

## **Notice of Determination in respect of an application for transfer and DPS variation for 60A London Street, Norwich.**

Licensing Sub-Committee date – 25 August 2022.

Members of committee present– Councillors Ian Stutely (Chair of committee), Erin Fulton-McAllister and Lesley Grahame.

This is a linked matter with the determination of a review of the premises licence for 60A London Street, Norwich, to which reference should be made. The hearing was held in private; the public being excluded under rule 14 of the Hearing Regulations SI 2005 no.44.

This is the redacted version of the Notice of Determination. The redaction is to ensure that no prejudice is caused to any prospective enforcement action that may be taken in the future.

List of attendees:

	<b>Name</b>	<b>Role</b>
1	Cllr Fulton-McAlister	Committee member
2	Cllr Grahame	Committee member
3	Cllr Stutely	Committee member
4	Tiffany Bentley	Public Protection (Licensing) Team Leader
5	Imran Mohammed	Applicant's representative, director of Ali News Agent Norwich Ltd
6	Michelle Bartram	Norfolk Constabulary
7	David Lowens	Solicitor, legal advisor to committee

## **Summary Notes of Hearing**

There were no apologies received, nor were any declarations of interest made.

Amendments were noted to the written report, namely that the statutory guidance edition should refer to April 2018 and that the decision of committee was to be based on what was appropriate, rather than necessary, for the promotion of the crime prevention licensing objective.

Tiffany Bentley presented the report.

Michelle Bartram on behalf of the Norfolk Constabulary then addressed committee and provided the reasons for the police objections.

Mr Mohammed addressed committee and responded to matters raised

There were no questions from Mr Mohammed to the police.

There were no questions from members of the committee. The Chair noted that a lot of matters heard in the review also had relevance to these decisions.

Mr Mohammed was invited to sum up. He said that he had no different comments to make beyond those given by him in the review hearing. He asked committee to take account of the matters he had raised when responding to the review application.

## **Decisions**

In respect of the application to transfer the premises licence to Ali News Agent Norwich Ltd, this application is rejected. This action is considered appropriate for the promotion of the crime prevention objective, having regard to the notice received from the Norfolk Constabulary.

In respect of the application to vary the premises licence to specify Mr Mohammed as designated premises supervisor, this application is rejected. This action is considered appropriate for the promotion of the crime prevention objective, having regard to the notice received from the Norfolk Constabulary.

## **Reasons for the committee's decision – redacted in full**

## **Rights of appeal**

Rights of appeal are set out in Schedule 5 of the Licensing Act 2003, as below.

### *Rejection of applications relating to premises licences*

Where a licensing authority—

- (a) rejects an application for a premises licence under section 18,
- (b) rejects (in whole or in part) an application to vary a premises licence under section 35,
- (c) rejects an application to vary a premises licence to specify an individual as the premises supervisor under section 39, or
- (d) rejects an application to transfer a premises licence under section 44,

the applicant may appeal against the decision.

Any appeal should be raised with a magistrates' court within 21 days of receipt of the written decision appealed against.

Signed.....Cllr I Stutely.....Chair, Licensing Sub-Committee.

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