

# Licensing and Gambling Acts Committee

## Agenda

### Members of the Licensing and Gambling Acts Committee:

Cllr R Elliott (Chairman)
Cllr L Glover
Cllr P Hardy

### Date & Time:

Wednesday 6 January 2021  
10.00am

### Place:

To be hosted remotely at: South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE

### Contact:

Claire White tel (01508) 533669  
Email: [democracy@s-norfolk.gov.uk](mailto:democracy@s-norfolk.gov.uk)  
Website: [www.south-norfolk.gov.uk](http://www.south-norfolk.gov.uk)

### PUBLIC ATTENDANCE:

This meeting will be live streamed for public viewing via the following link:

<https://www.youtube.com/channel/UCZciRgwo84-iPyRImsTCIng>

### Large print version can be made available

If you have any special requirements in order to attend this meeting, please let us know in advance.

# AGENDA

1. To report apologies for absence and to identify substitute voting members (if any);
2. To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to section 100B(4)(b) of the Local Government Act, 1972. [Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.];
3. To receive Declarations of Interest from Members;  
(Please see guidance form and flow chart attached – page 4)
4. Application for a New Premises Licence;

(papers attached – page 6)

Premises: 15B Market Hill  
Diss IP22 4JZ

(appendix 1 – page 12)

(appendix 2 – page 16)

Applicant: Adam Lees

(appendix 3 – page 17)

Application for: New Premises Licence

(appendix 4 – page 18)

(appendix 5 – page 21)

(appendix 6 – page 29)

## Members of Committee and Accreditation details:

<b>Members of Licensing, Appeals &amp; Complaints and the Licensing and Gambling Acts Committees</b>	<b>Expiry of training accreditation-Taxi</b>	<b>Expiry of training accreditation-Licensing Act 2003</b>
Elliott Cllr R	29/05/21	29/05/21
Kemp Cllr W	03/06/21	03/06/21
Burrill Cllr D	29/05/21	29/05/21
Curson Cllr F	03/06/21	03/06/21
Easter Cllr J	29/05/21	29/05/21
Glover Cllr L	03/06/21	03/06/21
Halls Cllr J	29/05/21	29/05/21
Hardy Cllr P	29/05/21	29/05/21
Holden Cllr T	29/05/21	29/05/21
Hornby Cllr J	03/06/21	03/06/21
Legg Cllr N	29/05/21	29/05/21
Rowe Cllr J		
Savage Cllr J	03/06/21	03/06/21
Spruce Cllr T	03/06/21	03/06/21
Wilby Cllr J	29/05/21	29/05/21

## DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

<p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> <li>1. affect yours, or your spouse / partner's financial position?</li> <li>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</li> <li>3. Relate to a contract you, or your spouse / partner have with the Council</li> <li>4. Affect land you or your spouse / partner own</li> <li>5. Affect a company that you or your partner own, or have a shareholding in</li> </ol> <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.  
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST  
INSTANCE**

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



**Agenda Item: 4**  
**Licensing and Gambling Act Sub-Committee**  
**6 January 2021**

**LICENSING ACT 2003**  
**NEW PREMISES LICENCE APPLICATION**  
**15B MARKET HILL, DISS, IP22 4JZ**

**Report Author(s):** Amanda Cox  
Licensing Enforcement Officer  
01508 533621  
licensingteam@s-norfolk.gov.uk

**Portfolio:** Clean & Safe Environment

**Ward(s) Affected:** Diss

**Recommendations:**

The Sub-Committee is expected to make its determination based on an assessment of the evidence on both the risks and benefits for or against making the determination, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

The Sub-Committee must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.

