

Report to	Licensing sub committee 18 June 2018	Item
Report of	Head of citywide services Licensing Act 2003:	3
Subject	Application for the Variation of a Premises Licence – The Reindeer PH, 10 Dereham Road, Norwich, NR2 4AY	

Purpose

Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider the application for the variation of a premises licence in respect of the above premises, following the receipt of relevant representations.

Recommendation

That Members determine the application to vary the premises licence 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 priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function.

Financial implications

None.

Ward/s: Mancroft

Cabinet member: Councillor Maguire – Safe City Environment

Contact officers

Maxine Fuller, Licensing Assistant

01603 212761

Background documents

None

Report

The application

1. The applicant is Kate Pateman of Elgoods & Sons Brewery.
2. In summary the application seeks to:
 - Alter the permitted hours for licensable activities. To have live music (both acoustic and amplified) until midnight every day indoors, ceasing at 22:00 outdoors.

Operating Schedule

3. A copy of the existing licence and operating schedule is attached at appendix A to the report.
4. A copy of the application form is attached at appendix B to the report.

Relevant representations

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

Police – no representations.

Environmental Protection – representation received.

Fire Officer – no representations.

Planning Officer – no representations.

Area Child Protection Committee – no representations.

Trading Standards – no representations.

Primary Care Trust – no representations

6. 8 representations objecting to the application have been received from other interested parties. Copies of the representations are attached at appendix C to the report.

Norwich City Council Statement of Licensing Policy

7. Attached at appendix D 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 E 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. In determining the application with a view to promoting the licensing objectives the sub-committee must give appropriate weight to:
 - the steps that are appropriate to promote the licensing objectives (i.e. the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm);
 - the representations (including supporting information) presented by all the parties;
 - the guidance issued under Section 182 of the Licensing Act 2003 (national guidance); and
 - the council's own statement of licensing policy.
10. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
 - Grant the application as asked;
 - Modify the conditions of the licence by altering or omitting or adding to them;
 - Reject the whole or part of the application
11. The sub-committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.
12. The representations received appear to relate to issues that fall under the licensing objectives. The sub-committee is directed to paragraphs 20 and 24 of the local licensing policy at appendix D which contain examples of factors that impact on the licensing objectives that the applicant could consider when addressing these issues. These paragraphs also contains examples of control measures that may be taken into account in operating schedules having regard to the type of premises and/or the licensable activities.
13. The sub-committee is also reminded of the contents of appendices 2, 3, 4 and 5 of the local licensing policy (not re-produced in this report) which contain pools of model conditions relating to the four licensing objectives.



NORWICH
City Council

Premises Licence Summary

Premises Licence Number

09/00361/PREMTR

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

The Reindeer
10 Dereham Road
Norwich
Norfolk
NR2 4AY

Telephone number 01603 762223

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

Late Night Refreshment - Activity takes place indoors
Live Music - Activity takes place indoors
Sale by Retail of Alcohol - Activity takes place both indoors and outdoors
Recorded Music - Activity takes place indoors

Private Entertainment as defined under section 2 of the Private Places of Entertainment (Licensing) Act 1967

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment	Sunday	23:00 - 23:30
Late Night Refreshment	Monday to Saturday	23:00 - 00:30
Live Music	Every Day	10:00 - 23:00
Sale by Retail of Alcohol	Sunday	10:00 - 23:00
Sale by Retail of Alcohol	Monday to Saturday	10:00 - 00:00
Recorded Music	Every Day	10:00 - 00:00

Non Standard/Seasonal Timings

Late Night Refreshment, Sale by Retail of Alcohol and Recorded Music – On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

The opening hours of the premises

Monday	10:00 - 00:30
Tuesday	10:00 - 00:30
Wednesday	10:00 - 00:30
Thursday	10:00 - 00:30
Friday	10:00 - 00:30
Saturday	10:00 - 00:30
Sunday	10:00 - 00:30

Non Standard/Seasonal Timings

On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

Name, (registered) address of holder of premises licence

Elgood And Sons Ltd
North Brink Brewery
North Brink
Wisbech
PE13 1LN

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 86011 London

Name, designated premises supervisor where the premises licence authorises for the supply of alcohol

Danny Searle

State whether access to the premises by children is restricted or prohibited



Schedule 12

Regulation 33,34

Premises Licence

Premises Licence Number

09/00361/PREMTR

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

The Reindeer
10 Dereham Road
Norwich
Norfolk
NR2 4AY

Telephone number 01603 762223

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

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Sunday	10:00 - 00:30

Non Standard/Seasonal Timings

On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

State whether access to the premises by children is restricted or prohibited

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Elgood And Sons Ltd
North Brink Brewery
North Brink
Wisbech
PE13 1LN

Telephone Number 01945 583160

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 86011 London

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Danny Searle
The Rumsey Wells
4 St Andrews Street
Norwich
NR2 4AF

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: PA0807

Licensing Authority: South Norfolk Council

Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under a premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3 (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- 4 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6 (with effect from 1 October 2010)
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 7 (with effect from 1 October 2010)

The responsible person shall ensure that -

 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: half pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

- (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

8 The following are not prohibited:

- a) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- b) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- c) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- d) The sale of alcohol to a trader or club for the purposes of the trade or club;
- e) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- f) The taking of alcohol from the premises by a person residing there; or
- g) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- h) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Annex 2 – Conditions consistent with the Operating Schedule

1 General - all four licensing objectives

2 The premises shall be conducted in a lawful and orderly manner, and kept in a clean and hygienic condition

3 The Prevention of Crime and Disorder

4 No glass, open bottles, or glass drinking vessels will be allowed to leave the premises.

5 No controlled drugs will be allowed on the premises

6 No drunken person will be sold or supplied alcohol

7 There will always be an appropriate number of experienced and trained staff on duty

8 There will be no heavy discounting of alcoholic drinks, and low alcohol drinks will be promoted

9 Overt CCTV will be used

10 Public Safety

11 The Licence holder or DPS will be aware at all times of the number of persons on the premises so as to prevent overcrowding

12 The staff will be trained to deal with the safe evacuation of the premises, with particular regard to the needs of disabled persons.

