

## **Licensing sub committee**

Date: **Tuesday, 11 October 2022**  
Time: **10:15**  
Venue: **Mancroft room City Hall, St Peters Street, Norwich, NR2 1NH**

**Pre-meeting briefing for members of the committee only**  
**30 minutes before the start of the meeting**

### **Committee members:**

#### **Councillors:**

Stutely (chair)  
Catt  
Kidman

### **For further information please contact:**

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Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website.



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

## Agenda

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**1 Apologies**

To receive apologies for absence

**2 Declarations of interest**

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

**3 Application for the grant of a premises Licence for 61 Newmarket Road Norwich NR2 2HW**

**3 - 28**

**Purpose** - Members are asked in accordance with the delegation of licensing functions contained in Norwich City Council of Licensing Policy (Licensing Act 2003), to consider the application for the grant of a premises licence in respect of 61 Newmarket Road, Norwich, NR2 2HW following receipt of relevant representation.

**Not before 12:30pm**

**4 Temporary event notice - Rooftop Gardens Union Building 51-59 Rose Lane Norwich NR1 1BY - Report to follow**

Date of publication: **Monday, 03 October 2022**



**Committee Name:** Licensing sub

**Committee Date:** 11/10/2022

**Report Title:** Application for the grant of a premises Licence for 61 Newmarket Road Norwich NR2 2HW

**Portfolio:** Councillor Jones, Cabinet member for safe, strong and inclusive neighbourhoods

**Report from:** Head of planning and regulatory services

**Wards:** Town Close

## **OPEN**

### **Purpose**

Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider the application for the grant of a premises licence in respect of 61 Newmarket Road Norwich NR2 2HW following the receipt of relevant representation.

### **Recommendation:**

It is recommended that members determine the application to grant the premises Licence in accordance with the:

- Licensing Act 2003 and subsequent regulations
- Guidance issued under Section 182 of the Licensing Act 2003; and
- Norwich City Council Statement of Licensing Policy

### **Policy Framework**

The council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

This report meets the people live independently and well in a diverse and safe city corporate priority and the city has an inclusive economy in which residents have equal opportunity to flourish corporate priority.

## **Report Details**

### **The application**

1. The applicant is Eponymous Holdings Ltd t/a Old Spirits Company.
2. The proposed DPS is Edgar Harden.
3. The application seeks to allow the licensable activities, times and opening hours as set out in the application form, which is attached at appendix A. This also includes the steps proposed to promote the licensing objectives (operating schedule).

### **Relevant representations**

4. The responses from the Responsible Authorities are as follows:

Police – no representations

Public Protection – no representations

Fire Officer – no representations

Planning Officer – no representations

Area Child Protection Committee – no representations

Trading Standards – no representations

Primary Care Trust – no representations

Local Residents – 4 representations (3 objections and 1 support) - copies attached at appendix B

### **Summary**

5. In determining the application with a view to promoting the licensing objectives the sub-committee must give appropriate weight to:
  - the steps that are appropriate to promote the licensing objectives (i.e. the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm);
  - the representations (including supporting information) presented by all the parties;
  - the guidance issued under Section 182 of the Licensing Act 2003 (national guidance); and
  - the council's own statement of licensing policy.
6. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the application as asked;
  - Modify the conditions of the licence by altering or omitting or adding to them;
  - Reject the whole or part of the application;
  - Refuse to accept the proposed DPS.
7. The sub-committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.
8. The representation received appears to relate to issues that fall under the licensing objectives.

## Implications

### Financial and Resources

Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan and Budget.