Where a licensing authority determines an application, it must notify the determination and its reason of making it to –

- (a) The holder of licence
- (b) The applicant
- (c) Any person who has made relevant representations, and
- (d) The chief officer of police for the police area in which the premises are situated

## **1. Summary**

- 1.1 The purpose of this report is to determine a new application that has been made by HotCup Ltd for a new premises licence at On the Hill, 15B Market Hill, Diss, IP22 4JZ. A relevant representation has been made regarding this application.
- 1.2 Given the above, the application must be determined by a hearing of the Licensing and Gambling Acts Sub-Committee.
- 1.3 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Sub-Committee must give appropriate weight to:
  - The steps that are appropriate to promote the licensing objectives;
  - The representations presented by all parties;
  - The revised guidance issued under section 182 of the Licensing Act 2003;
  - South Norfolk Council's Statement of Licensing Policy published in January 2016
- 1.4 The licensing objectives are;
  - The prevention of crime and disorder;
  - Public safety;
  - The prevention of public nuisance;
  - The protection of children from harm

## **2. Background**

- 2.1 South Norfolk Council is the authority responsible for issuing licences within the district under the Licensing Act 2003 (the Act), which came into effect on the 24<sup>th</sup> November 2005.
- 2.2 An application was submitted on the 15<sup>th</sup> October 2020 by Mr Adam Lees for a new premises licence at On the Hill, 15B Market Hill, Diss, IP22 4JZ. The application form is attached as Appendix 1 and the proposed plan of the premises is attached as Appendix 2.
- 2.3 The applicant subsequently amended the applicant details to HotCup Ltd. Please see relevant correspondence as Appendix 3.
- 2.4 The applicant further amended the licence to permit under 18's on the premises without being accompanied by a family member and removed the condition relating to customers being kept on the premises. Please see relevant correspondence attached as Appendix 4.
- 2.5 The applicant requests the following licensable activity:  
  
Supply of alcohol – Consumption on & off the premises

Monday – Sunday 12:00 – 23:00

Recorded music – Indoors

Monday – Sunday 12:00 – 23:00

(Please note the provision of recorded music between the hours requested and in addition as specified in the application at a background level would not be licensable and therefore cannot be taken into account when determining this application).

Opening Hours

Monday – Sunday 12:00 – 23:00

- 2.6 As part of the application process, the applicant is responsible for advertising the application by way of a notice in a specified form at the premises for not less than 28 consecutive days and in a local publication on at least one occasion within 10 working days after the application has been submitted. Unfortunately, the advertisement procedure was not carried out in the prescriptive timeframe and therefore the application submitted on the 15<sup>th</sup> October 2020 was deemed invalid and was subsequently re-submitted with the consultation re-started on the 9<sup>th</sup> November 2020.
- 2.7 In accordance with the Licensing Act (Hearings) Regulations a notice of the application was also published on the Council's website for the duration of the consultation period.
- 2.8 A consultation was sent to the responsible authorities as provided in the Act and out of courtesy to the local Member and Parish Council. To provide an overview the following responses were received: -
- Norfolk Constabulary – Request for amendment to conditions - agreed with applicant
- Norfolk Fire Service – Acknowledgement of receipt
- SNC Community Protection – Request for additional conditions - agreed with applicant
- SNC Planning – No comment
- 2.9 Full details of the above responses can be found at Appendix 5.
- 2.10 A representation has been received from a local resident objecting to the application under the prevention of public nuisance objective. A copy of this representation can be found at Appendix 6.



### **3. Proposed Action**

- 3.1 The application for a new premises licence must be determined by a hearing of the Licensing Sub Committee, as under the Act, determination may not be delegated to officer level. This determination should only be made in relation to received representations relevant to the content of this application, the four licensing objectives, the Revised Guidance issues under Section 182 of the Licensing Act 2003 and South Norfolk Council's Statement of Licensing Policy published in January 2016.

### **4. Other Options**

- 4.1 The authority must, having regard to the application and any relevant representations, take such steps mentioned below (if any) as it considers appropriate for the promotion of the licensing objectives.

