NORWICH
City Council

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Licensing Sub-Committee Notice of Determination

Application for the grant of a Premises Licence for Alma (the former United Reform Church), Princes Street, Norwich NR3 1AZ ("the Premises") under the Licensing Act 2003 held at City Hall, St Peters Street, Norwich on 28 October 2025.

Applicant: Alma Norwich Ltd, company registration number 15865784

Members of committee:

Cllr Kidman (Chair)

Cllr Maguire

Cllr Stutely

Other persons present:

Gavin Tempest, applicant's representative

R. V. Edge, applicant's representative

Levi de Belgeonne for the applicant

Michael Dignen, SM at Pleas Properties Ltd, objector

Heidi Bloemmen, objector

Andrew Howard, Princes House Residents Association, objector.

Andrew Cousens, objector

Sue Cousens, objector

Mark Brown, objector

Press representative.

Leonie Burwitz, committee secretariat

Tiffany Bentley, licensing team leader

David Lowens, solicitor, legal advisor to committee.

Additional papers

Committee in advance of committee received a bundle of three photographs from an objector showing primarily the recessed entrance area to Princes House. Post the public hearing committee also viewed the publicly accessible planning conditions.

Declarations of interest

There were no declarations of interest. The Chair mentioned that she had sung in a choir with one of the interested parties but this was some time ago.

Summary Notes of Hearing

Ms Bentley presented the report.

Mr Edge on behalf of the applicant company addressed committee. The intention was to introduce a grassroots space for the performing arts. It was not to introduce a late-night bar as was feared by residents. There would be a noise management plan, monitoring of noise and staff training. Hours sought were minimal.

Mr de Belgeonne addressed committee and mentioned the cultural performance types expected to take place. He was asked what “anything of a similar description to live music, recorded music or performances of dance” was intended to cover, this was difficult with what was a brand-new venue. Audiovisual matters and podcasts were possible. It was not intended to introduce nightclub type music.

Cllr Stutely noted that the premises were very close to residential accommodation. Ms Bloemmen provided committee with guidance regarding the local area.

Mr Howard confirmed that some tenants in Princes House had accommodation that was directly connected to the kitchen at the premises, with some windows facing the queueing and bottle disposal zones and that he wanted to emphasise to committee that tenants lived in close proximity to the premises.

(A red lined plan of the area intended to be licensed was viewed by those present and an overhead view of the premises and surrounding streets was placed on the screens in the committee room).

Mr Edge mentioned the queueing area would be monitored by staff.

Mr Cousens noted that the premises were located in what was currently a quiet and peaceful area. He was concerned that persons waiting in the street would cause a noise nuisance, and he referred to the three additional photographs provided to committee noting the access area. He suggested a sign requiring patrons to leave quietly with respect for local residents would be ignored.

Mr Edge noted that the staff would be trained regarding reminders to persons leaving the premises to be quiet and the premises had a dispersal plan. He also noted the lack of concern from any responsible authority about this issue.

Mr Howard noted that persons close to the smoking area were likely to be disturbed by smoke and the subject of passive smoking. He was concerned that confrontations would arise and suggested that the premises would just be a drinking establishment. Once the licence was granted there would be applications for further hours. The premises was basically in the wrong place. Eight persons had accommodation which was directly connected to the premises.

The legal advisor noted that the committee did not have the benefit of seeing any prepared noise report or disbursement policy.

Mr Edge noted that need was not a relevant consideration for committee, and repeated that the premises were not intended to be run as a late-night bar or nightclub. There would be careful monitoring of any smoking area by staff and disposal of bottles could be conditioned to ensure there was no noise nuisance from this activity. He noted the existence of the review procedure under the Licensing Act 2003.

Mr Dignen addressed committee, noting that he objected to the proposals on the grounds of nuisance. Princes St and Elm Hill were quiet streets. Behaviour which would not be a nuisance in other areas would be a nuisance in Princes Street. His objection was not so much regarding the specifics of this application but a concern regarding damage to the conservation area and a cumulative impact of nuisance.

The legal advisor noted that reference to the conservation area was beyond the scope of the matters to be considered under the Licensing Act 2003 and that there was no cumulative impact policy under that Act in Norwich presently.

Mr Brown addressed committee. The character of Elm Hill would change drastically if the application was allowed, with many more cars travelling through the street. The noise from traffic would be noticeable and excessive. Many persons would visit on foot or by car and the noise arising from these activities would be a public nuisance. Noise would increase depending on the amount of alcohol consumed and he suggested it was in the interests of the applicant to sell as much alcohol as possible. The premises would be disruptive and there will be a complete change in the character of the area.

