NORWICH City Council

Licensing sub committee

Date: **Thursday, 16 September 2021**
Time: **10:15**
Venue: **Council chamber**

City Hall, St Peters Street, Norwich, NR2 1NH

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

Committee members:

Councillors:
Stutely (chair)
Ackroyd
Schmierer

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Agenda

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 Temporary event notice x 2 - Car Park, Lower Clarence Road Norwich NR1 1HA **3 - 40**

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 objection notices given by the Norfolk Constabulary and Public Protection for Norwich City Council**.**

Date of publication**: Wednesday, 08 September 2021**

Report to	Licensing sub committee 16 September 2021	**Item** Item 3
Report of	Environmental Health & Public Protection Manager	
Subject	Temporary event notice x 2 - Car Park, Lower Clarence Road Norwich NR1 1HA	

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 objection notices given by the Norfolk Constabulary and Public Protection for Norwich City Council.

Recommendation

That Members determine whether to issue a counter notice in respect of two temporary event notices submitted in respect of the car park, Lower Clarence Road, Norwich for events on 18 September 2021 and on 21 September 2021 in accordance with the:

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

Corporate and service priorities

The report helps to meet the corporate priorities of inclusive economy and people living well

Financial implications

None.

Ward/s: All wards

Cabinet member: Councillor Jones – safer, stronger neighbourhoods

Contact officers

Maxine Fuller – Public Protection Licensing Advisor 01603 989400

Background documents

None

Report

Licensing Act 2003: temporary event notices

1. Part 5 of the Licensing Act 2003 (The Act) provides for the temporary carrying on of licensed activities at premises which are not authorised by a premises licence or club premises certificate. The most important aspect of the system of permitted temporary activities is that events do not have to be authorised as such by the licensing authority. Instead the premises user notifies the event to the licensing authority and the Police.

2. The premises user is required to give a copy of any temporary event notice (TEN) (unless submitted electronically when it is the responsibility of the licensing authority) to the Police and the local authority exercising environmental health functions (Public Protection). If the Police or Public Protection believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give an objection notice to the licensing authority and to the premises user within 3 working days of their receipt of the TEN.

3. If the licensing authority receives an objection notice from the Police or Public Protection that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). If members decide to allow the licensable activities to go ahead as stated in the TEN, and these are in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing premises licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions and provide a copy to each relevant party. Alternatively, members may decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

Temporary event notification

4. Temporary event notices (TEN) have been received from Dean Bath in respect of the car park, Lower Clarence Road Norwich NR1 1HA. A copy of the TEN's are attached at Appendix A1 (event for 18 September 2021 and Appendix A2 (event for 21 September 2021) of the report.

5. The TEN's give notification that it is proposed to use the premises for the licensable activity of the sale by retail of alcohol starting at 12:30 to 15:00 on 18 September 2021 and the sale by retail of alcohol starting at 17:15 to 19:45 on 21 September 2021.

Objection notice

6. Objection notices to the TEN's have been received from the Police and Public Protection for Norwich City Council, copies attached at Appendix B to the report.

Norwich City Council Statement of Licensing Policy

7. Attached at Appendix C are the elements of the city council's local licensing policy which are considered to have a bearing upon the application:

National Guidance (issued under section 182 of the Licensing Act 2003)

8. Attached at Appendix D are the elements of the national guidance issued by the Secretary of State that are considered to have a bearing upon the application.

Summary

9. The sub-committee must consider the objection notice received from the Police, determine whether the proposed events would undermine the licensing objectives.

10. If the sub-committee determine that the proposed events would undermine the licensing objectives, then the licensing authority must give a counter notice to the premises user to prevent the proposed temporary events from going ahead.

11. Alternatively, the licensing sub-committee may decide to allow the licensable activities to go ahead as stated in the TEN's.

12. A notice giving reasons for the sub-committee's determination will need to be served on the premises-user, the Police and Public Protection.

13. Appeals by the premises-user in respect of the determinations set out in paragraphs 11 and 12 above, or by the Police or Public Protection in respect of paragraph 13 above, must be made to the Magistrates' Court within 21 days, commencing on the day on which either party was notified of the decision either to issue, or not issue, a counter notice. However, no appeal may be brought later than 5 working days before the first day of the relevant event period.

APPENDIX C

Local Policy considerations

1.0 Introduction

1.4 The 2003 Act requires the council to carry out its various licensing functions so as to promote the four licensing objectives. These are:

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

1.5 The 2003 Act also requires that the Council publishes a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the Licensing Objectives when making decisions on applications made under the Act.

2.0 Consultation and Links to other Policies and Strategies

2.7 So far as possible, the council will avoid duplication with other regulatory regimes, and will not to use its powers under the Licensing Act 2003 to achieve outcomes that can be achieved by other legislation and other enforcement agencies. As an example, the council will not seek to impose fire safety conditions that may duplicate any requirements or prohibitions that could be imposed under the Regulatory Reform (Fire Safety) Order 2005.