The steps are –

(a) To grant the licence subject to –

- i. the conditions mentioned in subsection(2)(a) modified to such extent as the authority considers (appropriate) for the promotion of the licensing objectives, and
- ii. any conditions which must be met under section 19, 20 or 21 be included in the licence;

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) to refuse to specify a person in the licence as the premise's supervisor;

(d) to reject the licence.

- 4.2 Conditions on a premises licence are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will" is encouraged.

Licence conditions;

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are not appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and capable of being met;

- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

4.3 There is a right of appeal to the Magistrates Court within 21 days.

## **5. Issues and Risks**

5.1 **Resource Implications** – Statutory requirement

5.2 **Legal Implications** – Statutory requirement

5.3 **Equality Implications** – The Sub-Committee in its decision making, must have due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

5.4 **Environmental Impact** – See licensing objectives

5.5 **Crime and Disorder** – See licensing objectives

5.6 **Risks** – the Council could incur costs in officer and legal representative time if a person is aggrieved by the decision of the Committee and pursues an appeal in the Magistrates Court.

## **6. Recommendations**

6.1 The Sub-Committee is expected to make its determination based on an assessment of the evidence on both the risks and benefits for or against making the determination, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

6.2 The Sub-Committee must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.

6.3 Where a licensing authority determines an application, it must notify the determination and its reason of making it to –

- (a) The holder of the licence
- (b) The applicant
- (c) Any person who has made relevant representations, and
- (d) The chief of police for the police area in which the premises are situated

## **Appendices**

Appendix 1 – Application form

Appendix 2 – Proposed floor plan

Appendix 3 – Amendment to applicant details

Appendix 4 – Amendment to operating schedule conditions

Appendix 5 – Responses received from responsible authorities

Appendix 5 – Representation from local resident

## Appendix 1: Application Form

**From:**  
**Sent:** 15 Oct 2020 12:50:57  
**To:**  
**Subject:** New Premises Licensing Application (WEB-PRN-28)  
**Attachments:** floorplan\_highlight\_license.png

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### New Premises Licensing Application (WEB-PRN-28)

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A new premises application has been received.

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### Application

Applicant capacity:  
**b) limited company/limited liability partnership**

Reason for application:  
**Carry on business**

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### Premises details

Premises address:  
**15B Market Hill  
Diss  
Norfolk  
IP22 4JZ**

Premises contact number:

NNDR value:  
**B (Â£4301-33000)**

Premises plan send method:  
**Attach**

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### Applicant details

Name:

**adam lees**

Main contact:

**No**

Address:

Registered number:

Description of applicant:

**owner**

Preferred contact:

**Email**

Contact number:

Email:

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## **Operating schedule**

Premises licence start:

**18/11/2020**

Premises licence limited period:

**No**

Premises description:

**restaurant wine bar for wine and bottled beer with food**

Expected attendance exceeds 5000:

**No**

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## **Open times**

Sunday	12:00:00 - 23:00:00
Monday	12:00:00 - 23:00:00
Tuesday	12:00:00 - 23:00:00
Wednesday	12:00:00 - 23:00:00
Thursday	12:00:00 - 23:00:00
Friday	12:00:00 - 23:00:00
Saturday	12:00:00 - 23:00:00

Seasonal variations:

Non-standard timings:

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## Activity - recorded music

Sunday	12:00:00 - 23:00:00
Monday	12:00:00 - 23:00:00
Tuesday	12:00:00 - 23:00:00
Wednesday	12:00:00 - 23:00:00
Thursday	12:00:00 - 23:00:00
Friday	12:00:00 - 23:00:00
Saturday	12:00:00 - 23:00:00

Place:

**Indoors**

Further details:

**background speaker**

Seasonal variations:

Non-standard timings:

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## Activity - alcohol

Sunday	12:00:00 - 23:00:00
Monday	12:00:00 - 23:00:00
Tuesday	12:00:00 - 23:00:00
Wednesday	12:00:00 - 23:00:00
Thursday	12:00:00 - 23:00:00
Friday	12:00:00 - 23:00:00
Saturday	12:00:00 - 23:00:00

