

Licensing sub committee

Date: Thursday, 30 September 2021

Time: 10:15

Venue: Council chamber

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

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

Committee members:

For further information please contact:

Councillors:

Stutely (chair)

Ackroyd

TBC

Committee officer: Alex Hand

t: (01603) 989398

e: alexhand@norwich.gov.uk

Democratic services

City Hall

Norwich

NR2 1NH

www.norwich.gov.uk

Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website.

Agenda

1 Apologies

To receive apologies for absence

2 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

3 Application for the Grant of a Premises Licence – 81 Park Lane, Norwich, NR2 3EL 3 - 86

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 grant of a premises licence in respect of 81 Park Lane, Norwich, NR2 3EL, following the receipt of relevant representations.

Date of publication: **Wednesday, 22 September 2021**

Report to Licensing sub committee

30 September 2021

Item 3

Report of Head of Planning and Regulatory Services

Subject Application for the Grant of a Premises Licence –
81 Park Lane, Norwich, NR2 3EL

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 grant of a premises licence in respect of 81 Park Lane, Norwich, NR2 3EL, following the receipt of relevant representations.

Recommendation

That Members determine the application to grant 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, including the cumulative impact policy.

Corporate and service priorities

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

Financial implications

None.

Ward/s: Nelson

Cabinet member: Councillor Jones – Safer, stronger neighbourhoods

Contact officers

Rachel Bennett – Public Protection Licensing Advisor 01603 989400

Background documents

None

Report

The application

1. The applicant is Samia King.
2. The application seeks to allow the licensable activities, times and opening hours as set out in the application form, which is attached at appendix A. This also includes the steps proposed to promote the licensing objectives (operating schedule).

Relevant representations

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

Police – no outstanding representations as conditions proposed by Police agreed by applicant (copy at appendix B)

Public Protection – no representations

Fire Officer – no representations.

Planning Officer – no representations.

Area Child Protection Committee – no representations.

Trading Standards – no representations.

Primary Care Trust – no representations

4. Objections to the application have been received from 10 local residents, as well as from a county councillor and a city councillor, copies are attached at appendix C.
5. Attached at appendix D is a location map.

Norwich City Council Statement of Licensing Policy

6. Attached at appendix E are the elements of the city council's local licensing policy, which are considered to have a bearing upon the application, including the cumulative impact policy at paragraph 29.

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

7. Attached at appendix F are the elements of the national guidance issued by the Secretary of State that are considered to have a bearing upon the application.

Summary

8. 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, including the cumulative impact policy.
9. 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
10. 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.
11. 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 E 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.
12. 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
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

PARKLANE

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

SAMIA

* Family name

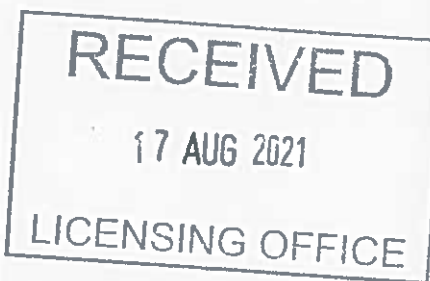
KING

* E-mail

Main telephone number

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone



Include country code.

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

13485973

Business name

EQUAL PARALLEL LTD

If your business is registered, use its registered name.

VAT number

-

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

Legal status

Private Limited Company

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 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☐ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☒ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

☒ Yes ☐ No

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

First name

Family name

Is the applicant 18 years of age or older?

☒ Yes ☐ No

Continued from previous page...

Current Residential Address

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

☐ Yes

☒ No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Applicant Contact Details

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

☒ Yes

☐ No

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

E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality

BRITISH

Right to work share code

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

07 / 09 / 2021
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

/ /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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.

CAFE/RESTAURANT/TAKE AWAY. SMALL PREMISES. TO PROVIDE ALCOHOLIC DRINKS FOR CUSTOMERS EATING IN (30 MAX) IN TWO SEPERATE DINING AREAS OR TAKING AWAY. SMALL PRIVATE COURTYARD OUTSIDE (OFF ROAD BEHIND A GATE) SEATS 8-10.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 21

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give 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...

FRIDAY

Start 12:00

End 23:00

Start

End

SATURDAY

Start 12:00

End 23:00

Start

End

SUNDAY

Start 12:00

End 20:00

Start

End

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.

N/A

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

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

N/A

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

SAMIA

Family name

KING

Date of birth

dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number
(if known)

Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

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

Give 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.

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 08:00

End 23:00

Start

End

Give 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 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

State any seasonal variations

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

N/A

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

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

N/A

Section 18 of 21

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)

Continued from previous page...

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

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP: Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to: a/ no selling of alcohol to underage people b/ no drunk and disorderly behavior on the premises area c/ vigilance in preventing the use and sale of illegal drugs at the retail area d/ no violent and anti-social behaviour e/ no any harm to children - Operating Schedule providing the hours of operation and licensable activities during those hours. - Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale - Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers. - CCTV system installed with recording option available - Roller metal exterior window shutter will be fixed to ensure that shop front is safe and secure at all times As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed. Not selling of alcohol to drunk or intoxicated customers. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. Prevention and vigilance in illegal drug use at the retail unit area. Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents. Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc. All the details provided in Training Record Book available the retail unit. Log Book will be kept upon the premises all the time. Nothing belong existing Health & Safety requirements.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an Immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

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 21 of 21

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.

