

Licensing & Regulatory Committee

Minutes of a meeting of the **Licensing & Regulatory Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 28 August 2019** at **9:30am** when there were present:

Ms J L Thomas – Chairman

Mr R R Foulger

Mr M L Murrell

In attendance were Mr D Lowens (the Committee's legal advisor), the Senior Environmental Health Officer (Safety and Licensing), the Technical Officer – Licensing Enforcement (SH), the Licensing Administrator and the Committee Officer (DM).

Two representatives from NPLaw attended the meeting to observe.

Also present were:

- (1) Shelley Coventry, Company Secretary, Royal Norwich Golf Club – for the applicant
- (2) Kevin Gooch, Director of Hospitality, Royal Norwich Golf Club - for the applicant
- (3) Mr A Myhill, Royal Norwich Golf Club - for the applicant
- (4) Claire Morton Chairman of Weston Longville Parish Council – objecting
- (5) Cllr G Peck – Norfolk County Councillor for Weston Longville – objecting
- (6) Cllr P E Bulman – Broadland District Councillor for Weston Longville - objecting
- (7) Samita Mukhopadhyay – 8 Church Farm Close, Weston Longville – objecting
- (8) Richard Parsons – Old Dairy, Morton Lane, Weston Longville – objecting
- (9) David and Barbara Harrod – Keeley Cottage, Morton Lane, Weston Longville – objecting
- (10) Kate Symonds – Fairfield House, Morton Lane, Weston Longville - objecting

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The Chairman welcomed everyone to the meeting and invited all present to introduce themselves. She referred to the procedure to be followed and sought confirmation from all present that they all had copies of the papers for the meeting.

The Committee was asked to consider an application for a Premises Licence in respect of Royal Norwich Golf Club Ltd, The Weston Estate, Weston Hall Road, Weston Longville, NR9 5JW originally sought and advertised as follows:

Licensable Activity:

- ***E. Live music (indoors)***
Monday to Sunday 08.00 to 24.00
New Year's Eve until 2am
- ***F. Recorded music (indoors and outdoors)***
Monday to Sunday 07.00 to 02.00
- ***I. Late night refreshment (indoors)***
Monday to Sunday 23.00 to 02.00
- ***J. Supply of alcohol (for consumption on and off the premises)***
Monday to Sunday 07.00 to 02.00

It is proposed that the premises would be open from 7am until 2am Monday to Sunday.

Representations had been received from the Police, Health and Safety and objections received from 19 residents, the parish council and 2 local district councillors. The Committee then heard representation from all of the attendees listed above.

A number of residents who had made representations were unable to attend the hearing but had reiterated their representations as set out in the committee papers.

The Committee was advised that the applicant had agreed to the conditions proposed by Health and Safety. Having regard to this, the Police had agreed that their condition relating to a documented event management plan being in place which considered security and medical provisions for all events with alcohol sales and an expected attendance of 500 guests could be replaced by the Health and Safety conditions. The Police still required to be notified in writing at least 28 days prior to any event planned where more than 499 (not 500) people were expected to attend. It was confirmed that there were no Police objections to the application provided the conditions were in place.

It was also confirmed that the area of the licenced premises extended to the outer perimeter of the whole site of the golf course as shown red on the plan. It was also confirmed that a proposed designated premises supervisor was in place as required.

With regard to the conditions proposed by Health and Safety, the applicant had agreed to an updated set of conditions which were further amended at the Committee following advice from the Legal Advisor to the Committee and with the agreement of the applicant they were included within the proposed operating schedule. A copy of the amended conditions is attached to the signed copy of these Minutes. It was noted that the applicant would be unable to comply with the condition to give 3 months' notice of an event in relation to the opening event on 16 September but had engaged with the Safety

Advisory Group (SAG).

The Committee heard from the applicant who, in summary, stated that many of the concerns being raised related to previous use of the premises as a wedding venue. The new premise was essentially a golfing venue which, to ensure its future viability and sustainability, was being developed as a multifunctional venue to host a wide range of events which could include occasional weddings for members, conferences, tribute evenings, major golf events, cookery and craft events, experiences such as gin tastings and an onsite micro-brewery. Negotiations were also taking place to develop links with the City College. The applicant was keen to work with the local community and appreciated their concerns. The premises included noise controlling equipment through which all music in the Stables would be played and controlled. The building was fully air-conditioned and there would be no need to open any windows.

With regard to concerns raised, the applicant addressed the Committee regarding the intended way in which the business would function, whilst not introducing these proposals as part of the operating schedule. It was proposed that professional security staff in addition to other experienced / trained staff would police events as necessary, including use of lapel video recording facilities. CCTV would be used at a variety of locations around the buildings and recordings would be made available to the Police and the licensing authority. Staff would be trained to manage the facility and deal with any inappropriate behaviour. They confirmed that the premises would only have one access (2 cars wide) for entry / exit traffic and the alternative access currently serving some residential properties would only be used in the event of an emergency. There would be no marquees on the premises other than those needed for a tented shopping/eating village at a major European golfing event. There would be no marquee for weddings; these would be held inside. Liaison with the Fire Officer was ongoing to identify the capacity for the premises. With regard to the activities taking place until 2am, the applicant commented that this would be an occasional worse-case scenario with most activities taking place from 7 am to 11pm. Actual opening times would depend on business needs as they arose and these had not as yet been quantified. The applicant was happy to work with the licensing authority regarding noise limits but again it was not possible to establish these at the present time as building work was still ongoing. The applicant had always ensured compliance with licensing requirements at their previous premises in Hellesdon.