5.0 Conditions attaching to Licences

5.1 Where relevant representations are made, the council will make objective judgments as to whether conditions may need to be attached to the premises licence to secure achievement of the licensing objectives. Any conditions arising as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises, on those attending the premises, and members of the public living, working or engaged in normal activity in the area concerned, and will cover matters that are within the control of individual licensees.

5.2 All applications will be considered on an individual basis and any condition attached to such a licence, will be tailored to each individual premises, in order to avoid the imposition of disproportionate or burdensome conditions on those premises. Therefore, mandatory conditions, will only be imposed where they are appropriate for the promotion of the licensing objectives.

8.0 The Impact of Licensed Premises

8.1 When considering whether any licensed activity should be permitted, and a relevant representation has been received, the likelihood of it causing

unacceptable adverse impact will be assessed by taking into account relevant matters including:

- the type of use, the number of customers likely to attend the premises and the type of customers at the time of the application;
- the proposed hours of operation;
- the level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that will be used by the customers;
- the means of access to the premises including the location of customer entrances and exits;
- the provision of toilet facilities;
- the frequency of the licensable activity.

With any adverse impact it may be possible to take steps to mitigate or prevent the impact and if such measures are reliable an activity may be licensed.

LICENSING OBJECTIVES

20.0 Objective - Prevention of Crime and Disorder

20.1 Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on the City Council, and others, to consider crime and disorder reduction in the exercise of all their duties. The Licensing Act 2003 reinforces this duty for local authorities.

20.2 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and the licensable activities at those premises.

20.3 When addressing the issue of crime and disorder, the applicant should demonstrate that all those factors that impact on crime and disorder have been considered. These include:

Underage drinking

Drunkenness on premises

Public drunkenness

Keeping Illegal activity like drug taking and dealing, offensive weapons and sales of contraband or stolen goods away from the premises.

Preventing disorderly and potentially violent behaviour on and outside the premises.

Reducing Anti-social behaviour and Disorder inside and outside the premises

Litter

Unauthorised advertising

Protecting people and property from theft, vandalism and assault

Guard against glasses and bottles being used as weapons or causing accidents.

20.4 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or licensable activities:

Effective and responsible management of premises;

Training and supervision of staff;

Employ sufficient numbers of staff to keep numbers down of people awaiting service;

Provide sufficient seating for customers;

Patrols of staff around the premises;

Ensure sufficient lighting and visibility, removing obstructions if necessary, to discourage illegal activity;

Introduce an entry policy – making people aware of it – and apply it consistently and fairly;

Implement a search policy to prevent drugs, offensive weapons etc being brought onto the premises;

Implement effective management of entrance queues – incorporating barriers if necessary;

Adoption of best practice guidance e.g. Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit, Minor Sales Major Consequences, Clubbing against Racism and other voluntary codes of practice, including those relating to drinks promotions e.g. The Point of Sale Promotions published by the British Beer and Pub Association (BBPA), Security in Design published by BBPA and Drugs and Pubs, published by BBPA;
Acceptance of accredited 'proof of age' cards e.g. Portman proof of age cards, Citizencard, Connexions Card and/or 'new type' driving licences with photographs, or passports;
Provision of effective CCTV in and around premises;
Employment of Security Industry Authority licensed door staff to manage the door and minimize disorder;
Ensure glasses are collected on an on going basis, make regular inspections for broken glass and clear up;
Provision of toughened or plastic drinking vessels and bottles;
Provision of 'bottle bins' inside the premises and near exits;
Provision of secure, deposit boxes for confiscated items i.e. Operation Enterprise Drug and Weapon Amnesty Safe's;
Information displayed for staff and customers on Drug Awareness including the 'spiking' of drinks with drugs;

Provision of litterbins and other security measures, such as lighting, outside premises;
Membership of local 'Pubwatch' schemes or similar accreditation schemes or organizations ie Operation Enterprise;
Responsible advertising;
Distribution of promotional leaflets, posters etc;
Drug Seizure Kits (available from Norfolk Police Operation Enterprise);

Member of the 'NiteLink' radio scheme;

Working in partnership with the SOS Bus scheme;

Ban known offenders and share information with other licensed premises in the area;

Implement a dispersal policy;

Introduce a 'closed door' policy, with attendance prohibited for new customers 2-3 hours before licensable activities finish;

24.0 Objective - prevention of public nuisance

24.1 Licensed premises can potentially have a significantly adverse impact on communities through public nuisances that arise from their operation. The amenity of residents and occupiers of other businesses should be maintained and protected from the potential consequence of the operation of licensed premises, whilst recognising the valuable cultural, social and business importance that such premises provide.

24.2 Public nuisance will be interpreted in its widest sense, and will take it to include such issues as noise, light, odour, litter and antisocial behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

24.3 Applicants should be aware that stricter conditions, including controls on licensing hours for all or some licensable activities will be applied, where licensed premises are in residential areas or where their activities may impact on residents or other business premises, and where relevant representations have been received. Conversely, premises for which it can be demonstrated have effective measures to prevent public nuisance, may be suitable for longer opening hours.

24.4 The council will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons such as disturbance or disorder attributable to the location and/or the premises, and relevant representations have been made.

