



**Licensing and Gambling Acts Sub-Committee**  
**15<sup>th</sup> May 2024**

**LICENSING ACT 2003**

**APPLICATION FOR A NEW PREMISES LICENCE**

**Stafford Stores II, 2 Kabin Road, Costessey, NR5 0LN**

**Report Author(s):** Amanda Cox  
Licensing and Enforcement Officer  
01508 533621  
[licensing@southnorfolkandbroadland.gov.uk](mailto:licensing@southnorfolkandbroadland.gov.uk)

**Portfolio:** Cleaner, safer environment

**Ward(s) Affected:** New Costessey

**Purpose of the Report:**

This report details an application for a new premises licence.

**Recommendations:**

The Committee must take such steps as it considers necessary for the promotion of the licensing objectives:

- Grant the application.
- Modify the conditions of the licence, altering or omitting or adding to them.
- Reject the whole or part of the application.

## 1. Summary

- 1.1 The Committee is requested, in accordance with the delegation of licensing functions contained in the South Norfolk Council Statement of Licensing Policy, to consider an application for a new premises licence in respect of Stafford Stores II, 2 Kabin Road, Costessey, NR5 0LN.

## 2. Background

- 2.1 An application has been received from Licensing Matters Ltd on behalf of Stafford Stores & Post Office Limited.

- 2.2 The application requests the following licensable activities:

Hours open to the public and supply of alcohol (for consumption off the premises) – Monday to Sunday 06:00 - 23:00

- 2.3 The application outlines the steps the applicant intends to take to promote the four licensing objectives, copy attached at Appendix One.

- 2.4 A plan showing the location of Stafford Stores II and the surrounding area is attached at Appendix Two.

## 3. Relevant Representations

- 3.1 All relevant representations must relate to one or more of the Licensing Objectives:

- The Prevention of Crime and Disorder
- The Protection of Children from Harm
- The Prevention of Public Nuisance
- Public Safety

- 3.2 The responses from the Responsible Authorities are as follows:

**Police** – no objection (see appendix three)

**Environmental Health** (Community Protection) – no representations received

**Health and Safety** – no representations received

**Fire Officer** – no representations received

**Planning Officer** – no representations received

**Norfolk Local Safeguarding Children Board** – no representations received

**Public Health Norfolk** – no representations received

**Licensing Authority** – no representations received

#### **4. Other persons**

- 3.3 Representations were received from local residents under the licensing objective of the prevention of public nuisance. Please see appendix four for full details. Only matters relevant to one or more of the four statutory licensing objectives may be taken into account when determining licensing applications.
- 3.4 All representations have been detailed in full. The Revised Guidance issued under section 182 of the Licensing Act 2003 (December 2022 edition) recommends (under the heading of “Relevant, Vexatious and Frivolous Representations”) the benefit of the doubt about any aspect of the representation should be given to the person making the representation. Committee will wish to carefully consider the representations and take into account only those matters which are relevant to the subject area of the representation.

#### **5. Proposed action**

- 3.5 The Committee must determine this application with a view to promoting the Licensing Objectives.
- 3.6 In making its decision, the Committee must have regard to guidance issued under Section 182 of the Licensing Act 2003 (as amended December 2023) and the Council’s Licensing Policy - [South Norfolk Council Licensing Policy – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk). The Committee must also have regard to the representations made and the evidence placed before it.

#### **6. Issues and risks**

- 3.7 **Resource Implications** – 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 to the Magistrates’ Court.
- 3.8 **Legal Implications** – There are no legal implications other than the issues detailed at 6.1 and 6.3.
- 3.9 **Equality Implications** – There are human rights implications associated with this matter. The interests of the applicant must be balanced against the interests and protection of the wider community. Any actions proposed in respect of the application, must be proportionate to the matter under consideration, the decision-making process must be transparent and all parties must be given full opportunity to make representations. The Committee is therefore required to balance the interests of the applicant against the interests of the community and decide where the balance should lie.

- 3.10 **Environmental Impact** – In making their determination Committee is requested to ensure that the principles of the prevention of public nuisance licensing objective are upheld.
- 3.11 **Crime and Disorder** – In making their determination Committee is requested to ensure that the principles of the prevention of crime and disorder licensing objective are upheld.
- 3.12 **Risks** – In making its determination, failure to take into consideration the relevant legislation, guidance and the Council's Licensing Policy may leave the Committee's decision open to challenge.

## 7. Recommendations

- 7.1 The Committee must take such steps as it considers necessary for the promotion of the licensing objectives:
- Grant the application.
  - Modify the conditions of the licence, altering or omitting or adding to them.
  - Reject the whole or part of the application.

### Appendices:

1. Copy of application form
2. Location Plan
3. Representation from Police
4. Representation from local residents