Place:

**Both**

Further details:

**wine by glass and bottle. beer by bottle. wine bottles available to buy.**

Seasonal variations:

Non-standard timings:

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## Designated premises supervisor

**DPS is unknown at present.**

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## Adult entertainment

Providing adult entertainment:

No

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## Licensing objectives

a) General - all four licensing objectives (b, c, d and e):

**Staff training and regulated servings to ensure no excessive alcohol consumption**

b) The prevention of crime and disorder:

**Installation of CCTV and logged recordings**

c) Public safety:

**install necessary safety apparatus and mark emergency exit routes.**

d) The prevention of public nuisance:

**customers kept on premises and music and lights kept low**

e) The protection of children from harm:

**challenge 25 identification process and under 18s to be accompanied with family.**

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## Correspondence

Name:

**adam lees**

Address:

Preferred contact:

**Email**

Contact number:

Email:

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## Submit

The customer has **not** ticked the box to indicate they have read and understood the right work entitlements.

The customer has ticked the box to indicate they understand they must advertise their application.

The customer has ticked the box to indicate that if they don't comply with the requirements their application will be rejected.

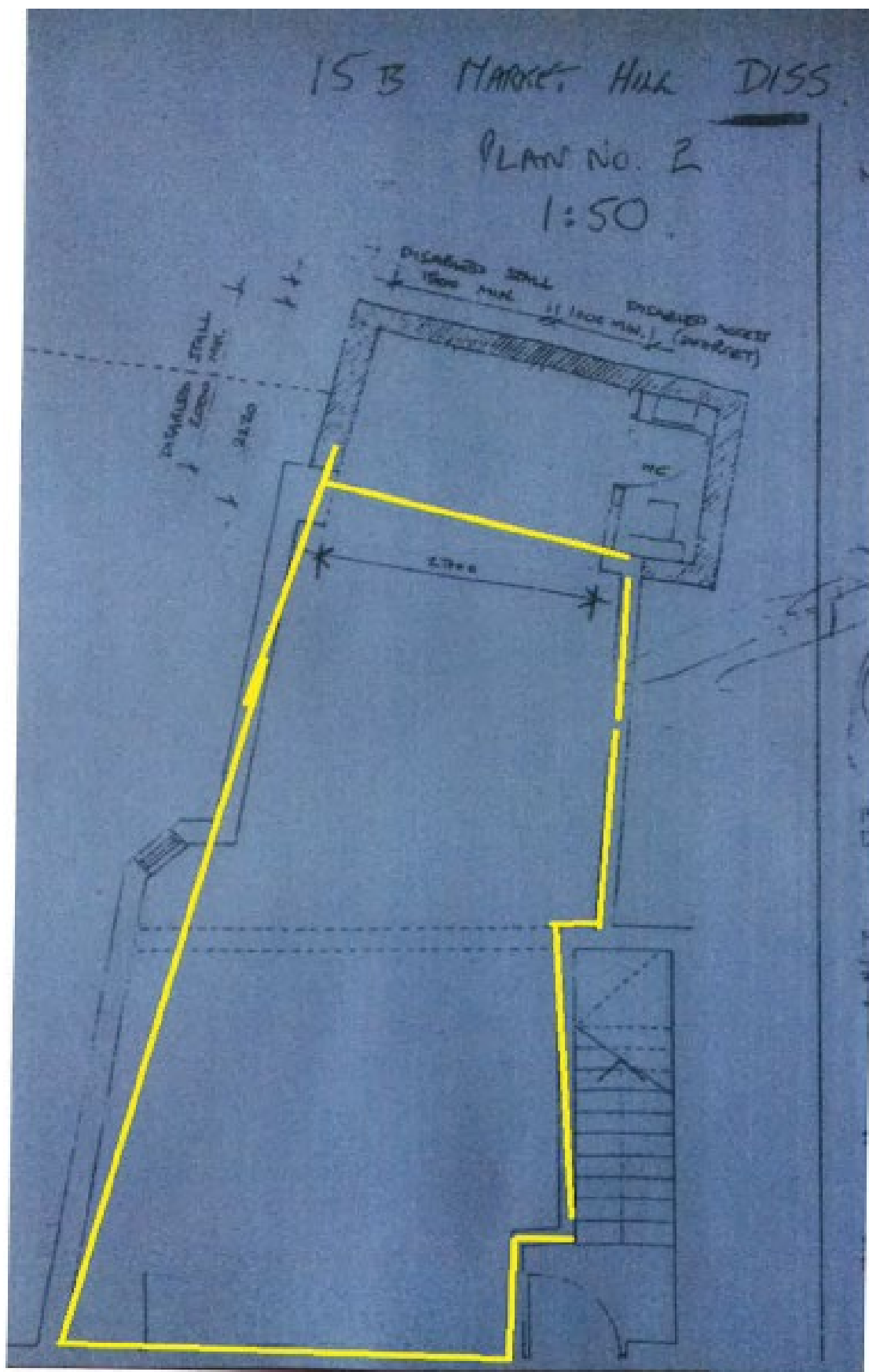
---

## Payment

Payment method:

**Online**

Receipt number:





### **Appendix 3: Amendment to Applicant**

Amanda,

I wasn't sure which would be preferable and I'm not sure if it makes a considerable difference but here are company details;

HotCup Limited

Thanks

Adam

On Fri, 16 Oct 2020 at 09:16, Amanda Cox

Dear Mr Lees,

Apologies an oversight on my behalf. I note you have applied as a limited company but you have provided your details as an individual and not your company. Please can you either provide your company name and registered number or alternatively I will require a copy of your eligibility to work within the UK, i.e. passport.