Mr Edge responded that the traffic situation was not a relevant consideration under the Licensing Act 2003 and noted that the Halls nearby with a significant capacity did not appear to have caused a problem.

The legal advisor noted that the committee would of course need to consider just this premises and this application on its own merits.

(Committee took a short break, reconvening at 4:30 pm).

Cllr Stutely asked the applicant how noise would be mitigated, noting the photographs provided in the agenda on and around p79 showing Princes House and the proximity to the premises.

Mr Edge noted that there could be a condition regarding windows and doors being closed whilst licensable activities are taking place. Additionally, a noise management

plan would be supplied and there will be full acoustic testing. The acoustic testing, due to cost, would take place should a licence be granted. The agreed condition regarding the noise limiter was referenced.

Discussion took place regarding the wording of the limiter condition, with some concern that the proposed wording could be insufficient if there was no agreement regarding the level that the limiter was to be set at.

It was agreed that the proposed condition would be amended to ensure that the decision on level would be one for environmental health to decide upon.

Mr Edge noted other factors regarding noise mitigation, such as the direction of speakers and the use of rubber mounts to limit or avoid vibration. It was understood these were part of the planning controls.

Cllr Stutely mentioned for the benefit of the public present that the setting of a level would be an acceptable level but that residents should be aware that this did not mean inaudible.

Cllr Maguire asked the applicant for more details about the measures to be taken to prevent patrons taking open vessels containing beverages off the premises, the applicant mentioned that staff at the door would monitor this whilst also assisting dispersal of patrons. The applicant also wanted to stop persons going out with drinks to the smoking area.

Cllr Maguire also asked regarding risk assessments, these have yet to be written, but the applicant confirmed that specific events would have their own risk assessment.

Cllr Kidman asked regarding drinking up time. The applicant agreed that this would be introduced.

The applicant noted that whether SIA staff were employed would depend on the risk assessment.

Discussion took place regarding the smoking area location and the control of the same, with the legal advisor commenting on the legal difficulties inherent in any condition regarding use of the public highway which would interfere with the general rights of the public to use such an area.

Cllr Stutely asked whether there were currently problems with persons gathering in the recessed area by the Princes House entrance. Mr Cousens mentioned that the residents did have persons gathering there periodically but this had not resulted in significant problems and there were no current issues with anti-social behaviour in this specific area.

Cllr Stutely asked about the likely days of opening. This was unclear at present, the applicant noted that opening on the weekend was likely at the start, and then other days would be considered.

Mr Brown remained concerned about the nightclub type activities at the premises and wondered whether it was possible to condition any premises licence to state what sorts of activities were prohibited.

The members of the public present did not wish to make any closing remarks.

The applicant made a closing speech, noting that the premises had been empty for five years and that this proposed use would benefit the city. This was not intended to be a nightclub or a bar as those labels were commonly understood but a place for cultural performances. There would be a noise management plan, and a noise limiter would be used. None of the responsible authorities had raised objections to the proposed licence. The operating schedule, noting the additional conditions proposed, was robust and proportionate. The hours of operation were reasonable and there had been full regard to the licensing objectives. Significant noise mitigation works were contained in the conditions attached to the planning consent.

Mr Edge mentioned the following offered conditions in addition to those on the currently proposed operating schedule:

1. Waste disposal will not take place to any container in an outside area after 22:00 or before 08:00 on any day.
2. Noise generated by amplified music must be controlled by a noise limiting device set at a level determined by the local authority environmental health team, such level being confirmed in writing to the licensee.
3. Noise limiting devices, once set, cannot be reset or adjusted without consultation with the local authority environmental health team.
4. A full written dispersal policy shall be in place, overseen by the Designated Premises Supervisor (when that person is present) and which will be supplied to any responsible authority on request.
5. The premises shall have a written complaints policy. Contact details including a contact telephone number shall be made available to persons on request.
6. Open vessels containing alcohol shall not be taken outside the premises at any time.
7. Service of alcoholic drinks shall cease 30 minutes prior to the ending of licensable activities.
8. Sale of alcohol will commence no earlier than 10:30 am on all days.
9. There will be monitoring of persons waiting outside the premises by staff (subject to any prohibition contained in any risk assessment).
10. The premises licence holder will comply with any noise management plan prepared for the premises, and the noise management plan will be available to any responsible authority on request.

Committee considered their decision in private, meeting on the 29th October 2025.

