

NOTICE OF DETERMINATION

Date of Hearing: 4 April 2014

Licence Type: Application for variation of Premises Licence

Name of Applicant: Adnams Plc

Name of Premises: St Andrews Tavern

4, St Andrews Street, Norwich NR24AF

Licensing Sub-Committee: Councillors Button (Chair) Barker & Maxwell

Determination:- The Committee heard the application for a variation of the premises licence for St Andrews Tavern (The Rumsey Wells PH).

Present

Present & making representations were;

Ms Searle –Tenant

Mrs Searle- tenants mother

Dan Perry- Manager

Teresa Houlihan & Tracy Smith -Adnams Plc

Objectors

Cllr Stammers (for residents 2-8 Rumsey wells Place) & Mr and Mrs Nicole (residents).

The Committee's Decision:-

The Committee granted the application as asked for at the hearing with additional conditions. These were that;

All doors and windows to be closed by 9pm

The back yard/ beer garden to be closed at 12 midnight but no drinks allowed out there after 11pm (whether bought previously before that time or not)

The fire door exit on the flats side of the beer garden, must not to be used except in the case of an emergency.

The side gate to be kept closed except for exit and egress by staff. It must be secured in such a way as to only be able to be opened from inside the premises /curtilage.

No glasses of drinking vessel of any kind to be taken outside the front of the premises at any time.

The Committee's Reasons:-

The committee heard from the residents about the level of noise emitted from the rear garden of the premises and because of the construction of the buildings around the properties the way in which this acted as a magnifying mechanism. They also heard that the side gate was often unsecured and so members of the public could via this, gain access to the car park of the flats, which is a gated compound.

The committee heard from the tenants and their supporters about noise and the use of the rear garden and of the measures they said were in place to control noise. The committee considered the balance to be achieved between resident's right to peaceful enjoyment of their property and the tenant's right to optimise the commercial enterprise which had existed in the middle of the city for several years. The committee agreed to the extension of hours but restricted the use of the rear garden after 11pm and imposed other conditions to lessen the impact on the residents. The committee did not consider that the application undermined the licensing objectives and that the measures outlined above were necessary and proportionate.

Right of a Party to appeal against the determination of the Authority.

For your information, applicants and any party who made a relevant objection, 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 24 April 2014