Premises Licence 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 £125000 £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 £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event 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 (£)

100.00

DECLARATION

Continued from previous page...

- * 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 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/apply-1> to upload this file and continue with your application.

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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	<input type="text" value="PARKLANE"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >

Fuller, Maxine

From: Bartram, Michelle <Michelle.Bartram@norfolk.police.uk>
Sent: 09 September 2021 13:47
To: LICENSING
Cc: Woods, Suzanne
Subject: FW: New Premises Licence - Park Lane

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

Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious.

Hello Licensing

I can confirm that Police have received a copy of the premises licence for 81 Park Lane, Norwich.

In order to promote the licensing objectives, I request that the following conditions are added to the premises licence:

- **CCTV Cameras to cover the main public areas of the premises including entrances, exits and immediate vicinity. CCTV footage to record for a minimum of 28 days and be available to Police or Licensing Authority on request.**
- **With the exception of the outside seating area, patrons will be prevented from taking open vessels of alcohol off the premises**

With these conditions added, there are no outstanding representations.

I have an email below from the applicant Samia King agreeing to these so no further objections

Thanks

Michelle Bartram
 Licensing Officer
 Norfolk Constabulary
 Bethel Street Police Station, Norwich, NR2 1NN
 Mobile: 07870 555 421
 Licensing Team answer phone: 01603 27 6024

THE SPIRIT OF POLICING

supportive | professional | integrity | respect | impartial | transparent

From: Samia King [REDACTED]
Sent: 09 September 2021 13:16

To: Bartram, Michelle <Michelle.Bartram@norfolk.police.uk>
Subject: Re: New Premises Licence - Park Lane

Hi Michelle

Thank you for your email. Yes I can confirm I will add these conditions to the premises licence.

Kind regards

Samia King

Sent from my iPhone

On 9 Sep 2021, at 11:27, Bartram, Michelle <Michelle.Bartram@norfolk.police.uk> wrote:

Good Morning Samia,

I can confirm that Police have received a copy of the new premises licence for 81 Park Lane, Norwich.

Thank you for including detailed information within the operating schedule.

Are you able to advise if you are happy to add the following conditions onto the premises licence:

- **CCTV Cameras to cover the main public areas of the premises including entrances, exits and immediate vicinity. CCTV footage to record for a minimum of 28 days and be available to Police or Licensing Authority on request.**
- **With the exception of the outside seating area, patrons will be prevented from taking open vessels of alcohol off the premises**

I look forward to hearing from you

Page 24 of 86

Thank you in advance

Michelle Bartram
Licensing Officer
Norfolk Constabulary
Bethel Street Police Station, Norwich, NR2 1NN
Mobile: 07870 555 421
Licensing Team answer phone: 01603 27 6024

THE SPIRIT OF POLICING

supportive | professional | integrity | respect | impartial | transparent

This e-mail carries a disclaimer

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

LICENSING

From: noreply_xforms@norwich.gov.uk
Sent: 10 September 2021 09:17
To: LICENSING
Subject: Licensing - Representation Form

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

Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious.

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	Norwich City Council
Postal address	[REDACTED]
Email address	d.carlo [REDACTED]
Contact telephone number	[REDACTED]
Address of the premises you wish to support or object to	81 Park Lane NR2 3EL

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>I am concerned about the strong likelihood of noise arising from use of the premises as a licenced café up until 11pm especially from customers seated in the back yard of the property.</p> <p>81 Park Lane occupies a prominent position in a densely populated area. The building sits at the top of a hill at the junction of a number of residential roads (Park Lane, Mill Hill Road, Avenue Road, Portersfield Road, Maida Vale). The property fronts directly onto the street and the open back yard abuts a row of terraced houses on Maida Vale. There are a large number of residential properties in</p>

	<p>all directions within a small radius of 81 Park Lane.</p> <p>The new leaseholders of the former takeaway/café at 81 Park Lane proposes to utilise a large part of the property for licenced café purposes: ground floor, basement and yard. The first floor will presumably remain as a rented multi occupancy flat and the noise from the café could intrude upon the occupants.</p> <p>My main concern is the use of the back yard for dining/drinking alcohol until 11pm. The back yard is open and the noise would undoubtedly carry to the neighbouring residential properties. In particular, residents on Maida Vale, especially those living close to the street entrance would suffer disturbance at the front and rear of their homes. It will not be possible nor conducive to a friendly atmosphere for the staff to constantly remind customers seated in the yard to keep their voices to an acceptable level.</p> <p>In addition to the new licensing application submitted by the new leaseholders at 81 Park Lane, the property owners have applied for planning permission to demolish the garage and wall along Maida Vale and build in the courtyard a commercial unit. The reference number for their application is 21/01105/F. The boundary wall would be rebuilt and lowered so that noise from customers in the yard would not be contained at all. There would be the potential access conflicts between café customers in the yard and people visiting the new retail/commercial unit.</p> <p>Number 81 Park Lane was until recently used as a small pizza and beverages takeaway, open until around 5pm. Queues formed outside the café but because the café sold non-alcoholic drinks during the daytime, the business didn't impinge upon neighbours to any great extent. However, the consumption of alcohol in the yard by diners until 11pm could create unacceptable noise. Also, the regular coming and going of customers to the café generally looking to purchase alcohol up until 11pm at night could potentially cause disturbance.</p> <p>I will be writing to the planning team about a number of planning issues arising from the licensing application and planning application (eg parking, bin storage, plans to install a metal window shutter on the ground floor in a conservation area).</p>		
<p>To protect children from harm</p>			
<p>Please suggest any conditions which would alleviate your concerns</p>	<p>Not allow customers to eat/drink in the back yard so that noise would be contained indoors. Not allow casual purchase of alcohol by people not eating in at the cafe as that would reduce the number of visits and activity in the street.</p>		
<p>Full name:</p>	<p>Denise Carlo</p>	<p>Date:</p>	<p>Page 27 of 86 10/09/2020</p>