Decision of the Committee

The application as applied for was granted in part, with the imposition of conditions. That part of the application requesting the sale of alcohol between 08:30 and 11am on all days was refused. This is an additional 30-minute prohibition on alcohol sales beyond that proposed by the applicant and is designed to ensure the premises are not used as a bar enabling early morning drinking.

Imposed conditions

The proposed condition relating to waste disposal is amended to state:

"*Waste disposal shall not take place to any container in an outside area after 21:00 or before 08:00 on any day".* This is to assist the prevention of public nuisance licensing objective.

Committee also imposes the following condition

"Doors and windows to the exterior of the premises shall be kept closed, save for necessary access and egress, when events involving amplified and unamplified music are taking place". This is imposed to promote the licensing objective of the prevention of public nuisance, and it is noted that this proposal was also in the presentation made to committee by the applicant.

Reasons for the Committee Decision

The committee has heard the concerns of residents and understands their concerns that the premises may cause nuisance to residents via noise and antisocial behaviour. There is no dispute that there are many residents in close proximity to the premises.

Whilst committee notes that several issues raised by objectors fall outside of the remit of the Licensing Sub-committee and instead come under other council authority controls such as planning, members understand these concerns are genuinely felt.

Many concerns are raised regarding public safety, but the committee notes that under the Licensing Act 2003 this licensing objective relates to the safety of the public using the premises, rather than any wider consideration of matters beyond the premises such as parking availability or the width of the footway in the public highway.

There are many concerns raised about the possible behaviour of the public whilst waiting to enter the premises and after having left the premises. The licensing authority takes note of the statutory guidance under s182 Licensing Act 2003 that the behaviour of members of the public once beyond the control of the licensee is a matter of personal responsibility under the law. The committee expects that the management of the premises will control their patrons so far as lawful and practicable. Smoking on the highway is a lawful activity. A condition prevents the taking of open vessels of alcohol away from the premises and this will prevent patrons standing and drinking alcohol on the highway.

The suggestion that the use of the premises may encourage vandalism, confrontational behaviour, additional littering, the discarding of needles, vomiting and the congregation of drunken persons nearby can, without evidence at this stage, only be speculative. Whilst the premises have not yet opened the committee considers these unlikely effects based on the uses proposed and the intentions of the management. Committee is satisfied that the premises are not intended to be run as a nightclub type premises and has confidence in the proposed management to mitigate any such public nuisance.

Whilst it is recognised that some additional incidents will likely take place, and committee notes concerns for example regarding noise from voices, taxi pickups and car movements, the committee notes paragraph 2.21 of the statutory guidance and considers that the effect of the licensed activities will not have an effect on residents which is disproportionate or unreasonable and that many of these will be beyond the control of the premises licence holder and are lawful uses of the highway.

There are concerns raised about the protection of children from harm. The premises will have an age control policy and on the evidence before committee there is no likely evidence-based reason why children should be harmed by the intended licensable uses at these premises. It is not clear why the granting of the licence will increase the exposure of children passing by to alcohol.

There are understandable concerns about noise from events, including vibration, causing nuisance. The committee appreciates the thoughtful and detailed representation from the Princes House Residents Association. The committee notes the significant controls on noise and vibration contained in the planning consent conditions, including amendments to the structure of the premises. Committee also notes the licensing conditions proposed especially the noise limiter which form part of the proposed operating schedule, and the conditions imposed. Taken together committee feels that there is no evidence-based reason to think that unreasonable and disproportionate effects amounting to a noise nuisance will arise from the intended uses at these premises.

The hours sought as amended are felt to be reasonable ones for the proposed uses in this location.

Committee gives weight to the facts that there has been no objection raised by the Norfolk Constabulary and no maintained objection raised by the environmental health team to the proposals. No other responsible authority has raised concerns. The lack of concern must be given weight when deciding whether the proposals promote the licensing objectives.

Lastly committee notes that the review provisions of the Licensing Act 2003 are available to residents to exercise regarding the granted premises licence, should it be the case that despite best expectations unacceptable problems arise.

Rights of Appeal

Rights of appeal are set out in Schedule 5 of the Licensing Act 2003 and the sections and subsections below refer to that legislation:

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.

Whereby “relevant representations” has the meaning given in section 18(6).

The applicant may appeal against the imposition of any condition and any refusal of any part of the application.

Any appeal should be made in writing to a Magistrates’ Court within 21 days of receipt of notification of the decision appealed against.

Signed: C. Kidman - Chair

Date: 03/11/2025