



**NORWICH**  
City Council

## Notice of Determination

**Date of Hearing:** 28 May 2010

**Licence Type:** Application for the Review of a Premises Licence

**Name of Applicant:** Lee Allen

**Name of Premises:** The Catherine Wheel Public House

**Postal Address of Premises (or description of premises):**  
St Augustine's Street, Norwich NR3 3BG

**Licensing Sub-Committee:**  
Councillors Llewellyn (Chair), Banham and Cannell

**Determination –**

**The Committee's decision:**

- (1) The times at which licensable activities must cease on Fridays and Saturdays are modified as follows:
  - Films 0230
  - Live Music 0130
  - Recorded Music 0230
  - Performances of dance 0230
  - Other Entertainment 0230
  - Provision of Music Facilities 0230
  - Provision of Dance Facilities 0230
  - Provision of Entertainment Facilities 0230
  - Late Night Refreshment 0230
  - Sale by Retail of Alcohol 0230
- (2) The opening hours of the premises on Fridays and Saturdays are modified so that they must close at 0300.
- (3) Condition 5 of Annex 3 (The outside area will close at 2200) is modified as follows:-
  - Only the outside area beyond the foot of the fire escape (as viewed from the back door) will close at 2200.

- A rope or similar will be placed across the outside area at or before 2200 in order to cordon off clearly the closed area.
- No drinks are to be taken into the outside area remaining open after 2200
- A nominated member of staff is to monitor the outside area remaining open after 2200.

### **The Committee's reasons:**

The Committee noted the response from Environmental Services and that no other responsible authorities had responded. It heard from the applicant, as supported by Mr Brock, as well as hearing from Bernice Perkins and Mr Perkins and from Mr Shearman of Environmental Services. It clarified the evidence of all those witnesses with questions.

Having done so, the committee considered that these modifications constituted necessary and proportionate measures in order to uphold the licensing objective of the prevention of public nuisance. In particular, the committee had regard to the difficulties occasioned by smoking customers resorting to the street area immediately outside the front of the premises, including abuse of such customers by passers-by.

The committee also had regard to disturbances at closing time and were of the view that the earlier cessation of licensable activities on Fridays and Saturdays would assist.

The committee also expressed the view that, whilst imposing no further formal modifications, it hoped that recent improvements to the limiting of sound would be maintained to avoid further nuisance.

### **Right of a Party to appeal against the determination of the Authority**

For your information, applicants and any party who made a relevant representation, 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.

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