9. There are no proposals in this report that would reduce or increase resources.

## Legal

10. Members must give appropriate regard to the following:
- a. [Licensing Act 2003 and subsequent regulations](#)
  - b. [Guidance issued under Section 182 of the Licensing Act 2003](#); and
  - c. [Norwich City Council Statement of Licensing Policy](#)

### Statutory Considerations

Consideration	Details of any implications and proposed measures to address:
Equality and Diversity	No implications, no proposed measures
Health, Social and Economic Impact	No implications, no proposed measures
Crime and Disorder	Norfolk Constabulary are a responsible authority under the legislation, no proposed measures
Children and Adults Safeguarding	Social Services and Children's Safeguarding Board are responsible authorities under the legislation, no proposed measures
Environmental Impact	No implications, no proposed measures

**Risk Management**

<b>Risk</b>	<b>Consequence</b>	<b>Controls Required</b>
Legal	Risk of challenge to incorrectly made decision	Consideration of legislation and application information. Legal advisor to support members in making their decision.
Reputational risk to the council	If problems arise following a decision to grant or if a decision is made incorrectly	Legal advisor to support members in making their decision

**Reasons for the decision/recommendation**

11. It is recommended that members determine the application to grant the premises Licence in accordance with the:

- Licensing Act 2003 and subsequent regulations
- Guidance issued under Section 182 of the Licensing Act 2003; and
- Norwich City Council Statement of Licensing Policy

**Background papers: None**

**Appendices:**

A – Application form

B – Representation

**Contact Officer: Public Protection Licensing Advisor**

**Name: Maxine Fuller**

Telephone number: 01603 989400

Email address: [licensing@norwich.gov.uk](mailto:licensing@norwich.gov.uk)



**Norwich**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensingapplications@norwich.gov.uk](mailto:licensingapplications@norwich.gov.uk)  
 Telephone: 0344 980 3333

\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.



*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address    ☐ OS map reference    ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

### Section 3 of 21

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

#### Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

### Section 4 of 21

#### NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

A private limited company making online sales only

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth

\* Nationality

Documents that demonstrate entitlement to work in the UK

Add another applicant

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

A terraced house on the Newmarket Road. The one room basement of the house is used as the sole space for the business. The business runs online exclusively and orders are shipped out three times weekly (MWF; shipper stops in front of house for 5 mins each time). The business has one employee, who lives in the house and nobody visits the business.

*Continued from previous page...*

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

#### Section 6 of 21

##### PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

#### Section 7 of 21

##### PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

#### Section 8 of 21

##### PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

#### Section 9 of 21

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

#### Section 10 of 21

##### PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

#### Section 11 of 21

##### PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

#### Section 12 of 21

##### PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

### Section 13 of 21

#### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

☐ No

### Section 14 of 21

#### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

### Section 15 of 21

#### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- ☐ On the premises    ☒ Off the premises    ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Online business with no person-to-person sales to individuals and no customers visit premises to taste or select beverages.  
No seasonal variety.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

No non-standard timings.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Edgar

Family name

Harden

Date of birth

Continued from previous page...

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☒ Electronically, by the proposed designated premises supervisor
- ☐ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Premises are not open to the public. No customers come to the premises to taste or select beverages. Online sales only.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Premises are not open to the public. No customers come to the premises to taste or select beverages. Online sales only.

Continued from previous page...

## Section 18 of 21

### LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

As the business is run from the one room basement of a terraced house on the Newmarket Road and has only one employee and no visitors it is a small and quiet enterprise. The business runs online exclusively and orders are shipped out three times weekly (MWF; shipper stops in front of house for 5 mins each time). The sole employee lives in the house, does not come and go much and nobody visits the business. This is a not a public-facing business with direct contact to the public. Premises are not open to the public. No customers come to the premises to taste or select beverages. Online sales only.

b) The prevention of crime and disorder

In addition to the small footprint and quiet nature of the business, as described above, the public is unaware of it's physical presence or location and as such a break-in is unlikely. As premises are not open to the public and no customers come to the premises to taste or select beverages public intoxication is not an issue. Online sales only.

c) Public safety

The public is unaware of the physical presence or location of the business, nobody visits the office and no alcohol is made available to the public or consumed on site.

