



NORWICH City Council

NOTICE OF DETERMINATION

Date of Hearing:	1 May 2015
Licence Type:	Application for the variation of a premises licence
Name of Applicant:	The Maddermarket Theatre Trust Ltd
Name of Premises	The Maddermarket Theatre
Address of Premises:	St John's Alley, Norwich NR2 1DR
Licensing Sub-Committee: ("the committee")	Councillors Button (Chair) Maxwell and Woollard
Responsible authorities:	No relevant representations were presented from any responsible authority.
Other persons present:	Mr Peter Beck on behalf of the applicant Ms June Perkins present as an objector Mr Ian Streeter (Norwich City Council Licensing Manager) Mr D Lowens (Solicitor - nplaw)

DETERMINATION:

1. Following a discussion the applicant agreed that that part of the application relating to the licensable activity of late night refreshment was withdrawn from the application.
2. This amendment was accepted and the application proceeded simply to extend the licensable activity of the retail sale of alcohol.
3. Following introductions the procedure for committee was explained and Mr Streeter presented the report. Mr Beck addressed committee regarding the purpose of the application being generally to assist the holding of after-show and launch parties and explained the difficulties with the temporary event notice procedure regarding both fee and administration, the applicants being a charity. Mr Beck explained that neighbours' concerns regarding noise and anti-social behaviour were understood and sound proofing works to the windows were being carried out and sound proofing works to the doors were intended. All events were stewarded.
3. Discussions took place regarding the practicalities of these events and their circumstances. After discussion Mr Beck confirmed that the following conditions were included in the applicant's operating schedule:

- (a) The sale by retail of alcohol is restricted in area to the bar/coffee room.
- (b) No drinks shall be taken to or consumed in the upper or lower courtyards between 23.00 and 10.30 hrs the following day.
- (c) There will be no access to the upper courtyard between 23.00 to 10.30 am, saving cases of emergency.
- (d) Between 23.00 and 10.30 hrs the next day smoking is restricted to the lower courtyard.

DECISION OF THE LICENSING SUB-COMMITTEE

The application as amended was approved.

REASONS FOR THE LICENSING SUB-COMMITTEE'S DECISION

The committee determined the decision after taking account of the Licensing Act 2003 Guidance and the Council's licensing policy, together with the matters both written and oral presented to the committee.

The committee gave weight to the fact that there were no objections from the Environmental Protection Department of Norwich City Council or from the Norfolk Constabulary.

The nature of the business did not appear likely to cause significant nuisance or difficulty to neighbours especially noting the proposed controls put forward by the applicant relating to the sale of alcohol and control of external areas of the premises.

The committee felt that it was not appropriate to refuse the application or to impose any additional conditions but noted that the review procedure was available should significant disturbance to residents take place. However it was the committee's view that this was unlikely under the current circumstances.

RIGHT OF A PARTY TO APPEAL AGAINST THE DECISION OF THE LICENSING SUB-COMMITTEE

Rights of appeal are set out in Schedule 5 of The Licensing Act 2003. In summary, a person who has made relevant representations who desires to contend that any variation ought not to have been made or that when varying the licence the licensing authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way, may appeal the decision. This appeal is to be made to a magistrates' court within 21 days of receiving written notification of the decision.

Dated this 29th May 2015