24.5 The council believe that the impact a licensed premises can have on a neighbourhood is significantly influenced by the times when those licensed premises are open, and the times when licensable activities are taking place. Consequently, the council has adopted a policy on hours of trading, (section E) and in so doing, has given full consideration to the secretary of state's guidance on hours of trading.

24.6 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the

individual style and characteristics of their premises and events. For example, the increasing business requirement for licence holders to provide live or recorded music in premises where this has not previously been the case is especially pertinent, and should be fully assessed on the application.

24.7 When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include:

- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices, care homes and places of worship
- the hours of opening, particularly between 11pm and 7am
- the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises
- the design and layout of premises and in particular the presence of noise limiting features
- the occupancy capacity of the premises
- the availability of public transport
- wind down period between the end of the licensable activities and closure of the premises
- last admission time
- preventing litter and refuse becoming an eyesore
- consideration of local residents that they are not upset by loud or persistent noise or by excessive light
- preventing cars attending an event or premises from causing a noise nuisance and congestion, and from taking up local people's parking spaces
- avoid early morning or late night refuse collections
- avoiding emptying bins into skips, especially if they contain glass, either late at night or early in the morning
- customers eating, drinking or smoking in open air areas (for example beer gardens/forecourts and other open areas adjacent to the premises).

24.8 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:

- Effective and responsible management of premises.
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance, eg to ensure customers leave quietly.
- Fit prominent signs requesting that customers respect local residents and leave quietly.
- Control of operating hours for all or parts (eg garden areas) of premises, including such matters as deliveries ie not too early in the morning.
- Adoption of best practice guidance (eg Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics, Licensed Property: Noise, published by BBPA).
- Installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices.

- Management of people, including staff, and traffic (and resulting queues) arriving and leaving premises.
- Liaison with public transport providers.
- Siting of external lighting, including security lighting.
- Management arrangements for collection and disposal of waste, empty bottles etc.
- Effective ventilation systems to prevent the emission of unwanted odours.
- Take away packaging to include the name and address of the premises on it.
- Capacity levels for fast food outlets.
- Introduce a chill out area with coffee and mellow music where customers can settle before leaving.
- Introduce a closed door policy, with attendance prohibited for new customers 2 to 3 hours before licensable activities finish.

To address issues arising from customers smoking, eating and drinking in outdoor areas and on the highway outside the premises could include signage asking customers to keep noise to a minimum when using outdoor areas; restrictions on the numbers of customers permitted in certain outside areas and/or at certain times; and use of door-staff and employees to monitor possible public nuisance issues.

SECTION E - Hours of Trading

30.2 In determining its policy on the hours of trading, the council has given full consideration to those parts of the secretary of state's guidance to the act which relate to hours of trading.

"Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested."

30.7 Consideration will always be given to an applicant's individual case and if the matter of trading hours has been raised in a representation, the council will take into account any proposals the applicant has to minimise the risk of nuisance or disorder being caused or exacerbated by customers departing from the premises. It is however, unlikely that statements such as the premises being well-managed, or that the applicant is of good character or that the style of the premises is intended and likely to attract a discerning clientele, will alone be sufficient to demonstrate that restrictions on hours of trading should not be applied.

APPENDIX D

National Guidance

(issued under section 182 of the Licensing Act 2003)

CRIME AND DISORDER

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 In the context of crime and disorder and public safety, the preservation of order on premises may give rise to genuine concerns about the ability of the management team with responsibility for the maintenance of order. This may

occur, for example, on premises where there are very large numbers of people and alcohol is supplied for consumption, or in premises where there are public order problems.

2.6 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.7 It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. However, licensing authorities must ensure that they do not stray outside their powers and duties under the 2003 Act. This is important to ensure the portability of the personal licence and the offences set out in the 2003 Act and to ensure, for example, that the prevention of disorder is in sharp focus for all managers, licence holders and clubs.

PUBLIC NUISANCE

2.18 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.19 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.

2.20 Conditions relating to noise nuisance will normally concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.21 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where the provisions of the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005 adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.22 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early-morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave.

2.23 Measures to control light pollution will also require careful thought. Bright lighting outside premises considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.40 Beyond the immediate area surrounding the premises, these are matters for personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.

7. Temporary Event Notices (TENs)

7.1 This Chapter covers the arrangements in Part 5 of the 2003 Act for the temporary carrying on of licensable activities which are not authorised by a premises licence or club premises certificate.

General

7.2 The system of permitted temporary activities is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on an application. Instead, a person wishing to hold an event at which such activities are proposed to be carried on (the “premises user”) gives notice to the licensing authority of the event (a “temporary event notice” or “TEN”).

7.3 The TEN must be given to the licensing authority in the form prescribed in regulations made under the 2003 Act. Unless it is sent electronically, it must be sent to the relevant licensing authority, to the police and “local authority exercising environmental health functions” (“EHA”) at least ten working days before the event (although a premises user may give a limited number of TENs to the licensing authority less than 10 working days before the event to which

they relate). “Working day” under the 2003 Act means any day other than a Saturday, Sunday, Christmas Day, Good Friday or Bank Holiday. For limited purposes in relation to a TEN, the 2003 Act defines a “day” as a period of 24 hours beginning at midnight.