d) The prevention of public nuisance

As the business is run from the one room basement of a terraced house on the Newmarket Road and has only one employee and no visitors it is a small and quiet enterprise. The business runs online exclusively and orders are shipped out three times weekly (MWF; shipper stops in front of house for 5 mins each time). The sole employee lives in the house, does not come and go much and nobody visits the business. This is a not a public-facing business with direct contact to the public. No customers come to the premises to taste or select beverages. Online sales only.

e) The protection of children from harm

Visitors to the website must click on an "I am of legal drinking age in my area" button to go beyond the home page, on which no images of alcohol are displayed. The type of material being sold is quite expensive and rare and would take at least 24 hours to arrive at the purchaser's address under the most expedient conditions. Thus it is not the type of cheap quick fix alcohol being sought by underage drinkers.

## Section 19 of 21

### NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### **Section 20 of 21**

#### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 21 of 21

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

0.00

### DECLARATION

*Continued from previous page...*

- \* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

[Add another signatory](#)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/norwich/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

OLD COAL CHUTE WINDOW

RECEIVED

18 AUG 2022

LICENSING OFFICE

4.5 METERS

1 ROOM BASEMENT

6 METERS

MANTEL

CLOSET

CLOSET

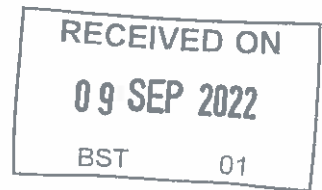
DOOR

22305 - 25 4032

Derek and Ann Jones, 63 Newmarket Road, Norwich NR2 2HW

7 September 2022

Dear Sirs



**License to sell alcohol at 61 Newmarket Road, Norfolk NR2 2HW**

We are writing our objection to the granting of the above license.

The applicant has lived at No. 61 for 7 years, why is he only now applying for a License to sell wines and spirits?

We were under the impression he was working from his rear garage. We now understand that that his stock of spirits/wine is stored in the basement of his house. As this terrace of houses is Grade 2 listed we are concerned that the stored spirits would act as an accelerant, in case of fire.

In his statement he quotes: "orders are shipped out 3 times weekly". We have to contradict this, as the application failed to mention how many van movements deliver stock to No. 61. We see regular van courier movements on most weekdays, in the last couple of years we have seen days when three vans come on one day. We have noticed a great deal of difference since the vans are not coming to his house.

We are often asked to take in large heavy parcels - which we decline. This has happened 3 times in the last 3 weeks, the last one being on September 2nd.

We are worried and concerned that if the license is granted this will be detrimental to the sale of our property, as a property search will flag up a licensed business selling alcohol.

Yours faithfully

D and A Jones



53 Newmarket Road

Norwich

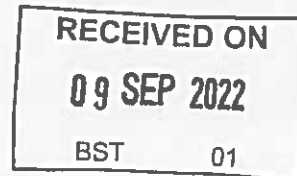
NR2 2HW

07/09/2022

Re Application for Premises Licence at 61 Newmarket Road dated 25/8/2022

Applicant: Edgar Harden

Dear Sirs



I am writing to make a comment on the above Application.

My interest is as a near neighbour of the Applicant. To put the area in context; numbers 47-69 Newmarket Road are a row of terraced houses, Grade 2 listed in a conservation area. They are approached by a private drive which the owners are responsible to maintain, there are two exits on to Newmarket Road.

The Applicant appears to rely on courier services to deliver stock and collect his sales to his front door. This has been an issue for members of the terrace for some time as the frequency of these deliveries has been multiple times a day much more than you would expect for normal domestic deliveries. It seems that the applicant proposes to limit the collection of his sales to 3x a week. If he could coordinate his delivery of stock to take place at the same time then this may go some way to alleviate this particular problem. Alternatively the Applicant could have his deliveries taken to a storage location away from the Terrace to be collected by the Applicant in larger batches.

The question of the inconvenience to near neighbours also raises the issue Planning and change of use from Residential to Commercial. I would suggest that the Planning Authority ought to be consulted on whether the proposed licensing of No. 61 to sell alcohol requires an application for a change of use.