13 Adequate tables and seating will be provided so as to prevent the premises becoming a vertical drinking establishment

14 The Prevention of Public Nuisance

15 Clear notices will be displayed reminding patrons to leave the premises quietly

16 All doors and windows to the licensed area will be kept closed when music or other amplified sound e.g amplified voice is taking place

17 Music and other amplified sound will be inaudible 8 metres from the facade of the building and at the nearest noise sensitive premise.

18 No regulated entertainment will take place in areas outside of the main building eg the beer garden

19 Use of the outside seating areas will be restricted to:

10:00 - 23:00 Monday to Saturday

10:00 - 22:30 Sunday

20 No deliveries or collections, including trade waste, will take place between the hours of 19:00 and 07:00 Monday to Saturday.

There will be no deliveries or collections, including trade waste, on Sundays or Bank Holidays

21 The type and positioning of external lighting, including security lighting, will be such as to not cause nuisance to local residents

22 The Protection of Children From Harm

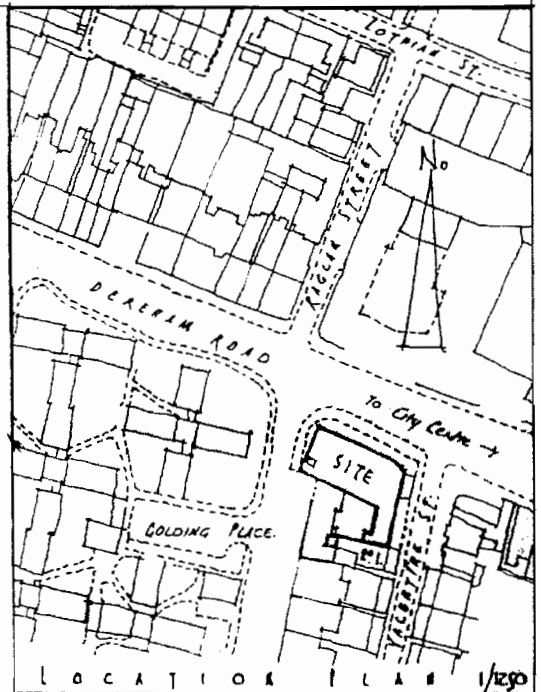
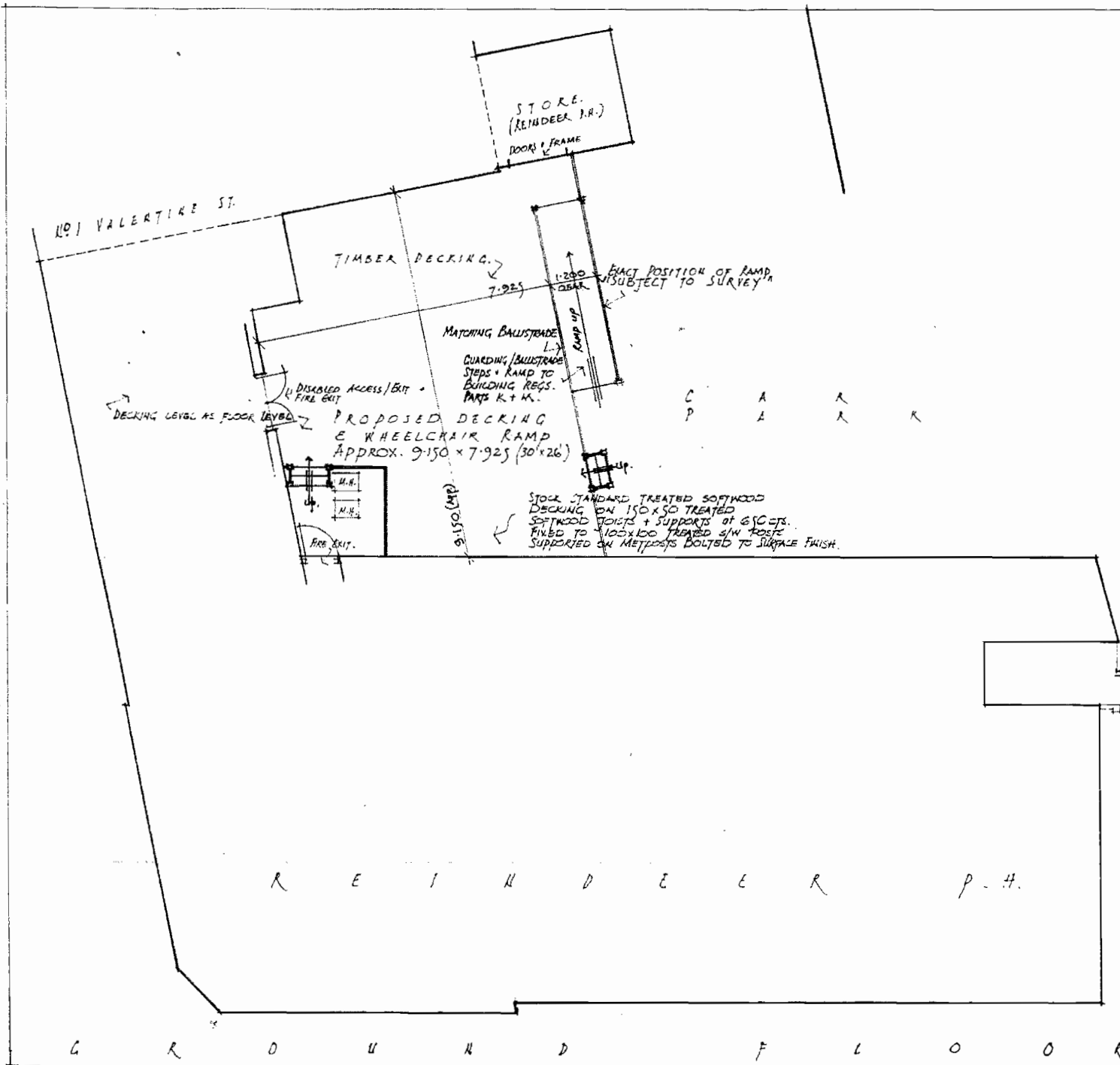
23 No one who is, or appears to be under the age of 18 will be sold or supplied with any alcoholic drink