7.4 If a TEN is sent electronically via GOV.UK or the licensing authority’s own facility, the licensing authority must notify the police and EHA as soon as possible and no later than the first working day after the TEN is given.

7.5 The police or “local authority exercising environmental health functions” (“EHA”) may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. The police or EHA (“relevant persons” for the purposes of TENs) may also intervene by agreeing a modification of the proposed arrangements directly with the TENs user (see paragraph 7.31-7.35 below). If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. When giving a TEN, the premises user should consider the promotion of the four licensing objectives. The licensing authority may only otherwise intervene if the statutory permitted limits on TENs would be exceeded.

7.6 A TEN does not relieve the premises user from any requirements under planning law for appropriate planning permission where it is required.

Limitations

7.7 A number of limitations are imposed on the use of TENs by the 2003 Act. The limitations apply to:

- the number of times a premises user may give a TEN (50 times in a calendar year for a personal licence holder and five times in a calendar year for other people);
- the number of times a TEN may be given for any particular premises (12 times in a calendar year);
- the maximum duration of an event authorised by a TEN is 168 hours (seven days);
- the maximum total duration of the events authorised by TENs in relation to individual premises (21 days in a calendar year);
- the maximum number of people attending at any one time (fewer than 500); and
- the minimum period between events authorised under separate TENs in relation to the same premises (not including withdrawn TENs) by the same premises user (24 hours).

7.8 Any associate, relative or business partner of the premises user is considered to be the same premises user in relation to these restrictions. The 2003 Act defines an associate, in relation to the premises user, as being:

- the spouse or civil partner of that person;
- a child, parent, grandchild, grandparent, brother or sister of that person;
- an agent or employee of that person; or
- the spouse or civil partner of a person listed in either of the two preceding bullet points.

7.9 A person living with another person as their husband or wife, is treated for these purposes as their spouse. 'Civil partner' has its meaning in the Civil Partnership Act 2004.

7.10 A TEN that is given and subsequently withdrawn by the TEN user can be included within the limits of the numbers of TENS allowed in a given calendar year. The limits for the number of TENs that may be given include a combination of both "standard" and "late" TENs.

7.11 Proposed activities that exceed these limits will require a premises licence or club premises certificate.

7.12 TENs may be given in respect of premises which already have a premises licence or club premises certificate to cover licensable activities not permitted by the existing authorisation.

7.13 In determining whether the maximum total duration of the periods covered by TENs at any individual premises has exceeded 21 days, an event beginning before midnight and continuing into the next day would count as two days towards the 21-day limitation.

7.14 There is nothing in the 2003 Act to prevent notification of multiple events at the same time, provided the first event is at least ten working days away (or five working days away in the case of a late TEN). For example, an individual personal licence holder wishing to exhibit and sell beer at a series of farmers' markets may wish to give several notices simultaneously. However, this would only be possible where the events are to take place in the same licensing authority (and police area) and the limits are not exceeded in the case of each notice.

Who can give a temporary event notice?

Personal licence holders

7.15 A personal licence holder can give a TEN at any premises on up to 50 occasions in a calendar year. This limit is inclusive of any late TENs given in the same year. The use of each TEN must of course observe the limits described above, including the limit of 12 TENs in respect of each premises in a calendar year.

Non-personal licence holders

7.16 The 2003 Act provides that any individual aged 18 or over may give a TEN whether or not that individual holds a personal licence. Such an individual will not, therefore, have met the requirements that apply to a personal licence holder under Part 6 of the 2003 Act. Where alcohol is not intended to be sold, this should not matter. However, many events will involve a combination of licensable activities. In the absence of a premises user holding a personal licence, the 2003 Act limits the number of notices that may be given by any non-personal licence holder to five occasions in a calendar year (this limit is inclusive of any late TENs in the same year). In every other respect, the Guidance and information set out in the paragraphs above applies.

Standard and late temporary event notices

7.17 There are two types of TEN: a standard TEN and a late TEN. These are subject to different processes: a standard notice is given no later than ten working days before the event to which it relates; and a late notice is given not before nine and not later than five working days before the event.

Standard temporary event notices

7.18 "Ten working days" (and other periods of days which apply to other requirements in relation to TENs) exclude the day the notice is received and the first day of the event. A notice that is given less than ten working days before the event to which it relates, when the premises user has already given the permitted number of late TENs in that calendar year, will be returned as void and the activities described in it will not be authorised.

7.19 The police and EHA have a period of three working days from when they are given the notice to object to it on the basis of any of the four licensing objectives. Where an objection is given, there is provision under section 106 of the 2003 Act for the police or EHA to agree with the premises user to modify the TEN (see paragraph 7.36 below).

7.20 Although ten clear working days is the minimum possible notice that may be given, licensing authorities should publicise their preferences in terms of advance notice and encourage premises users to provide the earliest possible notice of events planned by them. Licensing authorities should also consider publicising a preferred maximum time in advance of an event by when TENs should ideally be given to them.