LICENSING

From: noreply_xforms@norwich.gov.uk
Sent: 14 September 2021 12:20
To: LICENSING
Subject: Licensing - Representation Form

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

Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious

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	County Councillor Paul Neale - Nelson Ward
Postal address	
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	81 Park Lane

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>I object in my role as a county councillor for Nelson ward to the application under the objective of the prevention of public nuisance..</p> <p>I am concerned about the strong likelihood of noise arising from use of the premises as a licenced café up until 11pm especially from customers seated in the back yard of the property.</p> <p>81 Park Lane occupies a prominent position in a densely populated area. The building sits at the top of a hill at the junction of a number of residential roads (Park Lane, Mill Hill Road, Avenue Road,</p>

	<p>Portersfield Road, Maida Vale). The property fronts directly onto the street and the open back yard abuts a row of terraced houses on Maida Vale. There are a large number of residential properties in all directions within a small radius of 81 Park Lane.</p> <p>The new leaseholders of the former takeaway/café at 81 Park Lane proposes to utilise a large part of the property for licenced café purposes: ground floor, basement and yard. The first floor will presumably remain as a rented multi occupancy flat and the noise from the café could intrude upon the occupants.</p> <p>My main concern is the use of the back yard for dining/drinking alcohol until 11pm. The back yard is open and the noise would undoubtedly carry to the neighbouring residential properties. In particular, residents on Maida Vale, especially those living close to the street entrance would suffer disturbance at the front and rear of their homes. It will not be possible nor conducive to a friendly atmosphere for the staff to constantly remind customers seated in the yard to keep their voices to an acceptable level.</p> <p>Moreover, a planning application (21/01105/F) has been submitted with plans for rebuilding the boundary wall to a lower height and so noise from customers in the yard would not be contained at all. The owners of 81 Park Lane have applied for planning permission to demolish the garage in the backyard together with the boundary wall along Maida Vale and build a retail/commercial unit. There would be the potential access conflicts between café customers in the yard and people visiting the new retail/commercial unit.</p> <p>I will be writing to the planning team about a number of planning issues arising from the licensing application and planning application (eg parking, bin storage, plans to install a metal window shutter on the ground floor in a conservation area).</p> <p>Number 81 Park Lane was until recently used as a small pizza and beverages takeaway, open until around 5pm. Queues formed outside the café but because the café sold non-alcoholic drinks during the daytime, the business didn't impinge upon neighbours to any great extent. However, the consumption of alcohol in the yard by diners until 11pm could create unacceptable noise. Also, the regular coming and going of customers to the café generally looking to purchase alcohol up until 11pm at night could potentially cause disturbance.</p>		
To protect children from harm			
Please suggest any conditions which would alleviate your concerns			
Page 29 of 86			
Full name:	County Councillor Paul Neale	Date:	14/09/2021

LICENSING

From: kirsty savory [REDACTED]
Sent: 12 September 2021 17:51
To: LICENSING
Subject: Objection to licensing application 81, Park Lane Norwich.

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

Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious.

This email is for the attention of Ms Rachel Bennett, Licensing Advisor.

Dear Ms Bennett,

RE: Objection to licence application for 81, Park Lane, Norwich.

I wish to object to the above application for the following reason:

Prevention of public nuisance:

Noise pollution:

In her application, the leaseholder, Ms King does not effectively detail how she will ensure that noise levels created by her patrons will not adversely affect the surrounding residential neighbourhood. 81 Park Lane is the only commercial property (albeit with residential, multi occupancy flats above the café) in the locality and sits within a high-density area of residential, terraced housing, not in a commercial area with other businesses. A café and courtyard with a licence extending to 11pm, seven nights a week, would be completely at odds and of great detriment to the locality.

My house is less than ten metres from the courtyard. The surrounding fabric of the courtyard and immediate locality is hard; a brick or concrete surface. Noise travels very easily, especially at night. There will be significant noise pollution from patrons frequenting the establishment,

patrons leaving the premises in the evening and staff clearing away once the establishment has closed. The first-floor bedrooms of the houses of Maida Vale back onto Park Lane with a distance of approximately 5 metres from the pavement, at street level. Patrons leaving the café would create noise disturbance both at the front and the back of our properties.