24 A proof of age policy agreed by the police and Licensing Authority will be implemented

25 No unaccompanied children will be allowed on the premises at any time it is open for business

Annex 3 – Conditions attached after a hearing by the licensing authority

- 1 No one shall be admitted into the premises after 23:00 on any day



PLANNING REF. NO. 1/250

THE REINDEER P.H.
NO 10 DERHAM ROAD
WORWICH WORFOLK

PROPOSED
DECKING &
DISABLED ACCESS
FACILITIES FOR
ELGOOD & SONS LTD

SCALE 1/100	DATE MAY '04
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MESSRS. ELGOOD & SONS LTD.
NORTH BRINK BREWERY
WISBECH
CAMBS PE13 1LN 01945 583160
J.M. TUBBY - CONSULTANT - AR9 5AD
TEL. 01603 880768 FAX. 881266.

JOB NO. ESL/JMT/10/05/04	DRAWING NO. 01/01
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Norwich
Application to vary a premises licence
Licensing Act 2003

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

* required information

Section 1 of 18

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

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

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

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

☐ Indicate here if you would prefer to be contacted by mobile phone

Are you:

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

☐ Applying as an individual

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

Applicant Business

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

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

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.

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

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19 APR 2018

LICENSING OFFICE

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

27,500

Section 3 of 18

VARIATION

Do you want the proposed
variation to have effect as
soon as possible?

☒ Yes

☐ No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

☐ Yes

☒ No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend

Describe Briefly The Nature Of The Proposed Variation

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

TO ALTER PERMITTED HOURS FOR LICENSABLE ACTIVITIES

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to
vary is successful?

☐ Yes

☒ No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to
vary is successful?

☒ Yes

☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 10:00

End 00:00

Start

End

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

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 00:00

Start

End

SATURDAY

Start 10:00

End 00:00

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

Will the exhibition of films take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the exhibition of film.

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

Continued from previous page...

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed above, list below.

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

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 00:00

Start

End

SATURDAY

Start 10:00

End 00:00

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

Will the performance of live music take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

LIVE MUSIC WILL BE BOTH ACOUSTIC (UNAMPLIFIED) AND AMPLIFIED
MUSIC OUTDOORS TO CEASE NO LATER THAN 22:00

State any seasonal variations for the performance of live music

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

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

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

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music.

Continued from previous page...

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

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

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See [guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 11 of 18

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

See [guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

Start

End

End

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

Continued from previous page...

TUESDAY

Start 23:00

End 01:30

Start

End

WEDNESDAY

Start 23:00

End 01:30

Start

End

THURSDAY

Start 23:00

End 01:30

Start

End

FRIDAY

Start 23:00

End 01:30

Start

End

SATURDAY

Start 23:00

End 01:30

Start

End

SUNDAY

Start 23:00

End 00:00

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations.

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

Continued from previous page...

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 10:00

End 01:30

Start

End

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

TUESDAY

Start 10:00

End 01:30

Start

End

WEDNESDAY

Start 10:00

End 01:30

Start

End

THURSDAY

Start 10:00

End 01:30

Start

End

FRIDAY

Start 10:00

End 01:30

Start

End

SATURDAY

Start 10:00

End 01:30

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

☐ On the premises ☐ Off the premises ☒ Both

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

State any seasonal variations.

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

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

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

Section 14 of 18

ADULT ENTERTAINMENT

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

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

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start 10:00

End 02:00

Start

End

THURSDAY

Start 10:00

End 02:00

Start

End

FRIDAY

Start 10:00

End 02:00

Start

End

SATURDAY

Start 10:00

End 02:00

Start

End

SUNDAY

Start 10:00

End 00:30

Start

End

State any seasonal variations.

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

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

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

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

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

☐ I have enclosed the premises licence

Continued from previous page...

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Premises Licence still with Norwich City Council following change of DPS (application submitted 13/02/2018)

Section 16 of 18

LICENSING OBJECTIVES

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

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

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

The Challenge 25 age verification scheme will be used whilst such a scheme is in operation. No unaccompanied children to be allowed on the premises at any time whilst the premises are open for business. CCTV will be operated and maintained, with recordings kept and made available on request to the police or other authorised person in a readily transferable media.

b) The prevention of crime and disorder

No glass, open bottles or glass drinking vessels to be allowed to leave the premises. The Challenge 25 age verification scheme will be used whilst such a scheme is in operation.

c) Public safety

Appropriate measures to be adopted to prevent the premises becoming overcrowded. Staff to be trained to deal with safe evacuation of the premises with particular regard to persons with disabilities and records to be maintained on the premises and produced to a police officer or authorised person.

d) The prevention of public nuisance

No glass, open bottles or glass drinking vessels to be allowed to leave the premises. Clear notices to be displayed to remind customers to leave the premises quietly.

e) The protection of children from harm

The Challenge 25 age verification scheme will be used whilst such a scheme is in operation. No unaccompanied children to be allowed on the premises at any time whilst the premises are open for business.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 18 of 18

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.

Variation Fees are determined by the non domestic rateable value of the premises.

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

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

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

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£) 190.00

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the

Continued from previous page...