Many thanks

Amanda Cox  
Licensing & Enforcement Officer

#### **Appendix 4: Amendment to operating schedule conditions**

Amanda,

Yes i am happy with the changes.

Okay, I will prepare a plan and application in the summer if i decide to go down that route. There is no new name as of yet but i will be the supervisor. Im arranging the aplh through poppleston.

Adam

On Fri, 6 Nov 2020, 16:10 Amanda Cox, wrote:

Dear Adam,

I have no issue with Under 18's being permitted given the hours proposed on your application. Please can you confirm in writing that you wish me to remove the condition – Under 18s to be accompanied with family.

With regard to the premises boundary, this is clearly identifiable by the plan submitted with the application and therefore please confirm in writing that you wish to remove the condition – Customers to be kept on the premises

**From:** Adam Lees  
**Sent:** 06 November 2020 15:24  
**To:** Amanda Cox  
**Cc:**  
**Subject:** Re: 15B Market Hill, Diss

Amanda,

Amendment – Having refined the model of the restaurant with a finer grain, I think under 18s should be allowed to dine in and takeaway in the restaurant (without alcohol), is this acceptable ? Is there anything I need to be aware of in this regards ?

Query – The piece of land from the shop front to the curb is council i believe as it does not come under the premises plan, I dont think I can prevent customers from smoking on this land. I would like to at some point speak to the relevant authority to discuss whether it would be acceptable to have tables and chairs in front in the summer but for now business will only be conducted on the premises – sorry this wasnt clear.

Let me know if you have more queries, thanks for your time.

Thanks

Adam

On Fri, 6 Nov 2020 at 15:06, Amanda Cox wrote:

Dear Mr Lees,

I am writing with regard to your current application for a new premises licence at 15B Market Hill, Diss which is presently under consultation.