In its licensing policy, the council states that consideration needs to be given to the level of public transport accessibility. The vast majority of patrons would have to vacate the premises on foot as there are no public transport facilities to enable patrons to leave the premises and disperse from the immediate locality quickly and quietly. Furthermore, I do not believe it is possible nor reasonable for café staff to speak to each patron to remind them of their expectation to leave the premises without disturbing residents.

The owners of the building, Mr and Mrs Spalding have submitted a planning application ref:21/01105/F. In this application, they state their desire to demolish a wall of the courtyard and replace it with a much lower wall. Should this application be approved, the lower level of the new wall would enable noise to travel even more easily into Maida Vale.

Damage to the integrity of Maida Vale and surrounding residential area:

Maida Vale is a unique street, not only in NR2, but within Norwich itself. It sits within a conversation zone. Ms King applies for a licence for 11 hours daily, seven days a week. There would be no respite for local residents from the noise that a business such as this, would create.

Maida Vale is a quiet street. The street is a cul-de-sac and as a result, has very little traffic and footfall, making it a safe place in which to live. The regular movement of patrons late at night would cause increased disturbance to residents. Intoxicated people are occasionally found in Maida Vale looking for a way out to Unthank Road, not realising the street is a cul-de-sac. This can be a frightening experience for residents, not to mention the increase in noise pollution. A licensed premises at the end of our street will only increase and exacerbate the rate of occurrence of this happening.

Refuse:

In her application, Ms King does not state where refuse will be stored. Any commercial sized bins would need suitable secure storage. There is no storage area on Park Lane, Maida Vale or the surrounding streets. Large, commercial bins would be an added eye sore to the fabric of the local streets and a nuisance for both pedestrians and drivers. Any bins stored on the street or pavement would be illegally stored.

Parking:

The location of 81, Park Lane sits at a dangerous junction of five roads. The entrance to Maida Vale is narrow and hazardous. In her application, Ms King does not state how she will accommodate delivery vans and cars of patrons. There is no legal parking space outside 81 Park Lane and the surrounding streets, including Maida Vale, are permit parking only. There is no safe space in which deliveries can be accommodated. There is no available parking for patrons. Parking is at a premium both within Maida Vale and NR2 itself and residents already find it very difficult to find parking spaces. I believe that the increase of vehicles parking illegally in Maida Vale and surrounding streets will cause further nuisance and inconvenience for residents trying to park their own cars. In addition, residents will face increased dangers when leaving Maida Vale both as pedestrians and as car users.

I have further concerns which I shall be taking up with the Council's planning department. For example, Ms King states that she will erect shutters and CCTV to the outside of the premises. 81, Park Lane sits within a conservation zone. External furniture such as these would be at odds with the objectives of the Heigham Grove Conservation Area. Planning permission would need to be sought and granted before furniture such as these can be erected and indeed before obtaining a license to sell alcohol.

In conclusion, while I do not object to the business being run as a café during the day, I strongly object to the business holding a licence to sell alcohol for eleven hours a day, seven days a week.

Ms King's application to the council shows scant regard to the residents of the surrounding locality.

Kirsty Savory.

Fuller, Maxine

From: a.carrier1 [REDACTED]
Sent: 07 September 2021 12:28
To: LICENSING
Subject: 81 Park Lane NR2 3EL

CAUTION! – This email originates from outside Norwich City Council.
Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious.

I would like to register my objection to the new leaseholder at 81 Park Lane NR2 3EL being allowed to sell alcohol and also dramatically changing the opening hours of the premises.

1.Crime and disorder

An increased number of visitors to no.81 throughout the day until late at night 7 days a week would inevitably increase the risk of crime and disorder.

Although their property has a small outdoor space I think people would gather in the cul-de-sac where I live which has no through road and is very quiet.

There are very many eateries on Unthank Road and revellers do pass down Park Lane at night mainly disturbing people at the top of the road but I wouldn't like the top of my cul-de-sac being a gathering point.

2.Public Safety

The pavement outside no.81 on a sharply sloping blind bend is continually parked on by their visitors seriously endangering pedestrians, children on scooters, bikes and disabled people who don't always check to see if cars are coming into or out of Maida Vale.

I am concerned about the number of customers that will be in no.81 as it's a fairly small building and there is always the danger of fire and of course Covid.

3.Public nuisance

The bins to the property are always outside on the pavement .With the planned increase in sales there will be more rubbish, more noise .

The illegal parking in the cul-de-sac would increase as it's fairly difficult to park in the area. Residents popping out in the evening in their cars after 6.30pm may find their space taken legally by customer at no 81.

Looking ahead we do not know what the impact of 21 housing units destined to be built opposite in St.Peters.

4.Protecting Children

We live in a peaceful community where a building open from early in the morning until late at night selling alcohol would inevitably change that .There would be more traffic making deliveries .More noise.The gardens are small in the cul-de-sac so families use it for socializing ,gardening or just relaxing.It's a happy environment for children and relatively safe as people generally only come into the street if they are visiting a resident.I don't want that to change. The previous leaseholder was welcomed because the cafe fitted in with that way of life.

Alison Carrier
[REDACTED]

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 07 September 2021 11:26
To: LICENSING
Subject: Licensing - Representation Form

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

Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious.

