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**NORWICH**  
**City Council**

## **NOTICE OF DETERMINATION**

Date of Hearing: 3 July 2013

Licence Type: Application for the grant of a premises licence

Name of Applicant: Alexis Risdale

Name of Premises/Address of Premises: 31 Exchange Street, Norwich NR2 1DP

Licensing Sub-Committee: Councillors Gayton (Chair); Gihawi and Maxwell

Other Persons Present: Ian Streeter (Licensing Manager); J Hewett (observer);  
David Lowens (Solicitor- nplaw)

### **DETERMINATION:**

Councillors heard from the applicant who provided photographs of the exterior of the premises and gave details regarding the intended business being a 40 seat barbeque style restaurant. A computer generated image of the intended lay out of the interior of the premises was handed to the sub-committee. The applicant discussed the lay out of the premises and informed councillors that the kitchen area was acting as a buffer between the restaurant and local residents' dwellings at the rear of the premises.

After discussion the applicant amended the proposed operating schedule to delete under the heading of public safety "I will fully support any directives from the authorities", this being imprecise and amended a condition under the heading of the Prevention of Public Nuisance to "other than the use of doors for ingress and egress, doors and windows will be kept closed".

### **The Committee's Decision**

The Committee granted the premises licence as sought regarding the provision of recorded music (indoors only) the sale by retail of alcohol (for consumption on the premises) and specified the opening hours to be those requested in the application.

Councillors imposed the following conditions as agreed between the applicant and the Norfolk Constabulary:

1. Staff will be trained in relation to the sale of alcohol under the Licensing Act 2003. A record of this training will be kept on the premises and will be available to the police and to the licensing authority upon request.

2. A refusal's book to log all refused sales due to intoxication or the intended purchaser being under age will be kept on the premises and will be available to the police and to the licensing authority upon request.
3. An incident book will be kept on the premises to log incidents of disorderly behaviour. This book will be available to the police and to the licensing authority upon request.
4. Patrons will be prevented from taking open drinking vessels off the premises.
5. A Challenge 21 policy will be in use and credible photographic proof of age such as a driving licence or passport will be demanded from any person wishing to purchase alcohol who appears to be under the age of 21.

#### The Sub-Committee's Reasons

Members of the licensing sub-committee took account of the views of the responsible authorities noting there were no objections to this application and noted the agreement between the applicant and the Norfolk Constabulary regarding the additional conditions set out above. The councillors felt that taking into account the hours proposed and the nature of the business there was no evidence before the sub-committee that indicated that the granting of the licence with the conditions noted would be contrary to any of the licensing objectives.

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

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

Dated this 22<sup>nd</sup> July 2013