With regard to the representations from other persons, in summary these related to noise nuisance, serving of alcohol until 2am and a lack of detail regarding the nature of events planned for the venue. Concerns were also expressed about the lack of clarity about the number and of events proposed and about prospective attendance numbers and the implications for noise / disturbance and traffic. The impact of the proposals in a rural setting was of concern as was the lack of proposals to control and mitigate potential

nuisances. Concerns were also raised about use of fireworks and the potential impact of the proposals on a nearby business offering stays in yurts, which by their nature depended on a quiet, rural location.

During the hearing, the applicant amended the scope of their application as follows:

- Reference to live music (indoors) was amended to cover the main building (the Stables) only.
- Reference to recorded music (indoors) was amended to cover the main building (the Stables) and the two patio areas associated with the Stables.
- Reference to recorded music (outdoors) was amended to specify the whole site, save for the indoor areas, but from 9am to 9pm instead of 7am – 2am as originally applied for.
- Reference to late night refreshment (indoors) was amended to cover the main building (the Stables) and the two patio areas associated with the Stables.
- Reference to the supply of alcohol for consumption on and off the premises was amended regarding outdoor areas of the premises from 9am to 9pm and for the areas of the stables and patio, the applicant continued to request 7 am to 2am.

The applicant also confirmed that they were happy to offer a condition that all amplified music at the Stables would be controlled via the applicant's own noise limiting equipment and that maximum sound levels would be determined by Broadland District Council and not amended without their written approval. They also confirmed they were happy for CCTV footage to be made available to the Licensing Authority on request as well as the Police.

All parties present, with the exception of the Committee Members, the Legal Advisor and the Committee Officer, then left the meeting whilst Members discussed the matter. Cllr R Foulger had to leave the meeting at this point for a prior engagement and the remaining two members determined the application. All parties remaining, were then re-admitted to the meeting and advised of the Committee's decision, as follows:

The Committee considered all the evidence before it including written representations and oral representations heard at the meeting. They determined the application having regard to the four licensing objectives and had regard to the statutory guidance issued under Section 182 of the Licensing Act 2003 (as amended April 2018) and the Council's licensing policy.

Having taken into account all of the above matters the Committee agreed to grant a licence as follows:

Opening hours (for the public to be present):

Sunday to Thursday 07.00 to 00.30

Friday and Saturday 07.00 to 02.00

Licensable Activity:

- ***E. Live music (indoors - defined as the Stables only)***
Monday to Sunday 08.00 to 24.00
New Year's Eve until 2am
With the condition agreed by the applicant that all amplified music would be controlled via the applicants' own noise limiting equipment and that maximum sound levels would be determined by Broadland District Council and not amended without their written approval.
- ***F. Recorded music (indoors - defined as the Stables only)***
Sunday to Thursday 07.00 to midnight
Friday and Saturday 07.00 to 01.30am the following morning
With the condition agreed by the applicant that all amplified music would be controlled via the applicants' own noise limiting equipment and that maximum sound levels would be determined by Broadland District Council and not amended without their written approval.
- ***F. Recorded music (outdoors)***
Monday to Sunday 9.00 to 21.00
With the imposed condition that the premises licence holder shall ensure that the noise level from recorded music arising from the premises (other than the Stables) shall not cause a statutory nuisance at any noise sensitive residential or business premises.
- ***I. Late night refreshment (indoors – defined as the Stables and the two patio areas associated with the Stables only)***
Sunday to Thursday 07.00 to midnight
Friday and Saturday 07.00 to 01.30am the following morning
- ***J. Supply of alcohol (indoors - defined as the Stables and the two patio areas associated with the Stables only) for consumption on and off the premises***
Sunday to Thursday 07.00 to midnight
Friday and Saturday 07.00 to 01.30am the following morning
- ***J. Supply of alcohol (outdoors) for consumption on and off the premises***
Monday to Sunday 9.00 to 21.00
With an imposed condition that no alcohol is to be consumed outside the Stables and the two patio areas associated with the Stables only after 21.30.

The licence is subject to the mandatory conditions applicable to licenced premises together with the conditions agreed by the applicants as part of their application and during the course of the meeting, the conditions imposed by the Committee as detailed above, the condition proposed by the Police and agreed by the applicants – (to be notified in writing at least 28 days prior to any event planned where more than 499 (not 500) people were expected to attend) and the amended conditions agreed with Health and Safety and attached at Appendix 1 to this decision.

The reasons for the decision were:

- The Committee had taken into account that there was no outstanding objection from the Police.
- There had been no representation from Environmental Health regarding noise.
- There were no outstanding health and safety issues from Environmental Health following agreement by the applicants to the updated health and safety conditions.
- The premises are located close to residential and business uses and the applicant has not sought a limitation on the number of events that can take place nor their type. It is understood that the business seeks to be a popular destination for various leisure uses and wishes to have a broad appeal to members of the public. Local residents and businesses were concerned regarding the possibility of noise nuisance and disturbance. In order to promote the licensing objectives, especially that of the prevention of public nuisance, whilst maintaining what was felt to be an appropriate balance between the parties interests, the Committee determined that a reduction of some timings of licensable activities was appropriate and conditions to control noise including the noise from members of the public consuming alcohol should be imposed above those suggested by the applicant.

All present were advised that there was a right of appeal against the decision, details of which were contained within Schedule 5 of the Licensing Act 2003, and must be exercised within 21 days from the date of the written decision.

The meeting closed at 2.40pm