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	Alison Carrier
Postal address	
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	81 Park Lane NR2 3EL

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	An increased number of visitors throughout the day until late at night 7 days a week inevitably will increase the risk of crime and disorder the a quiet residential area.
Public safety	The pavement at no.81 on a sharply sloping blind bend is continually parked on by visitors to the property seriously endangering pedestrians. Increased fire hazards and covid also worry me.
To prevent public nuisance	Illegal parking is an issue. Bins left on the pavement are hazardous and noisy to fill.
To protect children from harm	Hazardous parking. Noise in the evening. Strangers congregating.

Please suggest any conditions which would alleviate your concerns	No alcohol. Shorted opening hours. No illegal parking		
Full name:	Alison Carrier	Date:	07/09/2021

LICENSING

From: noreply_xforms@norwich.gov.uk
Sent: 15 September 2021 14:11
To: LICENSING
Subject: Licensing - Representation Form

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


Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious.

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	Megan Bradbury
Postal address	
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	81 Park Lane, Norwich, NR2 3EL

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	<p>Management of Courtyard</p> <p>There is a problem with the courtyard being so open to the public. At the moment, if the gates are open, anyone can enter the courtyard without being seen by premises staff. No details have been provided to explain how staff plan to keep track of the numbers of patrons on the premises in this instance.</p> <p>It should also be noted here that the owners of 81 Park Lane have recently submitted a planning application to the local council requesting permission to build a substantial commercial unit in the rear courtyard of this premises. While I understand the licensing application and planning application are two separate processes, their simultaneous submission does suggest a lack of coordination in</p>

	<p>terms of how this outer space is going to be divided and managed. The licensing application is saying the outdoor space will be used for a seating area for a restaurant while the planning application is saying a substantial part of this space will be used for a commercial office/retail space. The contradictory nature of these two applications is alarming.</p> <p>Should planning be approved for the new commercial unit, an additional entrance to the courtyard leading from Maida Vale will be built, making the courtyard even more exposed, and the perimeter wall of the outdoor seating area will be lowered, and this will allow noise to carry more easily.</p> <p>Neither the licensing application nor the planning application makes it clear exactly where the boundaries of the café's courtyard will be or how it will be policed or accessed. The location of the courtyard in relation to the main premises also makes its management difficult. The only windows overlooking the courtyard are those located in the kitchen. Without clear and continual observation of the outdoor area it is unclear how staff will manage noise levels and anti-social behaviour.</p>
Public safety	<p>Parking/Loading</p> <p>There is also no mention of how the business will deal with the problem of customer parking. The premises has made no provision for customer parking and so it is likely to assume that evening patrons will park in residential parking along Maida Vale, which is already frequently congested. This has been an ongoing problem during the lease of the previous café business. Customers have continually parked in Maida Vale, and, more alarmingly, directly on the pavement outside the premises, thereby blocking pedestrian access and making it very difficult to safely enter and exit Maida Vale via car. The junction at the end of Maida Vale is located on a blind bend adjacent to and before two other junctions (Portersfield Road and Park Lane) therefore any parking or obstruction on the corner outside 81 Park Lane is extremely hazardous and a danger to public safety.</p> <p>With increased business hours, extra deliveries and regular commercial refuse and recycling collection, we can only anticipate this problem worsening. This application doesn't set out any policies that aim to mitigate this problem. Also, this problem is likely to be made worse should planning approval be granted for the new commercial unit in the back courtyard of 81 Park Lane, as it will increase the pressures on parking, reduce the space of the courtyard and make it more likely for customers to congregate on the public pavement outside the premises.</p> <p>Capacity</p> <p>In practical terms, it should be noted that this premises does not have the capacity to serve 30 covers (internally) – the amount stated on the application. According to the Norwich City Council Business Rates records, the total square meterage for the business on this premises is 26.6 square meters. The maximum capacity for the interior of this premises therefore is 26 people.</p> <p>Toilets</p> <p>Neither are there enough toilets for patrons. The council specifies that two toilets are needed to accommodate up to 150 males and 30 females. The plans that have been submitted are based on the facilities offered by the premises whilst it was a craft shop prior to its renovation in 2017-2018. As far as I am aware, the toilet shown on the ground floor of the building was taken out during this refurbishment. There is no evidence of whether the basement toilet is mechanically ventilated and therefore whether it is suitable for use.</p> <p>The residents of Maida Vale frequently have to deal with people urinating in front flower bed that runs along the street. This situation will only get worse if customers attending the café bar at 81 Park</p>