Late temporary event notices

7.21 Late TENs are intended to assist premises users who are required for reasons outside their control to, for example, change the venue for an event at short notice. However, late TENs may, of course, be given in any circumstances providing the limits specified at paragraph 7.7 are not exceeded.

7.22 For a standard TEN, the police and EHA have a period of three working days from when they are given the notice to object to it on the basis of any of the four licensing objectives. However, if there is an objection to a late TEN from either the police or EHA, the event will not go ahead. In these circumstances there is

no scope for a hearing or the application of any existing conditions. There is no scope under the 2003 Act for the modification of a late TEN as is possible in relation to a standard TEN.

7.23 Late TENs can be given up to five working days but no earlier than nine working days before the event is due to take place and, unless given electronically to the licensing authority, must also be sent by the premises user to the police and EHA. A late TEN given less than five days before the event to which it relates will be returned as void and the activities to which it relates will not be authorised. The number of late TENs that can be given in a calendar year is limited to ten for personal licence holders and two for non-personal licence holders. Late TENs count towards the total number of permitted TENs (for example, the limit of five TENs per year for non-personal licence holders and 50 TENs for personal licence holders). Once these limits have been reached, the licensing authority should issue a counter notice (permitted limits) if any more are given.

Role of the licensing authority

7.24 The licensing authority must check that the limitations set down in Part 5 of the 2003 Act are being observed and intervene if they are not (see paragraph 7.7). For example, a TEN would be void unless there is a minimum of 24 hours between events notified by the same premises user, or an associate or someone who is in business with the relevant premises user in respect of the same premises. This is to prevent evasion of the seven-day (or 168 hour) limit on such events and the need to obtain a full premises licence or club premises certificate for more major or permanent events. In addition, for these purposes, a TEN is treated as being from the same premises user if it is given by an associate.

7.25 Where the application is not within the statutory parameters described earlier, the licensing authority will issue a counter notice to the premises user.

7.26 Where the TEN is in order, the relevant fee paid, the event falls within the prescribed limits and there has been no objection from the police or EHA on the basis of any of the four licensing objectives, the licensing authority will record the notice in its register and send an acknowledgement to the premises user (which may be given electronically).

7.27 If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”) and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

7.28 Premises users are not required to be on the premises for the entire duration of the event authorised by the TEN, but they will remain liable to prosecution for certain offences that may be committed at the premises during the period covered by it. These include, for example, the offences of the sale of alcohol to a person who is drunk; persistently selling alcohol to children; and allowing disorderly conduct on licensed premises.

7.29 In the case of an event authorised by a TEN, failure to adhere to the requirements of the 2003 Act, such as the limitation of no more than 499 being present at any one time, would mean that the event was unauthorised. In such circumstances, the premises user would be liable to prosecution.

7.30 Section 8 of the 2003 Act requires licensing authorities to keep a register containing certain matters, including a record of TENs received. There is no requirement to record all the personal information given on a TEN.

Police and environmental health intervention

7.31 The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives.

7.32 Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance. However, in most cases, where (for example) alcohol is supplied away from licensed premises at a temporary bar under the control of a personal licence holder, (for example, at weddings with a cash bar or small social or sporting events) this should not usually give rise to the use of these powers.

7.33 The police and EHA have the right under sections 109(5) and (6) of the 2003 Act to request the premises user to produce the TEN for examination. If the police do not intervene when a TEN is given, they will still be able to rely on their powers of closure under Part 8 of the 2003 Act should disorder or noise nuisance be expected or arise.

7.34 If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within three working days of their receipt of the TEN.

7.35 Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions where there is an existing premises licence or club premises certificate at the venue or issue a counter notice to prevent the event going ahead. If the police, EHA or both give an objection to a late TEN, the TEN will not be valid.

Modification

7.36 As noted above, the police or EHA (as “relevant persons”) may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified (for example, by changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration). The other relevant person has to agree.

Applying conditions to a TEN

7.37 The 2003 Act provides that only the licensing authority can impose conditions from the existing conditions on the premises licence or club premises certificate to a TEN. The licensing authority can only do so:

- if the police or the EHA have objected to the TEN;
- if that objection has not been withdrawn;
- there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;
- and if the licensing authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.

7.38 This decision is one for the licensing authority alone, regardless of the premises user’s views or willingness to accept conditions. The conditions must be notified to the premises user on the form prescribed by regulations.

Hearings to impose conditions

7.39 Section 105 of the 2003 Act is clear that a licensing authority must hold a hearing to consider any objections from the police or EHA unless all the parties agree that a hearing is not necessary. If the parties agree that a hearing is not necessary and the licensing authority decides not to give a counter notice on the basis of the objection, it may impose existing conditions on the TEN.

NORWICH City Council

Norwich
Temporary Event Notice
Licensing Act 2003

For help contact
licensingapplications@norwich.gov.uk
Telephone: 0344 980 3333

* required information

Section 1 of 9

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: Not Currently In Use — 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.