As stated in the Revised Guidance issued under section 182 of the Licensing Act 2003:-

10.5

*It is not acceptable for licensing authorities to simply replicate the wording from an applicants operating schedule. A condition should be interpreted in accordance with the applicants intention.*

In light of the conditions proposed by yourself and my colleagues Adrian Nicholas and Michelle Bartram and to avoid duplication I suggest and query the following:-

### **Amendment to condition**

Install necessary safety apparatus and mark emergency exit routes = A fire risk assessment will be undertaken and adhered to.

Under 18s to be accompanied with family = Any person under the age of 18 years must be accompanied by an adult – do you want to make specific reference to it being a family member, that's very tricky to enforce?

### **Query of condition**

What is meant by customers kept on the premises? Are they prevented from being outside? How is this managed? Smoking area?

I look forward to hearing from you prior to the close of consultation on the 12<sup>th</sup> November.

Kind regards

Amanda Cox  
Licensing & Enforcement Officer



**NORFOLK**  
**CONSTABULARY**

*Our Priority is You*

Licensing Department  
South Norfolk District Council  
Swan Lane  
Long Stratton

Tuesday 1<sup>st</sup> December 2020

**Dear Sir/Madam**

The Licensing Team

Bethel Street Police Station  
Norwich  
Norfolk  
NR21NN

Tel:

Fax:

Email: \_\_\_\_\_

[www.norfolk.police.uk](http://www.norfolk.police.uk)

Non-Emergency Tel: 0845 456 4567

**Application for a new premises licence - 15B Market Hill Diss**

Norfolk Police have received a copy of the resubmitted application for a new premises licence for 158 Market Hill Diss.

This application is requesting, the sale of alcohol for consumption both on and off the premises from 1200 until 2300 hrs Monday-Sunday and the applicant is Hotcup Ltd.

My understanding is that the applicant intends to operate as a wine bar offering food including bottled beers.

There is currently no appointed DPS but my understanding is that the applicant is in the process of taking his personal licence course and will nominate himself.

The operating schedule within the application gives mention to CCTV, Staff training and Challenge 25 Policy however in order to ensure the conditions are enforceable and that the licensing objectives are being promoted, I request that the following conditions are added to the Premises Licence:

- **CCTV in operation and cover the main public areas and immediate outside of the premises. CCTV footage to record for a minimum of 28 days and be available to Police or Licensing Authority on request.**
- **Staff will be trained in relation to the sale of alcohol and a record of this training will be kept at the premises and available to Police or Licensing Authority on request.**
- A challenge 25 Policy will be in operation and signage will be on display.
- A refusal log will be kept at the premises to record all refused sales of alcohol and available to Police or Licensing Authority on request.
- Patrons will be prevented from leaving the premises with open vessels of alcohol (with the exception of using a designated outside table and chair area)

With these conditions added to the premises licence, there are no outstanding representations from Norfolk Police

Yours faithfully,

Michelle Bartram - Licensing Officer

From: Bartram, Michelle  
Sent: 03 Dec 2020 04:49:02  
**To:**  
Subject: FW: Letter of representation 15B Market Hill Diss  
Attachments: Letter of representation 15B Market Hill Diss.docx,

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Amanda,

Please see the Police representation attached for 15B Market Hill Diss.

I have the email below from the applicant Mr Lees agreeing to the additional conditions to be added.

With the proposed conditions added, there are no Police objections

Thanks

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**Michelle Bartram**

Licensing Officer  
Licensing, Alcohol and Drug Team.  
Norfolk Constabulary  
Bethel Street Police Station  
Norwich, Norfolk, NR2 1NN

**From:** Bartram, Michelle  
**Sent:**  
*-ro:l*  
**Subject:** RE: Letter of representation 15B Market Hill Diss

Great thanks, just needed to check

I will forward that and your reply to the council now

thanks

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**Michelle Bartram**

Licensing Officer  
Licensing, Alcohol and Drug Team.  
Norfolk Constabulary  
Bethel Street Police Station  
Norwich, Norfolk, NR2 1NN

**From:** Adam Lees •  
**Sent:** 01 December 2020 13:54  
**To:** Bartram, Michelle  
**Subject:** Re: Letter of representation 15B Market Hill Diss

Michelle,

Yes still happy with the proposals .