	<p>Lane have infrequent access to toilets.</p> <p>Disability Access</p> <p>The business has made no attempt to become accessible for disabled patrons despite numerous refurbishments. There is no level-access via the front entrance, into the back rooms of the premises or from the premises into the courtyard garden via the rear exit. If the upstairs toilet no longer exists, then there is also no accessible toilet either. This contravenes section 2.5 of Norwich City Council's Licensing Policy.</p>
<p>To prevent public nuisance</p>	<p>Noise, Odour and Light Pollution</p> <p>Extending the opening hours of this business to 11pm and introducing the sale of alcohol will increase the noise, odour and light pollution in the local area and will be detrimental to our family's life.</p> <p>In 2017-2018, 81 Park Lane was converted from a retail craft shop into a café, and what was once the property's back garden became an outdoor seating area for customers. Since then, there has been a significant increase in noise and odour pollution, but because the cafe closed at 5pm, this disruption has been bearable. The prospect of having this disruption continue until 11pm six nights a week, and 10pm on a Sunday, as is proposed in this application, is distressing, particularly as we have two young children at home (one aged three and a newborn due in October).</p> <p>The floorplan of the building submitted in this application is significantly out of date and so does not give a true representation of the building as it is now. Because of this it is not clear how the business will actually work. It is difficult to see where the dining and service areas will be or how the rear courtyard will be used (the courtyard isn't even included in the boundary layout, which is alarming given the disruption it is likely to cause). Presumably, the dining areas will be located at the back of the property (described as a craft and staff room on the plans). If so, noise from the dining areas is likely to carry towards our property and the rest of Maida Vale. With no visible means of mechanical ventilation in the property, one must assume that the only way to ventilate the dining area will be to have the windows open, which will allow noise to carry.</p> <p>If extractors fans are used on the premises, they will likely be located towards the rear of the property and will therefore direct odours towards our house.</p> <p>The only place to store refuse and recycling on the premises is in the back courtyard. As the business's direct neighbours, we will likely suffer from the odour pollution this will cause.</p> <p>The application states it will provide extra lighting for customers but doesn't state where this will be located. We are worried that any additional lighting will cause a nuisance to our home and to other local residents, in particular, those living at 1 Portersfield Road, whose back windows look out directly onto the back garden of 81 Park Lane.</p> <p>The operational mechanics of the restaurant, and particularly the outdoor courtyard, is also likely to cause major disruption to the lives of the three tenants living in the first floor flat at 81 Park Lane.</p> <p>Access to and from Courtyard</p> <p>It is unclear from these plans how the business will deal with access to and from the back courtyard. Historically, customers have only been able to access the courtyard garden by exiting the main door of the cafe, walking along the public pavement and into the courtyard by way of the driveway gates. If this continues under the management of the new leaseholders, this access situation is likely to cause a public nuisance with staff and patrons coming and going along the pavement especially in the evening and late at night. Given the likelihood of patrons being intoxicated should the alcohol license be</p>

approved, this will only cause a greater public nuisance.

The only alternative access for patrons looking to exit and enter the courtyard is via a rear staircase but, as far as we understand it, this staircase leads into a kitchen at the rear of the property, and is therefore inaccessible to patrons on the grounds of health and safety.

Take-away

This business describes itself as a cafe/restaurant/take-away, but this application makes no mention of how the take-away aspect of the business will function, whether take-away will be available in the evening or what footfall this is expected to attract. There is no description of where customers will wait for their food. This site is exceptionally small with no obvious internal waiting area.

We have had a number of issues in the past with take-away customers for the previous café blocking the pavement outside the café. This has forced pedestrians to cross the road at what is a very dangerous spot – a blind bend and the junction to two major roads (Portersfield Road and Park Lane). In the past, queues for the café have also blocked access to Maida Vale for cars and other vehicles. The pavement along Park Lane is narrow and unsuitable for queuing customers, and our street will be severely disrupted if patrons line up in our direction.

There is no indication in this proposal to say whether the take-away service will be offered during the evening. Customers queuing throughout the night will cause an obvious nuisance, especially if they are coming to the business after leaving a pub. The loitering of customers outside the premises will cause significant noise for Maida Vale residents. As a quiet cul-de-sac, this street is likely to be an attractive destination for those looking for somewhere to hang out. There is also no mention of how the business will prevent litter from accumulating as a result of the take-away service. The back gardens of Maida Vale, which run along Park Lane, regularly attract litter and this is only likely to worsen if this license is granted.

There is also no mention of whether or not the business will offer a delivery service. If it does, there is no indication of how this service will operate in a way that does not cause a public nuisance. There are no public cycling stands in the area, no loading bays, and no commercial parking bays near the premises. One can only assume therefore that further use will be made of Maida Vale and the public pavement directly in front of the premises. The lack of clarity in this proposal on issues such as this is alarming given how greatly these sorts of things will impact on the lives of local residents.

Refuse and Recycling

No details have been given about how refuse or recycling Page 41 of 86 organised. The previous leaseholder of the cafe at 81 Park Lane used residential bins to dispose of the business's waste, and this was collected by the council alongside the residential waste along Maida Vale. With increased business hours, this new business will need to arrange commercial refuse collection, which is likely to cause significant disruption to local residents by either blocking access to Maida Vale or parking on the blind bend of Park Lane.