RECEIVED
- 1 SEP 2021
LICENSING OFFICE

Applicant Details

* First name: Dean
* Family name: Bath
* E-mail: [redacted]
Main telephone number: [redacted] — Include country code.
Other telephone number:

☐ 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.

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Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name
* Street
District
* City or town
County or administrative area
* Postcode
* Country United Kingdom

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

○ Yes ◉ No

* Your date of birth dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth ty

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

◉ Yes ○ No

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country United Kingdom

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Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

(•) Yes ( ) No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

* Does the premises have an address?

(•) Yes ( ) No

Address

Is the address the same as (or similar to) the address given in section one?

( ) Yes (•) No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name: Car Park

* Street: Lower Clarence Road

District:

* City or town: Norwich

County or administrative area:

* Postcode: NR1 1HA

* Country: United Kingdom

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

(•) Neither ( ) Premises licence ( ) Club premises certificate

Location Details

* Provide further details about the location of the event

The Apcoa pay and display car park

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

We will setup in the coach side of the carpark. A Plan of the area will be submitted to accompany this Notice.

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Continued from previous page...

Describe the nature of the premises below (see also guidance on completing the form, note 4)

A gravel car park. Please see the attached Plan.

Describe the nature of the event below (see also guidance on completing the form, note 5)

To provide a licensed bar when a football game is being held at the Norwich City stadium, the bar would be for away fans only. We will have ped fencing to secure an area for drinking only, customers will not be able to leave with a drink. No glass will be used, wine etc will be decanted into plastic cups. The bar will close approx 20mins before the game starts, bins will be provided for rubbish and we will also walk the route down to the stadium clearing up any rubbish that might have got past us. We will use E.V.A security to provide a member of SIA door staff while we are open, for the trial we will operator on 1 member of security per 100 customers. The stadium will be open so the fans can go straight in for the toilet or if raining, we will assess after each game and work out any changes that can be made for the games moving forward, for example, handing out free ponchos with a drink to help keep the fans dryer in the wetter months. EMP to accompany this Notice. The previous TEN was discussed at Norwich City Council Licensing Sub-Committee in a Hearing on 24th August 2021. The event was not given permission to go ahead on that occasion. Since the Hearing we have had discussions with Norfolk Constabulary to ameliorate their remaining concerns. This Notice takes account of the points raised with an Event Management Plan specifically for the Norwich City v Watford fixture on 18th September.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6):

- ☒ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☐ The provision of regulated entertainment
- ☐ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

(See also guidance on completing the form, note 7).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.
(See also guidance on completing the form, note 8).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 9)

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Continued from previous page...

Event start date: 18 / 09 / 2021 (dd / mm / yyyy)

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date: 18 / 09 / 2021 (dd / mm / yyyy)

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock) (see also guidance on completing the form, note 10): 12:30-15:00

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (see also guidance on completing the form, note 11): 320

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both (see also guidance on completing the form, note 12):

- (•) On the premises only
- ( ) Off the premises only
- ( ) Both

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

No music or entertainment

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence? (•) Yes ( ) No

Provide the details of your personal licence below.

Issuing licensing authority

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Continued from previous page... Licence number

Date of issue dd / mm / yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? ◉ Yes ○ No

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year: 7

Have you already given a temporary event notice for the same premises in which the event period:
a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice? ○ Yes ◉ No

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? ○ Yes ◉ No

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Continued from previous page...

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) Ends 24 hours or less before; or b) Begins 24 hours or less after the event period proposed in this notice?	○ Yes	◉ No
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	○ Yes	◉ No
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) Ends 24 hours or less before; or b) Begins 24 hours or less after the event period proposed in this notice?	○ Yes	◉ No

Section 9 of 9

CONDITION (See also guidance on completing the form, note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.

This formality requires a fixed fee of £21

DECLARATION (See also guidance on completing the form, note 19)

* The information contained in this form is correct to the best of my knowledge and belief

* I understand that it is an offence:

* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

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

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Continued from previous page...

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	Dean Bath
* Capacity	Bar Manager
* Date	30 / 08 / 2021 (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/temporary-event-notice/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.

OFFICE USE ONLY

Applicant reference number	
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	☐

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NORWICH City Council

Norwich
Temporary Event Notice
Licensing Act 2003

For help contact
licensingapplications@norwich.gov.uk
Telephone: 0344 980 3333

* required information

Section 1 of 9

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	Not Currently In Use	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.

RECEIVED
- 1 SEP 2021
LICENSING OFFICE

Applicant Details

* First name	Dean
* Family name	Bath
* E-mail	
Main telephone number	Include country code.
Other telephone number	

☐ 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.

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Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name
* Street
District
* City or town
County or administrative area
* Postcode
* Country — United Kingdom

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

○ Yes ◉ No

* Your date of birth — dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

◉ Yes ○ No

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country

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Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

(•) Yes ( ) No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

* Does the premises have an address?

(•) Yes ( ) No

Address

Is the address the same as (or similar to) the address given in section one?