Thanks

Adam

On Tue, 1 Dec 2020 at 12:36, Bartram, Michelle •

wrote :

Hello Adam

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I am aware that the application had to be resubmitted.

I know you were originally happy with these proposals, can you confirm in writing that you are happy with this again on the attached document.

Many thanks

Michelle Bartram  
**Licensing Officer**  
Norfolk Police  
Norwich

This e-mail carries a disclaimer

Go here to view [Norfolk Constabulary Disclaimer](#)



Website: [www.norfolkfireservice.gov.uk/](http://www.norfolkfireservice.gov.uk/)

Please ask for: Chris Soames  
Direct Dial: 0300 123 1669  
Email: [chris.soames@norfolkfireservice.gov.uk](mailto:chris.soames@norfolkfireservice.gov.uk)  
My Ref: 00007237  
Your Ref: 16 November 2020

Dear Sir,

**The Regulatory Reform (Fire Safety) Order 2005**

**With reference to - Licensing Act 2003**

**Premises: Mr Adam Lees, 15b Market Hill Diss IP22 4JZ**

I acknowledge receipt of the application for the above premises.

As these premises fall within the scope of the Regulatory Reform (Fire Safety) Order 2005, I would like to draw your attention to the following guidance documents:

**Small and Medium Places of Assembly:** This guide is for all employers, managers, occupiers, and owners of small (accommodating up to 60 people) and medium (accommodating up to 300 people) places of assembly including: Public houses; Clubs; Village halls; Community centres; Libraries; Marquees; Churches; and other places of worship or study. ISBN 13: 978 1 85112 820 4

**Large Places of Assembly:** This guide is for all employers, managers, occupiers, and owners of larger premises where more than 300 people could gather including: Shopping Centres (not the individual shop unit), Night Clubs and Public Houses, Exhibition and Conference Centres, Sports Stadia, Marquees, Museums, Libraries, Churches, Cathedrals and other places of worship or study. ISBN 13: 978 1 85112 821 1

Both of these publications are available to download from;

**[www.norfolkfireservice.gov.uk/nfrs/prevention/fire-safety-regulations/38-fire-risk-assessment-guides](http://www.norfolkfireservice.gov.uk/nfrs/prevention/fire-safety-regulations/38-fire-risk-assessment-guides)**

It is necessary where material alterations are proposed to comply with the Building Regulations 2000. In this case an application must be submitted to the Local Building Control Authority or an Approved Inspector.

Should you require any further assistance please do not hesitate to contact me on the number shown above.

**From:** Adrian Nicholas  
**Sent:** 04 Dec 2020 01:30:42

**To**

**Subject:** RE: 20/00586 - New premises application for 15b Market Hill Diss

**Attachments:**

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I hope that all is well with you.

Thank-you for consulting Environmental Protection with regard to a Premises Licence Application (New) for 158 Market Hill, Diss, Norfolk, IP22 4JZ.

I note that the application form states that:

- The proposed hours of opening are 12:00hrs to 23:00hrs Monday to Sunday.
- The proposed hours for sale of alcohol (for consumption both on and off the premises) are 12:00hrs to 23:00hrs Monday to Sunday.
- The proposed hours for the playing of recorded music (indoors only) are 12:00hrs to 23:00hrs Monday to Sunday.

I understand that no licence is required for recorded music where it takes place on premises which are authorised by a premises licence to be used for the supply of alcohol for consumption on the premises. Thus, the proposed playing of recorded music (indoors only) between 12:00 and 23:00hrs Monday to Sunday cannot be controlled by conditions to any licence that may be issued in respect of this application.