No details have been provided about where exactly these commercial bins will be stored. The previous leaseholder stored the refuse on the pavement outside the premises, which blocked the pavement. The licensing policy specifies that all waste must be stored within the curtilage of the premises. The only location for this is the back courtyard. We are obviously concerned about the smell this will cause, both for our family (whose house adjoins the courtyard) but also for the business's customers. The courtyard is very small, and may become even smaller if planning is approved for the construction of the new commercial unit. It doesn't seem possible that a courtyard this size can

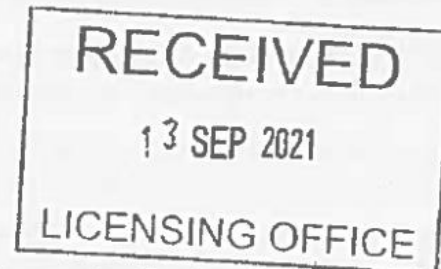
	<p>accommodate seating for 8-10 customers plus the commercial waste and recycling for the business, plus the residential waste and recycling for the three-bedroom flat on the first floor. This situation will only be worsened should planning be approved for the new unit, when additional commercial waste and recycling will then need to be accommodated. With such little space, I don't see how this courtyard will be an effective and useable space.</p> <p>We are also concerned that the increased footfall, deliveries and waste disposal will make an already dangerous junction even more hazardous for other members of the public. As we have already stated, this site, located on a busy intersection, also lies on four local school routes and a major thoroughfare for UEA students and staff, as well as being on the official Pedalways route.</p>		
To protect children from harm			
Please suggest any conditions which would alleviate your concerns	<p>Context</p> <p>81 Park Lane is located in a prominent position on the junction of a number of residential roads (Mill Hill Road, Park Lane, Avenue Road, Portersfield Road and Maida Vale) in a densely populated area of Norwich. The backyard of the property abuts a row of terraced houses on Maida Vale and its front entrance opens directly onto Park Lane, which is a busy route for cars, pedestrians and cyclists travelling to and from UEA and the four schools in the neighbourhood. This road is also a designated route along the council's Pedalways cycle scheme.</p> <p>We are the direct neighbours of 81 Park Lane. Our address, 1 Maida Vale, is attached to the premises at the rear of the building. The side of our house (most notably, our bedroom) abuts the rear courtyard of 81 Park Lane.</p> <p>All of the above is evidence of the unsuitability of this premises to be located in a quiet residential area such as this. There simply is not the room for it and there is not the space to allow for all the aspects of the business to function and to be run effectively without causing a danger or a nuisance to local residents and to pedestrians and passing traffic. It should also be noted that there are numerous business premises not far away on Unthank Road that are empty at the moment and would appear to be far more suitable for the needs of this business.</p>		
Full name:	Megan Bradbury	Date:	15/09/2021

1 Maida Vale

Norwich

NR2 3EP

12/09/2021



Dear Rachel Bennett,

We wish to register our objections to the Premises License Application for **81 Park Lane, Norwich, NR2 3EL**.

Context

81 Park Lane is located in a prominent position on the junction of a number of residential roads (Mill Hill Road, Park Lane, Avenue Road, Portersfield Road and Maida Vale) in a densely populated area of Norwich. The backyard of the property abuts a row of terraced houses on Maida Vale and its front entrance opens directly onto Park Lane, which is a busy route for cars, pedestrians and cyclists travelling to and from UEA and the four schools in the neighbourhood. This road is also a designated route along the council's Pedalways cycle scheme.

We are the direct neighbours of 81 Park Lane. Our address, 1 Maida Vale, is attached to the premises at the rear of the building. The side of our house (most notably, our bedroom) abuts the rear courtyard of 81 Park Lane.

Noise, Odour and Light Pollution

Extending the opening hours of this business to 11pm and introducing the sale of alcohol will increase the noise, odour and light pollution in the local area and will be detrimental to our family's life.

In 2017-2018, 81 Park Lane was converted from a retail craft shop into a café, and what was once the property's back garden became an outdoor seating area for customers. Since then, there has been a significant increase in noise and odour pollution, but because the cafe closed at 5pm, this disruption has been bearable. The prospect of having this disruption continue until 11pm six nights a week, and 10pm on a Sunday, as is proposed in this application, is distressing, particularly as we have two young children at home (one aged three and a newborn due in October).

The floorplan of the building submitted in this application is significantly out of date and so does not give a true representation of the building as it is now. Because of this it is not clear how the business will actually work. It is difficult to see where the dining and service areas will be or how the rear courtyard will be used (the courtyard isn't even included in the boundary

layout, which is alarming given the disruption it is likely to cause). Presumably, the dining areas will be located at the back of the property (described as a craft and staff room on the plans). If so, noise from the dining areas is likely to carry towards our property and the rest of Maida Vale. With no visible means of mechanical ventilation in the property, one must assume that the only way to ventilate the dining area will be to have the windows open, which will allow noise to carry.

If extractors fans are used on the premises, they will likely be located towards the rear of the property and will therefore direct odours towards our house.

The only place to store refuse and recycling on the premises is in the back courtyard. As the business's direct neighbours, we will likely suffer from the odour pollution this will cause.

The application states it will provide extra lighting for customers but doesn't state where this will be located. We are worried that any additional lighting will cause a nuisance to our home and to other local residents, in particular, those living at 1 Portersfield Road, whose back windows look out directly onto the back garden of 81 Park Lane.

The operational mechanics of the restaurant, and particularly the outdoor courtyard, is also likely to cause major disruption to the lives of the three tenants living in the first floor flat at 81 Park Lane.

Access to and from Courtyard

It is unclear from these plans how the business will deal with access to and from the back courtyard. Historically, customers have only been able to access the courtyard garden by exiting the main door of the cafe, walking along the public pavement and into the courtyard by way of the driveway gates. If this continues under the management of the new leaseholders, this access situation is likely to cause a public nuisance with staff and patrons coming and going along the pavement especially in the evening and late at night. Given the likelihood of patrons being intoxicated should the alcohol license be approved, this will only cause a greater public nuisance.