( ) Yes (•) No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name: Car Park

* Street: Lower Clarence Road

District:

* City or town: Norwich

County or administrative area:

* Postcode: NR1 1HA

* Country: United Kingdom

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

(•) Neither ( ) Premises licence ( ) Club premises certificate

Location Details

* Provide further details about the location of the event

The Apcoa pay and display car park

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

We will setup in the coach side of the carpark. A Plan of the area will be submitted to accompany this Notice.

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Continued from previous page...

Describe the nature of the premises below (see also guidance on completing the form, note 4)

A gravel car park. Please see the attached Plan.

Describe the nature of the event below (see also guidance on completing the form, note 5)

To provide a licensed bar when a football game is being held at the Norwich City stadium, the bar would be for away fans only. We will have ped fencing to secure an area for drinking only, customers will not be able to leave with a drink. No glass will be used, wine etc will be decanted into plastic cups. The bar will be open for 150 minutes prior to the match kicking off. The bar will close approx 20mins before the game starts, bins will be provided for rubbish and we will also walk the route down to the stadium clearing up any rubbish that might have got past us. We will use E.V.A security to provide a member of SIA door staff while we are open, for the trial we will operator on 1 member of security per 100 customers. The stadium will be open so the fans can go straight in for the toilet or if raining, we will assess after each game and work out any changes that can be made for the games moving forward, for example, handing out free ponchos with a drink to help keep the fans dryer in the wetter months. EMP to accompany this Notice.
The previous TEN was discussed at Norwich City Council Licensing Sub-Committee in a Hearing on 24th August 2021. The event was not given permission to go ahead on that occasion. Since the Hearing we have had discussions with Norfolk Constabulary to ameliorate their remaining concerns. This Notice takes account of the points raised with an Event Management Plan specifically for the Norwich City v Liverpool fixture on 21st September.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6):

- ☒ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☐ The provision of regulated entertainment (See also guidance on completing the form, note 7).
- ☐ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event. (See also guidance on completing the form, note 8).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 9)

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Continued from previous page...

Event start date: 21 / 09 / 2021 (dd / mm / yyyy)

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date: 21 / 09 / 2021 (dd / mm / yyyy)

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock) (see also guidance on completing the form, note 10): 17:15-19:45

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (see also guidance on completing the form, note 11): 320

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both (see also guidance on completing the form, note 12):

- (•) On the premises only
- ( ) Off the premises only
- ( ) Both

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

No music or entertainment

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence? (•) Yes ( ) No

Provide the details of your personal licence below.

Issuing licensing authority

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Continued from previous page... Licence number

Date of issue dd / mm / yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (•) Yes ( ) No

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year: 8

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?

( ) Yes (•) No

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? ( ) Yes (•) No

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Continued from previous page...

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) Ends 24 hours or less before; or b) Begins 24 hours or less after the event period proposed in this notice?	○ Yes	◉ No
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	○ Yes	◉ No
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) Ends 24 hours or less before; or b) Begins 24 hours or less after the event period proposed in this notice?	○ Yes	◉ No

Section 9 of 9

CONDITION (See also guidance on completing the form, note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.

This formality requires a fixed fee of £21

DECLARATION (See also guidance on completing the form, note 19)

* The information contained in this form is correct to the best of my knowledge and belief
* I understand that it is an offence:
* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

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

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Continued from previous page...

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	Dean Bath
* Capacity	Bar Manager
* Date	01 / 09 / 2021 (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/temporary-event-notice/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.

OFFICE USE ONLY

Applicant reference number	
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
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NORFOLK CONSTABULARY
Our Priority is You

Licensing Department
Norwich City Council
St Peters Street
Norwich
NR2 1NN

Friday 3rd September 2021

The Licensing Team
Bethel Street Police Station
Norwich
Norfolk
NR2 1NN
Tel: 01603 276020
Fax: 01603 276025
Email: licensingteam@norfolk.pnn.police.uk
www.norfolk.police.uk
Non-Emergency Tel: 0845 456 4567

Dear Sir/Madam,

Re: Objection to 2 x Temporary Event Notices for Lower Clarence Road, Norwich

Norfolk Constabulary has received a copy of two Temporary Event Notices (TEN) for Lower Clarence Road, Norwich. One is for the Norwich vs Watford Match on the 18th September and the other is for the Norwich vs Liverpool Football Match on the 21st September 2021.

The applicant previously applied for a TEN for the Liverpool game on the 28th August which was rejected by the Norwich City Council Licensing Subcommittee on the 24th August 2021.

The reasons the Committee gave for the decision to reject were:

- The Committee gave weight to the views of the concerns from Police.
- The Committee are unable to impose conditions onto a TEN
- The Police evidenced there would be an increased risk of disorder due to the groups of fans congregating in larger groups primarily to consume alcohol.
- Due to no seating, rapid consumption of alcohol is likely in a standing group.
- The council accepted the Police evidence of a flashpoint with opposing fans likely to be created.
- The committee were still concerned about Public safety licensing objective when there are large vehicles moving in an area where pedestrians are gathered to access the proposed TEN area.

These new TENs state "The previous TEN was discussed at Norwich City Council Licensing Sub-Committee in a hearing on the 24th August. The event was not given permission to go ahead. Since the hearing, we have had discussions with Norfolk Constabulary to ameliorate their remaining concerns."

