



**NORWICH**  
City Council

## NOTICE OF DETERMINATION

Date of Hearing: 25 April 2012

Licence Type: Premises Licence

Application for Premises Licence Review

Name of Applicant: Norfolk Constabulary

Name of Premises: WAFOU

Postal address of Premises: 15 Prince of Wales Road, Norwich

Licensing Sub-Committee: Councillors Driver (Chair), Kendrick and Stammers

### DETERMINATION:

Councillors found as matters of fact:

- The incidences of crime and disorder related to the licensed premises as contained in the evidence put forward by the Norfolk Constabulary.
- The history of dealings with the Licensee on the part of the Norfolk Constabulary over management of the licensed premises and the failings of the licence holder to exercise acceptable standards of management.
- Unacceptable levels of intoxication of people inside the premises and in the street directly in front of the premises.
- The behaviour of the licensee himself as shown on CCTV evidence throwing punches and chasing people down the street.
- Persistent breaches of the licence particularly last entry after 4 am.

- Section 19 closure notices served on the premises on two occasions resulting from lack of door staff.
- The frequent changes of Designated Premises Supervisors.
- The failure to comply with planning conditions causing or exacerbating noise nuisance to neighbouring residents.
- Failures in compliance with health and safety at work duties adduced in evidence by Norwich City Council.
- Failure to keep a record of incidents.

### **Decision**

The Licensing Sub-Committee unanimously resolved to revoke the premises licence.

### **Reasons for Decision**

1. In view of the findings of fact above the Committee considered that the justification for revocation was overwhelming.
2. Members considered and took into account the licensee's human rights in particular Article 1 to the first protocol and took the view that the revocation was necessary, proportionate and lawful in the circumstances of this case.
3. Members were unanimously of the view that the findings of fact justified revocation due to the scale and intensity of the breaches of conditions and failings in management which were at the extreme end of the scale.
4. No attempts at remedial action by the police or by the other responsible authorities had achieved any improvement in the management of the premises and it was now necessary to revoke the licence in order to promote the licensing objectives of crime and disorder, public safety and the prevention of public nuisance.

**Right of a party to appeal against the determination of the Authority.**

**Any party who is aggrieved by the decision, or by the imposition of any term, condition or restriction, has a right of appeal to the Magistrates Court within 21 days of the date on which they are notified of the decision.**

**Dated this 27<sup>th</sup> April 2012**