* licensing act 2003, to make a false statement in or in connection with this application.

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

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

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/norwich/change-1> to upload this file and continue with your application.

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

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

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

Organisational Development

15 MAY 2018

Post Room



Norwich City Council Licensing Authority Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent (see note 1)	Mrs. Kim James
Postal address	29. Dereham Road Norwich NR2 4HY Norfolk
Email address	[redacted]@mail.com
Contact telephone number	[redacted]

Name of the premises you wish to support or object to	The Reindeer
Address of the premises you wish to support or object to	10. Dereham Road, Norwich, Norfolk NR2 4AY

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	I object to this application See attached sheet.
Public safety	I object to this application See attached sheet
To prevent public nuisance	I object to this application See attached sheet.
To protect children from harm	I object to this application See attached sheet.

Please suggest any conditions which would alleviate your concerns.	The conditions which would alleviate my concerns would be for the Reindeer to revert back as a Restaurant / Public House. No Music! live
--	---

Signed:

Date: Monday 14th May 2018

Please sign below

Licensing Objective:-

To Prevent Crime and Disorder.

Due to increase of people drinking at the Reindeer at all hours, all days, there is bound to be more likely hood of rowdy behaviour. We have had to clear up sick in gateway and in the front garden, have watched them urinating, inside and outside of the property. We've had an increase of broken bottles, glasses cans and food wrappers thrown into our hedge and garden. We have endured fighting, shouting, loud singing plus an increase in traffic due to the re-opening of the Reindeer. This has puts more pressure on our Police and Ambulance Services.

Public Safety.

Due to the type of clientele that now frequents the Reindeer, there has been an increase in public safety. Noisy, rowdiness outside the Public House and then leaving the premises at all hours, night and day. Even Sundays are now included in loud music being played. What has happened to our 'Day of Rest'? Are the music levels, monitored? Dog walkers in this local area may also be faced with foul language, drunken and insulting behaviour. Clientele from the Reindeer smoking outside. Leaving cigarette butts on pathways, human sick smelling, littering, bottles and glasses broken, left and found in road. The safety of intoxicated people walking in the roadway, a hazard for drivers, cyclists and motor bike riders.

We already have a problem with ^{drugs and} alcoholics at the rear of our property. If the Reindeer proposes to have an off-licence, this will surely make the problem worse!

Health and Safety; if longer licensing hours are supported we shall have an increase in people in the Reindeer. How many persons are legally allowed in the premises? What about Fire Safety concerns? Where would the evacuation point be? How far away from the Public House, as a built up area of housing and a garage opposite.

To Prevent Public Nuisance:-

The Reindeer has both front and right hand doorways open, this creates unwanted noise, loud music both acoustic and amplified which can be heard inside and outside, back and front of our property. Sound carries at night. Summertime our windows are open making more noises, and if allowed to continue music to two am in the morning, when do we get our sleep? The proposed exhibition of films to take place inside and outside of the Reindeer will create more nuisance of sound and light pollution. Where will the screen be sited? back or front of Public House? Seating, quantity, will this spill over onto the pavement area, block access, the general public having to walk on the roadway - possibility of being knocked down by passing vehicles. We currently have 5 Cinemas in the city, do we really need another? Where will parking be for this extra service, everywhere is zoned now and previous parking lots nearby, are now built on for more flats/housing? This is a residential area.

To Protect Children from Harms:-

There are more children living in the Dereham Road area, due to further housing developments. The children will be deprived of sleep/rest due to extra noise levels in music being played for longer hours. Teenagers studying for exams unable to concentrate. Increased people in area of Public House, less access, on pathways. Harm from risk of injury due to broken glasses cars, bottles being thrown into gardens. Abuse of drunkenness, unacceptable behaviour, language, not feeling safe in their own environment. Parent/carers may feel vulnerable walking past the Reindeer pathway with wheel chairs / pushchairs.

The consequences of a licence being approved could seriously bring decline into this residential area.

Surely we have sufficient music venues within the city centre, without having to extend them outside the city walls.

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Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development

15 MAY 2018

Post Room

Statement of support or objection to
an application for a premises licence

Your name/organisation name/name of body you represent (see note 1)	MR A P JAMES.
Postal address	29 DEREHAM ROAD, NORWICH, NORFOLK, NR2 4HY.
Email address	[REDACTED]@l.com
Contact telephone number	[REDACTED]

Name of the premises you wish to support or object to	THE REINDEER.
Address of the premises you wish to support or object to.	10 DEREHAM ROAD, NORWICH, NORFOLK, NR2 4AY.

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	I OBJECT TO THIS APPLICATION SEE ATTACHED SHEET.
Public safety	I OBJECT TO THIS APPLICATION SEE ATTACHED SHEET.
To prevent public nuisance	I OBJECT TO THIS APPLICATION SEE ATTACHED SHEET.
To protect children from harm	I OBJECT TO THIS APPLICATION SEE ATTACHED SHEET.

Please suggest any conditions which would alleviate your concerns.	THIS APPLICATION IS NOT APPROPRIATE FOR THESE PREMISES, SO THEREFORE SHOULD REMAIN A PUBLIC HOUSE/ RESTAURANT WITH NO LIVE MUSIC/FILMS.
--	--

Signed:

Date: 14.5.18.

Please see notes on reverse

Statement of Objection

To prevent crime and disorder

Longer opening hours selling alcohol has to increase the chances of crime and disorder. A similar application was made a few years ago for the premises almost opposite, this was refused. The Police objected because logistically it would pose them a problem as their Police Officers were already stretched. This type of business is better suited for the City centre as there is already a Police presence.

Public safety

The risk to public safety has to increase with the longer opening hours. The public should be able to walk past the premises without the risk of verbal abuse or feeling intimidated. Unfortunately, where late night drinking is permitted, this can be a problem.