This final line is incorrect, despite discussions from both sides; Norfolk Constabulary still have serious concerns and is still of the view if granted, it will undermine the Licensing Objectives in particular, Crime and Disorder and issues relating to Public Safety will occur as a result of the TEN being granted.

Norfolk Constabulary's primary concerns are as follows: -

- These applications are to allow the supply of alcohol to arriving away fans at the Norwich City home games. It is clear from the applications that the applicant intends to have a temporary bar/stall based within a car park. The intention of which is to supply alcohol to fans as soon as they arrive off the coach in the car park. Consequently, there are no seating facilities at this location. It is our fear this will only encourage the quick consumption of alcohol before they may move onto to head to the stadium or another pub elsewhere which would slow this usual alcohol consumption process down.

- Based on the above Norfolk Constabulary is of the view the setting up of a temporary bar serving alcohol is not appropriate or suitable, within a car park used to accommodate the away coaches and other vehicles. The consumption of alcohol within an area involving traffic highlight the obvious concerns that patrons could collide with a moving vehicle due to their need to remain on site and consume alcohol.

- The new plan provided does not show the location of the parked coaches which is significant when considering public safety, intoxicated patrons and moving vehicles. The toilets are also not marked within the plan which will affect the size of the area and capacity.

- It should be noted this is a public car park which is also used by Home fans who park their vehicles at the location. As such, there is the inherent risk of potential disorder between home and away fans either on this site, or on the route to the football ground. Although the applicant has referred to the management of a fenced area using SIA security, there are no considerations for the management of the car park and vicinity, and Police officers cannot be expected to manage the car park as a consequence of a bar being placed within it.

- The location of the bar backs onto the main railway tracks out of Norwich Railway Station. Again there is a concern that items, maybe thrown due to the congregation of large numbers drinking alcohol in this area. In addition, the car park is full of loose materials such as rocks which can be used as potential weapons against fans of the opposition, or Police.

- Lower Clarence Road is a well-known route for Norwich City fans to utilise to get to the football stadium. The inherent dangers of the confrontation between home and away fans is obvious and a concern when mixed with the consumption of alcohol.

- The Event Management Plan was provided on request after the TENs were submitted. This is currently in a draft version and does not address the issues raised by committee or Police. There is mention of SIA security staff to manage the fenced area, but not address the bigger impact of disorder on the car park outside of the fenced area. There has been no mention of traffic management, managing of the vicinity and vehicle/pedestrian segregation.

- Concerns are raised also that the away fans may choose not to remain in the area due to a lack of seating area/facilities and therefore use it as a "Pit Stop" to purchase an alcoholic drink en route to other licensed premises. Despite the management saying they will put signage up; it is felt that many will depart with open vessels of alcohol around the city centre. This not only contravenes the conditions of the City's Public Spaces Protection Order which will be a criminal offence. It is feared that due to the anticipated numbers and lack of tall barriers to define the area it will overwhelm the security team in any attempts prevent this.

- **Concerns relating to the queuing and congregating of patrons (and home fans) outside of the fenced area and within the car park have also not been addressed.**

Police are of the opinion that the issues of concern raised by both Police and the Licensing Committee remain.

Licensing Consultant Mr Gavin Tempest has been instructed to represent Mr Bath. It is acknowledged and appreciated that he has been in contact to discuss measures to allay our concerns. Following an email received at 16:07 hrs today, I am now in receipt of an event management plan and am aware that there has been mention of moving the location of the bar within the car park and their intention to update the EMP.

Police are only given a short period of time to make representations to TENs. Unfortunately, due to the above points remaining a concern and the current event management plan being insufficient in addressing these, Police have no option but to submit an objection.

It is felt that the licensing objectives specifically prevention of crime and disorder will be undermined if granted. There remains concern over permitting vertical drinking of alcohol in an operational car park at an unsuitable location.

Please accept this letter as a letter of objection to the TEN.

Yours faithfully,

Michelle Bartram
Licensing Officer

Fuller, Maxine

From: Divey, Richard
Sent: 06 September 2021 16:36
To: [redacted] ENSING
Cc:
Subject: RE: Event Management Plan to accompany the Temporary Event Notice for Lower Clarence Rd coach park

Please take this email as an objection for these TEN applications under the public nuisance licensing objective.

2 Portaloo's are only acceptable if you assume female attendance is <25%, although this may be correct, I don't think that sexual equality legislation would support such an assumption.

A "Pee Pod" gives urinal provision for 4 males, leaving one Portaloo for female only and one unisex, leaving them exceeding the required standard for this type of event.

Hand wash facilities are hand sanitiser for each unit.

The provision of good facilities for even large numbers of gents would go some way to reducing the risk that public urination will take place.

Without this provision I believe that there is a risk that fans will not bother to que properly for the Portaloo's and may then use other areas on and off the site causing a public nuisance.

Kind regards

Richard Divey
Public protection officer
Norwich City Council

01603 989322
My working days are Monday to Friday 10am to 4:15pm



[redacted]

CAUTION! – This email originates from outside Norwich City Council.