner accepted that the nature of the premises had changed in that initially the premises was to be an off licence with tasting and this then changed to a public house the opening hours of which were to be until midnight but shorter opening hours were

later agreed. Since the premises opened there have been no complaints regards noise or objections from the Police. The applicant has done their "trial period". Regards concerns from Ms Hardman that this has been over the winter months and it will be different in the summer Mr Faulkner said that there was no evidence to suggest this will be so and such concerns were speculative.

Members then asked the applicant questions concerning door supervision on Sunday to Thursdays evenings, whether there was an intention to have live music and whether patrons were allowed to smoke and if so where.

Mr Laidlaw advised that: the number of patrons expected from Sunday to Thursday did not warrant door supervision on those evenings; there was no live music at present; and patrons had to leave the premises if they wanted to smoke.

Ms Hardman then presented her case further to that detailed in her letter. In her view it was not a good idea to have licensed premises in a residential area and that patrons congregating outside the premises caused residents to change their walking routes to and from their homes and that bottles have been left in the area although she accepted she did not know where these originated from. She objected to the cumulative pressure from additional applications and there was no reason to allow longer opening hours now. Mr Hardman added that: during the summer evenings there will be more people outside the premises and so the premises should have door supervisors every evening; the premises has only been opened for a short while and so the licence conditions have not been fully tested; the gradual extension of hours was changing the nature of the premises and it is likely that the premises will offer live music at some point in the future. Mr Hardman accepted that the premises had been well run so far but was concerned that this might change with the change in seasons and the existence of the premises has created a link between premises along Queen Street and those in St Andrews Plain which had attracted people into a residential area during the evening.

Mr Streeter advised that if the premises wanted to provide live music then it would have to apply to vary the premises licence in order to do so.

By way of a closing statement Mr Faulkner said that: there was no evidence that any litter came from the premises; there was only a short walk between the neighbouring areas of licensed premises and the location of this premises was immaterial to the routes of those frequenting the different areas; and the applicant's future plans for the premises were not relevant to this application.

### **The Committee's decision:**

The Committee granted the variation application as sought.
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### **The Committee's reasons:**

Members took into account the views of the Responsible Authorities insofar as there were no objections to the application; in particular the Norfolk Constabulary had made no objection to the variation application.
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The premises appear well run and the committee noted that Mr Hardman accepted this was so. There had been no evidence that any littering in the area was due to activities at the premises. Concern over the future use of the premises and future premises licence application were not relevant to the application before the Committee. Likewise concerns that the promotion of the licensing objectives would
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be compromised during the summer months were speculative.

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.

### **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 26 June 2013