



# **NORWICH** City Council

## **NOTICE OF DETERMINATION**

Date of Committee: 11 June 2018

Licence Type: Application for the grant of a Premises License under the Licensing Act 2003

Name of Applicant: Mr Chang Hai Wang of 26 Portreath Drive, Allestree, Derby

Name of Premises/Postal Address: Vanity Nightclub, 16 Prince of Wales Road, Norwich

Licensing Sub-Committee: Councillors Malik (Chair); Stewart and Thomas (Va)

Other persons present: Councillor Ben Price, Objector; Andy Gotts and Ashleigh Hensley, members of the public; Michele Bartram from Norfolk Constabulary Licensing Team, Mr Dan Grimmer of Eastern Daily Press and Mr D Lowens, Clerk; Maxine Fuller, Norwich City Licensing officer.

There were no declarations of interest.

### **NOTES OF HEARING:**

A coloured plan showing the location of the premises and the addresses of those residents who had made representations was provided to committee.

There was no attendance by the applicant. Ms Fuller confirmed that the applicant had been informed of today's hearing by letter and she had telephoned the applicant who informed her that he had forgotten the date of the application and was still in Derby. He requested the matter be adjourned until a later date and time.

Committee did not agree the request to the adjournment, noting the applicant had received adequate notice and that he had forgotten the date was insufficient grounds to justify an adjournment. The Committee decided to proceed in the applicant's absence. Ms Fuller presented the report and noted the cumulative impact policy.

The Norfolk Constabulary representative addressed committee noting the operating schedule was very vague and in their view inadequate, failing to address many of the expected conditions with such a premises in the entertainment district of Norwich. The police had met with the applicant on 11 May to discuss the proposals and at that meeting the applicant was unable to provide any information regarding the target market. The applicant intended to employ a manager from elsewhere.

The applicant was unaware of the cumulative impact policy. The Police remained concerned after that meeting as to the lack of information as to how the premises would be run and were thus unable to suggest any appropriate conditions. The police view was that the licence should not be granted due to the lack of information from the applicant.

The Licensing officer noted that the previous licence was surrendered in 2017 by the licence holder.

Councillor Price addressed the committee noting the applicant had failed to provide any proposed mitigation for the problems in this vicinity likely to be caused by the premises use and referred to the crime and disorder problem that had led to the introduction to the cumulative impact policy.

#### **DECISION OF COMMITTEE:**

The application was refused.

#### **THE REASON FOR THE COMMITTEE'S DECISION:**

The councillors were concerned regarding the lack of detail shown in the application. For example, there was no reference of any sort given to the action that would be taken to protect children from harm. Noting the cumulative impact policy, it was for the applicant to show the application would have no unfavourable result on the four licensing objectives and the applicant had failed to comply with this obligation.

The committee noted and gave weight to the police concerns that they had failed to hear any adequate proposals from the applicant and thus were unable to judge the application's merits and likely impact on the licensing objectives.

In summary, due to the applicant having failed to satisfy the cumulative impact policy and having failed to provide an adequate operating schedule proving the promotion of the four licensing objectives, especially that of the protection of children from harm, it was the unanimous decision of committee that the application be refused.

#### **RIGHTS OF APPEAL:**

Rights of appeal are set out in Schedule 5 of the Licensing Act 2003. Any person wishing to appeal the decision of committee should do so to a Magistrates Court within 21 days of being notified of the decision appealed against.

Dated this Monday 29 June 2018

Chair.....

Date.....5.11.18.....