To prevent public nuisance

They are already creating a public nuisance with their music, to grant them the right seems ludicrous. May I remind you this is a residential area, not the Prince of Wales Road. We are able to hear the music whilst in our home, this clearly should not happen.

To protect children from harm

The children are going to be affected, as I have already stated, this is a residential area with children of all ages who need their sleep. To grant this application would be a bad decision for their well-being.



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Norwich City Council Licensing Authority Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent (see note 1)	Melanie Rolfe
Postal address	4, Valentine St., Norwich, NR2 4BA
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	The Reindeer
Address of the premises you wish to support or object to	10 Dereham Road, NR2 4AY

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	If the venue is open later than nearby venues this could result in people going there to continue late night drinking. From previous experience of nearby premises being granted a late licence, this led to disorderly behaviour and drug taking in the street outside our house.
Public safety	
To prevent public nuisance	<p>Late opening until 2am would mean noise in the street outside our house from people leaving the premises both on foot and returning to cars parked in the street continuing for 3 hours after we currently experience it from nearby premises on week nights.</p> <p>From previous experience of nearby premises being granted a late licence we know that such noise increases the later a venue is open and noise after 11pm is far more disruptive to local residents and detrimental to their quality of life.</p> <p>Even if the venue is open until 2 am on weekend nights this is still 2 hours later that we currently experience it from nearby premises and we would be extremely concerned that the instances of public nuisance and criminal behaviour would increase and the negative impact on the lives of local residents would be greater as the disruption continues on into the night.</p>
To protect children from harm	Surveys have highlighted that drunk people are one of the chief fears of children. Previous experience of shouting and abusive language in the street outside our house was extremely upsetting

	for my children and threatened their being able to feel secure and safe in their own home.
--	--

Please suggest any conditions which would alleviate your concerns.	Restrict licensing hours until 11pm Mon -Fri. Restrict licensing hours until 12am Sat/Sun and not admit new customers after 11pm
---	--

Signed: Melanie Rolfe

Date: 15/5/2018

Please see notes below

**Norwich City Council Licensing Authority
Licensing Act 2003**

**Statement of support or objection to
an application for a premises licence**

Your name/organisation name/name of body you represent (see note 1)	Caroline Richardson
Postal address	27 Dereham Road Norwich NR2 4HY
Email address	c [REDACTED] co.uk
Contact telephone number	([REDACTED])



Name of the premises you wish to support or object to	Object to: The Reindeer
Address of the premises you wish to support or object to.	Object to: 10 Dereham Road Norwich NR2 4AY

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	Open gates of opposite residents leaving parked cars vulnerable to vandalism. Open front gardens, vulnerable to punters crossing the roads and loitering outside premises. Huge increase of rubbish in gardens and noise in the street late at night. People gather outside late on the front part of the premises, side door is left open and no staff are controlling this. Live music inside and outside the venue every night will attract far too many people to this residential area late at night.
Public safety	Increased motorbikes parked outside pub, increase of noise pollution and potential danger to pedestrians. Anti-social behaviour, loud, offensive language already being heard by residents from punters leaving the pub at anti-social hours. Increase in litter and food being dropped in gardens which can attract rodents. Late night refreshment hours can attract a new influx of people into a quiet residential area which is undesirable late at night. Who controls them? I can find no limit or suggested limit to numbers allowed into the public house at any one time.
To prevent public nuisance	My daughter is a full-time teacher who works 60+ hours a week and lack of sleep is not sustainable. She has been significantly disturbed by excessive noise and loud live music, playing past 11pm on week days and past 12am on weekends. Unable to sleep as a result. The hours the present licence covers are ignored and the licence has been broken many times already. Back door to pub left open, increasing the noise coming to all the houses opposite. This noise is a huge concern and already a detriment to mental and physical health due to lack of sleep. Punters leaving premises loudly and late /drinking and smoking outside pub, calling out to each other a good hour after the stated closing time with no regard for local residents. There is an increase of litter along the pavements outside our homes and bottles/food /litter thrown into gardens. The application takes on an off-license permission until 1.30am meaning that alcohol will be consumed off the premises and glass

	<p>bottles and other containers will come outside the premises, in contradiction of the stated policy by the Reindeer in 16b. There is already excess noise and shouting, swearing due to increased, intoxicated punters leaving. This can only worsen in this residential area. The steps stated by the Reindeer that they are taking to promote licensing objectives are minimal and there are no limites on noise levels. The live bands playing bring their own equipment and set levels, there is no sound engineer employed by the Reindeer and no noise limiter for equipment to be plugged into,. There is a seeming complete lack of control over noise.</p>
To protect children from harm	<p>Safeguarding concerns: neighbours have small children who have already been subjected to being woken by the anti-social noise, adult behaviour and drunken problems of the late exiting from the premises. Broken glass has been left on the street, as well as litter on premises. One neighbour with daughter in GCSE year has had to move her bedroom as she was unable to sleep or study due to significant increase in evening/night noise. Children have expressed concerned that they are frightened to go into the front garden due to the noise/drinking outside the pub.</p> <p>Another neighbour has small children who have had to move bedrooms in order to sleep and close all windows due to excess noise and loud music until 2am. Our house has 4 bedrooms facing the street and I am not sure if I can have friends with young children to stay if we live opposite a pub with such anti-social hours of alcohol consumption.</p> <p>There is increased traffic on the roads late at night, when Dereham Road is actually very quiet, due to the number of motorbikes parked outside and leaving the pub. They have left the Reindeer premises fast and nosily, encouraging significant worries that there will be an increase in accidents.</p>

<p>Please suggest any conditions which would alleviate your concerns.</p> <div data-bbox="172 1400 635 1713" data-label="Image"> </div>	<p>The whole application indicated that the brewers just wants profits and care very little indeed about the local community.</p> <p>There should not be live music during the week nights. License for live and recorded music at on Fridays and Saturdays should only go until 12:00am, with a responsible sound engineer on premises during events.</p> <p>There should be sound proofing music equipment in pub such as a noise limiter that has to be used and installation of sound proofing to premises to protect local residents, such as closing the grills facing the main street when music is playing. There should not be service of alcohol after midnight including to take off the premises, and people should come inside at 11pm. Staff should patrol this.</p> <p>No motorbikes should be parked outside the pub.</p> <p>Private residents on in the area that live opposite and surrounding the pub want to see the Reindeer building as a success and a welcome part of their community, rather than a serious hindrance, creating huge concern for the ability to lead our lives peacefully and safely.</p>
--	--

Signed:



Date: 16.05 18.

