



NOTICE OF DETERMINATION

Date of Hearing:	Thursday, 6 March, 2014
Licence Type:	Summary review of a Premises Licence
Name of Applicant:	Norfolk Constabulary
Name of Premises:	Kartel
Postal Address of Premises:	68 London Street, Norwich, NR2 1JT
Licensing Sub-Committee:	Councillors Gayton (Chair), Button and Wright
Present on behalf of Kartel:	Brad Baxter, James Belton and Nick Walton (Solicitor)
Responsible Authorities:	Norfolk Constabulary represented by Andy Owens (Solicitor) and Police Officers Darren Brooks, Sue Nash and Michelle Bartram.
Other persons present:	Carol Doherty; George Bray and Tim Allison on behalf of Norfolk Fire and Rescue Service, Ian Streeter (Norwich City Council Licensing Manager) and David Lowens (Solicitor).

DETERMINATION:

The councillors heard from Mr Owens for the Norfolk Constabulary and from Mr Walton on behalf of Kartel that discussions had taken place between them, agreement had been reached and a joint application was made requesting that these proposals be approved by the Licensing Sub-Committee. Mr Walton stated that with slight amendments the parties could move forward whilst upholding the licensing objectives if councillors were happy to approve these proposals.

The decision of committee was:

Regarding the last entry times, last sale of alcohol times and closing hours:

Sunday/Monday morning. Last entry 0245am, last sale of alcohol 0245am, close 3am.

Monday/Tuesday morning, Tuesday/Wednesday morning and Wednesday/Thursday morning have the same hours as set out above for Sunday/Monday morning.

Thursday/Friday morning. Last entry 0245am, last sale of alcohol 0315am, close 0330am.

Friday/Saturday morning and Saturday/Sunday morning have the same hours as set out above for Thursday/Friday morning.

Regarding door supervisors (SIA door staff):

Sunday to Wednesday. There will be a minimum of two door supervisors from the opening of the premises until 01:00 the following day and then a minimum of three door supervisors from 01:00 until the premises close.

Thursday to Saturday. There will be a minimum of two door supervisors from the opening of the premises until 01:00 the following day and then a minimum of five door supervisors from 01:00 until the premises close.

Condition 16 of Annexe 2 as amended would continue in part, becoming the subject of a step which the committee considered was appropriate when making its determination, namely that the CCTV system will show continuous recording and will give clear visibility. Management shall ensure there is always available a sufficient supply of CCTV recording media such as memory sticks and/or DVDs in order to supply footage to the Norfolk Constabulary or the Licensing Authority upon reasonable request. However the interim step of removing the word "reasonable" in respect of provision of image copies ceases to have effect.

The interim steps that the premises shall join the alert radio scheme and amending condition 22 of Annexe 2 to delete "and when available" are both continued as appropriate steps. No changes were made to seasonable non-standard timings contained in the premises licence.

Councillors noted that a lack of proper management had existed in respect of these premises as illustrated by both the evidence before the interim hearing and the further witness statements available before the councillors at this review. The councillors were satisfied that the designated premises supervisor had failed to properly manage the premises so as to promote the licensing objectives noting the incidents of crime and disorder and public nuisance that were shown in the papers before committee. The councillors ordered the removal of the designated premises supervisor from this premises licence.

The councillors then heard representations in respect of the interim steps and have agreed to amend the interim steps to match today's decisions.

Reasons for the Licensing Sub-Committee's Decision

The committee appreciated the efforts that had been made between Kartel and the Norfolk Constabulary to provide a suitable framework for ensuring that the licensing objectives were promoted at these premises whilst taking account of the financial circumstances of the business. The committee gave weight to the views of the Norfolk Constabulary when considering crime and disorder and public nuisance matters and felt these agreed conditions were a reasonable and proportionate response to the problems shown to have occurred at the premises.

Right of Party to Appeal against the determination of the authority

The applicant, the holder of the premises licence and any other person who made relevant representations may appeal to the Magistrates Court within 21 days of the date on which they are notified of this decision.

Dated this 14th March 2014