I understand there to be residential premises located in the vicinity of 158 Market Hill, Diss the residents of which could be disturbed by noise from the premises at night and noise from patrons departing the premises at night. This is not addressed in the limited information provided in the application form on how the applicant on the prevention of public nuisance. I would therefore recommend that either:

- Specific conditions be attached to any licence that may be issued in respect of this application requiring:
  - o Prominent, legible notices requesting people to leave the premises and the area quietly must be displayed at all exits.
  - o Between the hours of 21:00hrs and 23:00hrs, all external doors and windows will be kept shut, other than for access and egress.
  - o Where groups of two or more patrons gather outside the premises upon departing between the hours of 21:00hrs and 23:00hrs they shall be asked to move on to avoid disturbing residents of the area.

OR

- A condition be attached to any licence that may be issued in respect of this application requiring a noise management plan to be submitted to and approved by the Licensing Authority within three months. The approved noise management plan must be implemented in full from the date it is approved. The noise management plan shall include:
  - o Measures to control noise emanating from the premises.
  - o Noise from patrons when departing.
  - o Noise from patrons gathering outside the premises after departing.
  - o Noise from patrons smoking outside the premises.

I understand that in the case of the applicants previous application for these premises, the applicant indicated that the first of these two options was acceptable

Regards,  
Adrian.

**Adrian Nicholas**

Senior Community Protection Officer

**From:**Amanda Cox  
**Sent:**09 Dec 2020 09:09:08  
**To:**.

**Subject:**FW: New premises application for 15b Market Hill Diss  
**Attachments:**

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For information ....

**Amanda Cox**  
Licensing & Enforcement Officer  
t 01508 533621 e [acox@s-norfolk.gov.uk](mailto:acox@s-norfolk.gov.uk)

From: Adam Lees  
**Sent :** 07 December 2020 09:39  
To: Am anda Cox  
**Subject:** Re: New premises applic ation fo r 15b Market Hill Diss

Amanda,

I am happy to implement the first set of policies.

Adam

On Fri, 4 Dec 2020 at 15:37, Amanda Cox·

Dear Adam,

I have received the consultation response as outlined below from Adrian Nicholas, Senior Community Protection Officer. Please can you kindly confirm in writing which set, if any, of the proposed conditions you agree to be adding to the operating schedule of the application.

Many thanks

**Amanda Cox**  
Licensing & Enforcement Officer  
t 01508 533621 e [acox@s-norfolk.gov.uk](mailto:acox@s-norfolk.gov.uk)

From: Martin Clark

**Sent:** 16 Nov 2020 11:34:10

**To:**

Subject: 20/00586 - New premises application for 15b Market Hill Diss

**Attachments:**

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Good morning,

We have no comments.

Kind regards,

**Martin Clark**

Planning Officer

## Appendix 6: representation from local resident

**From:**

**Sent:** 13 November 2020 11:21

**To:**

**Subject:** New enquiry via South Norfolk website (#web-enquiry-47132)

**:HTML:** Online feedback

**Important!**

**PLEASE DO NOT REPLY DIRECTLY TO THIS EMAIL as your response will go to the Web Team inbox, not the person who sent the enquiry.** Use the contact details (below) to respond to this message.

Enquiry date: 13/11/2020

Web reference: web-enquiry-47132

Full name:

Enquiry: Licensing Team South Norfolk Council Swan Lane Long Stratton NR15 2XE  
Dear Sirs Re: planning permission for 15b Market Hill, Diss

Are most concerned that giving another drinks licence to the above shop, will cause major problems for us. We are already inconvenienced with inconsiderate parking, in front of our driveway, denying us access to our properties. We would also point out the fact that this would cause anti social behaviour from people making a great deal of noise and urinating over our courtyard. Please note there is a shop that supplies alcohol, not more that 50 metres away! Please consider this application carefully

Address:

Email:

Phone:

Mobile:

Please forward this message to the relevant officer or team for a response

**Internal administration**

**South Norfolk Council Staff:** please take a moment to track the progress of this enquiry on eLink (Intranet).