Please see notes on reverse



NORWICH
City Council



Norwich City Council Licensing Authority Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent (see note 1)	Katie Sarah Caroline Richardson
Postal address	27 Dereham Road, Norwich, Norfolk. NR2 4HY
Email address	[REDACTED]@n
Contact telephone number	[REDACTED]

Name of the premises you wish to support or object to	Object to: The Reindeer Pub
Address of the premises you wish to support or object to	Object to : 10 Dereham Road, NR2 4AY

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	Open gates of opposite residents leaving parked cars vulnerable to vandalism. Open front gardens, vulnerable to punters crossing the roads and loitering outside premises. Concerns of loud punters leaving intoxicated late at night, creating noise and engaging in anti-social/illegal behaviour.
Public safety	Increased motorbikes parked outside pub, increase of noise pollution and potential danger to pedestrians. Anti-social behaviour, loud, offensive language already being heard by residents from punters leaving the pub at anti-social hours. Increase in litter.
To prevent public nuisance	I am a full-time teacher who works 60+ hours a week and lack of sleep is not sustainable. I have been significantly disturbed by excessive noise and loud live music, already playing past 11pm on week days and past 12am on weekends. Unable to sleep as a result. Back door to pub left open, increasing the noise to my ground floor bedroom. The noise is a huge concern and already a detriment to mental and physical health due to lack of sleep. Punters leaving premises loudly and late /drinking and smoking outside pub, with no regard for local residents. Increase of litter along the pavements outside homes. Excess noise and shouting, swearing due to increased, intoxicated punters leaving.
To protect children from harm	Safeguarding concerns: neighbours have small children who have already been subjected to the anti-social noise, adult behaviour and drunken problems due to the late entry from the premises. Broken glass has been left on the street, as well as litter on neighbour's premises. One neighbour with daughter in

	<p>GCSE year has had to move bedrooms as unable to sleep or study due to significant increase in evening/night noise. Children have expressed concerned that they are frightened to go into the front garden due to the noise/drinking outside the pub.</p> <p>Another neighbour has small children who have had to move bedrooms in order to sleep and close all windows due to excess noise and loud music until 2am.</p> <p>Increased traffic on the roads due to the number of motorbikes parked outside the pub. Motorbikes have left the Reindeer premises screeching; significant worries that there will be an accident.</p>
--	--

<p>Please suggest any conditions which would alleviate your concerns.</p>	<p>-No live music during the week nights. License for live music at weekends only until 12:00am, with sound engineer on premises during events. Sound proofing music equipment in pub or installation of sound proofing to premises to protect local residents.</p> <p>-No motorbikes parked outside the pub.</p> <p>-Private residents on Dereham Road that live opposite and surrounding the pub want to see the Reindeer building as a success and a welcome part of their community, rather than a serious hinderance, creating concern.</p>
--	--

Signer

Date: 16/05/18

Please





NORWICH
City Council



Norwich City Council Licensing Authority Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent (see note 1)	Mrs Georgina Rehberg
Postal address	21a Dereham Road, Norwich, Norfolk, NR2 4HY
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	The Reindeer,
Address of the premises you wish to support or object to	10 Dereham Road, Norwich, NR2 4AY

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>We have concerns about the extension of the licence until 2AM on weekdays.</p> <p>The Reindeer and Dereham Road are part of a residential area and we do not think it is acceptable or responsible to play music until this hour or to have people leaving the premises at this time, when local residents have work/school in the morning.</p> <p>We have already experienced very loud evenings, with patrons drinking on the pavement in front of the pub, being rowdy when exiting and further noise after closing time as the band of that evening clear down and leave. This has resulted in us having to keep our windows closed at night.</p> <p>The noise created by the public house will only be amplified/extended by the longer hours of service and in the hot summer nights will mean we have to make a choice between fresh air/a breeze in our bedrooms or an uninterrupted sleep.</p>

To protect children from harm

We have an 8 year old and nearly 2 year old living in the property.

Hot summer nights, with no fresh air and noise from the street will not be conducive to a good nights sleep, affecting their school life and general mood during the week.

Please suggest any conditions which would alleviate your concerns.

Reduced opening hours during the week – no other public houses this side of the city are open past 11pm Monday to Thursday.

A noise limiter on the PA system.

No drinks/smokers out the front of the pub past 9PM on weekdays.

We are happy to support live music/late hours on Friday and Saturday and Sunday daytime.