It appears from the last accounts filed by the Applicants company that at the time they were filed there was over £200,000 worth of alcohol stored at the premises. Obviously I can not comment on the quantity as the Applicant deals in high end spirits, but there is a fire risk from alcohol and I suggest that the Fire Department should be asked to inspect the premises to ensure that there is no increased risk to the Terrace.

I suggest this is a rather unusual Application in a location where you would not expect to find a Licensed Premises. It may be possible that this is acceptable, if there are sufficiently strong and clear restrictions so there can be no detrimental affect on the neighbours or neighbourhood and all the issues and risks have been dealt with.

I hope this assists with your consideration of the application and if there is any further information you require please contact me.

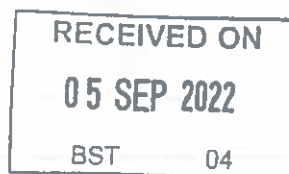
Yours faithfully

David Bloomfield

1426140

65 Newmarket Road  
Norwich  
NR2 2HW

2 Sept. 2022



Dear Sir or Madam,

I write to urge you not to grant planning permission to a change of use of No 61 Newmarket Road.

I think that domestic buildings should stay domestic, particularly when they form part of an urban terrace, as these do.

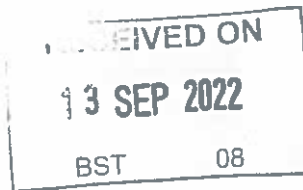
I also think that such buildings should not sell alcohol. There are few businesses in the Newmarket Road that do, and it should surely be kept that way.

The proposed change of use of No. 61 into a business, and one that sells alcohol (opposite a school) is surely detrimental and would involve increased car traffic - which none of the owners of these late Georgian houses want.

Yours

(at No. 65)

Professor David Barry Asker  
34 Judges Walk,  
Norwich,  
NR4 7QF  
Previously  
67 Newmarket Road,  
Norwich,  
NR2 2HW



**Re: Application for Premises Licence at 61 Newmarket Road dated 25/8/2022**  
**Applicant: Edgar Harden, Eponymous Holdings Ltd.**

I am writing to make a comment in support of the above application. Until recently, my wife and I were neighbours of Mr Harden before moving a short distance away. During the time we lived there, Mr Harden was an excellent neighbour whose one-man online business selling high quality alcoholic spirits did not interfere in any way with our lives or cause us any inconvenience or disturbance. We found such a small online business carried out with total discretion an asset to our little community. Though it is a business, it cannot be characterised as loudly commercial.

I note the four criteria that apply in such cases. (1) Crime and disorder would not be an issue as no customers visit the premises and of course no alcohol is consumed by them. (2) There are similarly no issues I can see related to public safety. The spirits are kept in very good and orderly condition in the garage to the rear of the property (I have been in and seen) and the likelihood of fire I would rate as negligible, though this can of course be checked out. The garage is the other side of a secondary small private road and is not attached to the houses. (3) Public nuisance resulting from Mr Harden's strictly online business is most unlikely. Though it is true that delivery vans to Mr Harden irritate some neighbours, I cannot construe this annoyance as a public nuisance. Many delivery vans, not only to Mr. Harden, are a fact of life these days on all our roads. The private road on which twelve houses in the terrace are situated is narrow but it all works out in our experience with a bit of goodwill. The issue of the narrow private road is exacerbated because many residents park their cars permanently in front of their houses rather than in the garages to the rear of the properties, some of which it is true are rather small for the sometimes large cars people drive these days. Lastly (4) it is inconceivable that children could come to any harm as a result of Mr Harden's business as nobody knows it is there and children are few and far between in that neck of the woods.

In summary, I support the application. It is unusual, it is true, for a licensed premises to be located in such a terrace where Mr Harden and his family reside. But the business is entirely online and is completely discreet. Any issues related to delivery vans can surely be sorted out amicably and are anyway unrelated to the criteria as such for granting a public licence.

Please contact me should you require further information.

David Barry Asker