



NORWICH City Council

NOTICE OF DETERMINATION

Date of Hearing:	21 April 2015
Licence Type:	Application for the variation of a premises licence
Name of Applicant:	City Pub Company (East) Plc 9 Phene Street London SW3 5NY
Name of Premises/Postal Address of Premises:	The Georgian Townhouse, 30-34 Unthank Road, Norwich, Norfolk NR2 2RB
Licensing Sub-Committee: ("the committee")	Councillors Price (Chair), Brociek-Coulton and Woollard
Responsible authorities:	None
Other persons present:	Paul Mirlidd (Applicant's employee) Rupert Clark (Applicant's employee) Niall McCann (Applicant's solicitor) John Tedder (Interested party) Peter Jones (Interested party) G. Beardsley (Interested party) P. Jamieson (Interested party) I. Blundell (Interested party) D. Gray (Interested party)
Also present were:	Mr Ian Streeter (Norwich City Council Licensing Manager) and Mr Luke Parker (Solicitor, nplaw)

DETERMINATION:

1. The Chair led the introductions and the legal advisor to the committee, Mr Parker, explained the hearing procedure to those present.
2. Mr Streeter presented the licensing report. In light of the recent changes to the Licensing Act 2003 concerning the provision of amplified live or recorded music in licensed premises between the hours of 0800 and 2300 before an audience of no more than 500 people, the application was in effect for the provision of live and/or recorded music indoors between 2300 to 0000 from Mondays to Saturdays and 2230 to 0000 on Sundays. In addition the application sought to vary the premises licence to include the provision of late night refreshment between the hour of 2300 to 0000 daily.
3. The applicant's solicitor said that the premises had been open since June 2014 and that the application did not seek to increase the licensable area but rather sought a

further hour for music and late night refreshment in order to attract functions, particularly weddings. The premises had catered for such functions to date by means of a Temporary Event Notice (TEN) however the applicant now wanted to cater for these functions via the premises licence and formalise their offering. Regarding the objections made by the local residents the applicant solicitor said that the application was for: the provision of live and recorded music indoors only; for pre-booked functions only; and the terminable hour for alcohol would remain unchanged. Since opening the applicant had worked with local residents to address any issues raised and had put into place a number of operational measures such as restricting the hours when the table tennis table and the garden could be used, and moving the bin storage area further away from the local residents and restricting the hours when the bins could be filled and emptied.

4. The committee members asked various questions including whether or not there had been any noise monitoring, the number of functions held previously under TENs and what noise control measures were in place in the Pembroke Rooms. The applicant's representatives advised that there had been no noise monitoring primarily as they had not received any representations from the council's environmental protection team. The Pembroke Rooms were adjacent to the hotel rooms and so it was not in the applicant's interest to cause a noise nuisance to their residents or their neighbours. There had been about 5 or 6 TEN functions. The Pembroke Rooms benefited from sound proofing on the ceilings.
5. The local residents in attendance addressed the committee in turn. They lived in Winchester Tower which was an apartment block for those aged 55 and over. Noise nuisance was an issue during the warmer months when the premises' garden was in use by its patrons and the local residents had their windows open. The applicant said that since last summer a number of operational measures had been put into place and the local residents had not yet felt the full benefit of these changes. The applicant's representatives said they wanted to be good neighbours and would continue to work with local residents to address any concerns they may have. In addition to this informal approach the applicant offered the following as additional conditions to be inserted into the operating schedule:
 - a. The double door from the conservatory bar area to be closed from 2230 until close except for emergency egress/access.
 - b. When live and/or recorded music is provided in the Pembroke Rooms the capacity will be reduced to 60 persons (excluding staff).
 - c. A noise limiter will be installed in the Pembroke Rooms and it will be set and operated at a level to be agreed with the council's environmental protection team.

DECISION OF THE LICENSING SUB-COMMITTEE

6. The application as amended was approved.

REASONS FOR THE LICENSING SUB-COMMITTEE'S DECISION

7. The committee determined the application having due regard to the Licensing Act 2003, the section 182 Guidance, the Council's Licensing Policy and all the evidence both written and oral, whilst attaching appropriate weight to each.

8. The committee noted that there were no representations from any of the responsible authorities. The sub-committee welcomed the additional conditions offered by the applicant at the hearing and considered these would address many of the local residents concerns. The premises appeared to be well run and there was insufficient justification under the licensing objectives to refuse the application sought or to impose any additional conditions.

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

9. Any person who has made a relevant representation who desires to contest that the licence ought not to be granted or that on granting the licence the licensing authority should have imposed different or additional conditions or to have taken a step set out in Section 18 subsection (4)(b) or (c) of the Licensing Act 2003 may within 21 days from the date on which they receive notification of this decision appeal to the Magistrates Court.

Dated this 24 April 2015