Signed:

Date: 12/5/17

Please sign



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17 MAY 2018

Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development

17 MAY 2018

Post Room

**Statement of support or objection to
an application for a premises licence**

Your name/organisation name/name of body you represent (see note 1)	JULES KABOMBO
Postal address	25 JERHAM ROAD, NR24HN
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	REINDEER
Address of the premises you wish to support or object to.	10 JERHAM ROAD

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	1. PEOPLE LEAVING LATER AND NOISY SMASHING GLASSES AND BOTTLE, PEOPLE ARGUING, CHILDREN SAFETY, ADULTS CAN
Public safety	LAGS. ALREADY HAPPENING WILL GET WORSE, OUR CONCERN A LATER LICENCE WILL AMPLIFY
To prevent public nuisance	GLASS BINS EMPTIED IN MIDDLE OF NIGHT, LOUD NOISE LATE NIGHT PUBLIC NUISANCE, AND FRIGHTENING PEOPLE AND PROTE
To protect children from harm	CTING CHILDREN FROM. I HAD TO MOVE MY DAUGHTER FROM HER BEDROOM BECAUSE OF NOISE AND SHE WAS GOING GUYS UNABLE TO AND SLEEP IN HER BEDROOM FOR
Please suggest any conditions which would alleviate your concerns.	MUSIC AND NOISE LIMITER

Signed:

Date:

10/05/018

Please see notes on reverse

LAST 2 MONTHS AS SOON AS THEY TENANT REOPEN



NORWICH
City Council



Norwich City Council Licensing Authority Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent (see note 1)	Adele Hillary
Postal address	2a Valentine Street, Norwich NR2 4BA
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Reindeer
Address of the premises you wish to support or object to	Dereham Road, Norwich

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>The application to extend opening hours on every day of the week is excessive. All other establishments in the area close at midnight and to allow this public house to stay open until 2am is sure to encourage drinkers to loiter in the area.</p> <p>Living opposite the pub has meant I am aware of an increase in noise since the change of landlord and although this hasn't been of a particular nuisance so far I feel that this could be potentially the case should they remain open for longer.</p> <p>It should also be noted that with the Bowling House now opening the parking on Valentine Street outside of the permit hours has become almost impossible. Paying for a permit as a resident I would expect to have an element of confidence in being able to park my vehicle close to my home. I appreciate that this is not directly the fault of the pub and this is to be expected given the city centre location but it is a problem for residents and is unfair given the limited spaces available to us without the increase of people visiting these venues.</p>
To protect children from harm	



Please suggest any conditions which would alleviate your concerns.

The opening hours as they stand are in keeping with other venues in the area. The pub is outside of the inner ring road and so it cannot be argued that this is a logical step for this pub. As a resident I did not anticipate living across from this pub would mean that I would be looking to be subjected to it being open for trade from 10am to 2am. If I was living near to the main areas of the city with such venues – for example Tomblond or Prince of Wales – then yes, I would expect this. For this pub to be open these hours however, is excessive.

It should also be noted that this is unofficially a 'biker friendly' pub which means loud bikes are often heard arriving and leaving. Again, living by a main road loud traffic noise is to be expected but encouraging this is only going to result in more noise and issues for residents. Valentine Street is a quiet street usually and it isn't fair for people who have chosen to live there in this knowledge to now have to consider changing location because an already established venue is wanting to increase their trade.

Signed:

Date: 14/5/18

Please see notes below



From:
Sent:
To:
Subject:

Divey, Richard
01 May 2018 17:04
LICENSING; 'bartramm@norfolk.pnn.police.uk'
Reindeer licence objection

Dear Licensing

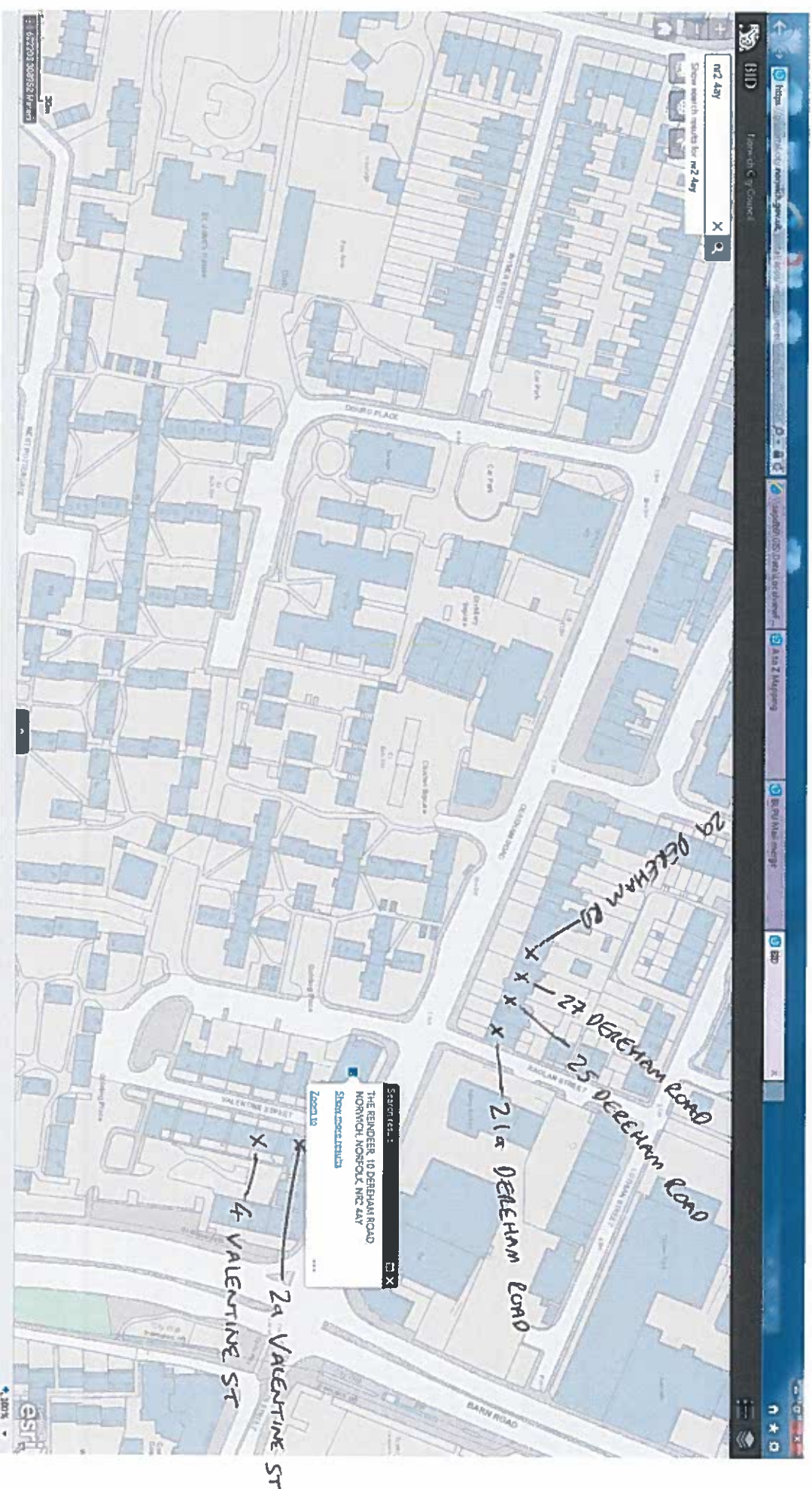
I have some concerns over this application to change the licence for this premises due to its position close to residential uses and a history of noise issues at the premises.

Those concerns would be allayed if the present conditions 15 - 21 were reimposed on this licence.

If not then I would like to object as my consultee role for EH due to concerns over the protection of public nuisance licensing objective.

Yours sincerely

Richard Divey
Environmental Protection Officer
Email: richarddivey@norwich.gov.uk



X - NEIGHBOURHOOD OBJECTION LETTER
RECEIVED IN RELATION TO 'THE RENDERS'
VARIATION APPLICATION.

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.

3.0 Applications for Licences

3.2 Applicants must address the four licensing objectives in their operational plan. The operating plan must have regard to the nature of the area where the premises are situated, the type of premises, the licensable activities to be provided, operational procedures and the needs of the local community. The operating schedule must demonstrate how the premises will be "good neighbours" both to residents and to other venues and businesses.

3.3 Applicants must provide evidence that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style, location and characteristics of their premises and activities. They must also indicate if additional measures will be taken on an occasional or specific basis, such as when a special event or promotion is planned, which is, for example, likely to attract larger audiences.

4.0 Representations

4.1 "Responsible Authorities" (see Appendix 7) will be asked to consider all applications and to make representations to the council, if they relate to the promotion of the four licensing objectives and particularly in respect of applications which, might be regarded as contentious. Representations must be

evidentially based and the organisation should attend any hearing when the application is being considered. Representations can be made in opposition to, or in support of, an application.

- 4.2 The council will consider all representations from any “Interested Party” (see Appendix 7), or their representative, which should preferably be evidentially based and supported by attendance at any hearing at which the application is being considered.
- 4.3 A representation will only be accepted by the council if it is ‘relevant’, i.e. it must relate to the likely effect of granting the licence on the promotion of at least one of the four licensing objectives. Representations, that are regarded as being frivolous or vexatious, will not be considered, and in the case of a review of a licence, any representation which is regarded as repetitious, will also not be considered. A decision as to whether a representation is frivolous, vexatious or repetitive will be made by an officer of the council.
- 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.

13.0 Management of Licensed Premises

- 13.1 Within the operating schedule for premises from which alcohol will be sold, with the exception of qualifying community premises, a premises supervisor must be designated (designated premises supervisor) and such person must be in possession of a current personal licence. The licensing authority will normally expect the designated premises supervisor [DPS] to have been given the day to day responsibility for running the premises by the premises licence holder and, as such, would normally be present on the licensed premises on a regular basis. In addition to the DPS holding a personal licence, the licensing authority would strongly encourage the DPS to undergo additional training and to have experience commensurate with the nature and style of entertainment provided and the capacity of the premises.
- 13.2 The act does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises at all times and have a duty to comply with the terms of the licensing act and any conditions, including the matters set out in the premises' operating schedule, in order to promote the licensing objectives. To that end, the licensing authority will be mindful of the guidance issued by the secretary of state, which recommends that a personal licence holder/DPS gives specific written authorisations to those individuals they are authorising to retail alcohol. Although written authorisation is not a requirement of the act and the designated premises supervisor/personal licence holder remain ultimately responsible for ensuring compliance with the act and licensing conditions, this action could assist in demonstrating due diligence should any issues arise with regard to enforcement.

The licensing authority will therefore expect that where the personal licence holder/DPS does not have the premises under their immediate day to day control, written authorisations will be issued to staff acting on their behalf, such authorisations being made available for inspection by a responsible Officer of the licensing authority or the police upon request.

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

30.7 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.

National Guidance

(issued under section 182 of the Licensing Act 2003)

Licence conditions – general principles

1.16 Conditions on a premises licence or club premises certificate 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 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 be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- 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.

Each application on its own merits

1.17 Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

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).

2.3 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.

2.6 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. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.20 Conditions relating to noise nuisance will usually 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 provisions in other legislation 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 which is 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.

2.24 Beyond the immediate area surrounding the premises, these are matters for the 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, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Determining actions that are appropriate for the promotion of the licensing objectives

9.41 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or

other persons, and representations made by the applicant or premises user as the case may be.

9.42 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.43 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

Conditions attached to premises licence

General

10.1 This chapter provides further guidance in relation to conditions attached to premises licences and club premises certificates. General principles on licence conditions are set out in Chapter 1 (see paragraph 1.16).

10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by a fine of up to £20,000 or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.

10.3 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below.

Proposed conditions

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps

recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

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

Consistency with steps described in operating schedule

10.6 The 2003 Act provides that where an operating schedule or club operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence or certificate must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required under the 2003 Act.

10.7 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.

Imposed conditions

10.8 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

10.9 It is possible that, in certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions are appropriate to promote the licensing objectives.

Proportionality

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

Hours of trading

10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

10.14 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.

The need for licensed premises

13.18 There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.