The only alternative access for patrons looking to exit and enter the courtyard is via a rear staircase but, as far as we understand it, this staircase leads into a kitchen at the rear of the property, and is therefore inaccessible to patrons on the grounds of health and safety.

Management of Courtyard

There is also a problem with the courtyard being so open to the public. At the moment, if the gates are open, anyone can enter the courtyard without being seen by premises staff. No details have been provided to explain how staff plan to keep track of the numbers of patrons on the premises in this instance.

It should also be noted here that the owners of 81 Park Lane have recently submitted a planning application to the local council requesting permission to build a substantial commercial unit in the rear courtyard of this premises. While I understand the licensing application and planning application are two separate processes, their simultaneous submission does suggest a lack of coordination in terms of how this outer space is going to be divided and managed. The licensing

application is saying the outdoor space will be used for a seating area for a restaurant while the planning application is saying a substantial part of this space will be used for a commercial office/retail space. The contradictory nature of these two applications is alarming.

Should planning be approved for the new commercial unit, an additional entrance to the courtyard leading from Maida Vale will be built, making the courtyard even more exposed, and the perimeter wall of the outdoor seating area will be lowered, and this will allow noise to carry more easily.

Neither the licensing application nor the planning application makes it clear exactly where the boundaries of the café's courtyard will be or how it will be policed or accessed. The location of the courtyard in relation to the main premises also makes its management difficult. The only windows overlooking the courtyard are those located in the kitchen. Without clear and continual observation of the outdoor area it is unclear how staff will manage noise levels and anti-social behavior.

Take-away

This business describes itself as a cafe/restaurant/take-away, but this application makes no mention of how the take-away aspect of the business will function, whether take-away will be available in the evening or what footfall this is expected to attract. There is no description of where customers will wait for their food. This site is exceptionally small with no obvious internal waiting area.

We have had a number of issues in the past with take-away customers for the previous café blocking the pavement outside the café. This has forced pedestrians to cross the road at what is a very dangerous spot – a blind bend and the junction to two major roads (Portersfield Road and Park Lane). In the past, queues for the café have also blocked access to Maida Vale for cars and other vehicles. The pavement along Park Lane is narrow and unsuitable for queuing customers, and our street will be severely disrupted if patrons line up in our direction.

There is no indication in this proposal to say whether the take-away service will be offered during the evening. Customers queuing throughout the night will cause an obvious nuisance, especially if they are coming to the business after leaving a pub. The loitering of customers outside the premises will cause significant noise for Maida Vale residents. As a quiet cul-de-sac, this street is likely to be an attractive destination for those looking for somewhere to hang out. There is also no mention of how the business will prevent litter from accumulating as a result of the take-away service. The back gardens of Maida Vale, which run along Park Lane, regularly attract litter and this is only likely to worsen if this license is granted.

There is also no mention of whether or not the business will offer a delivery service. If it does, there is no indication of how this service will operate in a way that does not cause a public nuisance. There are no public cycling stands in the area, no loading bays, and no commercial parking bays near the premises. One can only assume therefore that further use will be made of Maida Vale and the public pavement directly in front of the premises. The lack of clarity in this proposal on issues such as this is alarming given how greatly these sorts of things will impact on the lives of local residents.

Parking/Loading

There is also no mention of how the business will deal with the problem of customer parking. The premises has made no provision for customer parking and so it is likely to assume that evening patrons will park in residential parking along Maida Vale, which is already frequently congested. This has been an ongoing problem during the lease of the previous café business. Customers have continually parked in Maida Vale, and, more alarmingly, directly on the pavement outside the premises, thereby blocking pedestrian access and making it very difficult to safely enter and exit Maida Vale via car. As we have already mentioned, the junction at the end of Maida Vale is located on a blind bend adjacent to and before two other junctions (Portersfield Road and Park Lane) therefore any parking or obstruction on the corner outside 81 Park Lane is extremely hazardous and a danger to public safety.

With increased business hours, extra deliveries and regular commercial refuse and recycling collection, we can only anticipate this problem worsening. This application doesn't set out any policies that aim to mitigate this problem. Also, this problem is likely to be made worse should planning approval be granted for the new commercial unit in the back courtyard of 81 Park Lane, as it will increase the pressures on parking, reduce the space of the courtyard and make it more likely for customers to congregate on the public pavement outside the premises.

Refuse and Recycling

No details have been given about how refuse or recycling collection will be organised. The previous leaseholder of the cafe at 81 Park Lane used residential bins to dispose of the business's waste, and this was collected by the council alongside the residential waste along Maida Vale. With increased business hours, this new business will need to arrange commercial refuse collection, which is likely to cause significant disruption to local residents by either blocking access to Maida Vale or parking on the blind bend of Park Lane.

No details have been provided about where exactly these commercial bins will be stored. The previous leaseholder stored the refuse on the pavement outside the premises, which blocked the pavement. The licensing policy specifies that all waste must be stored within the curtilage of the premises. The only location for this is the back courtyard. We are obviously concerned about the smell this will cause, both for our family (whose house adjoins the courtyard) but also for the business's customers. The courtyard is very small, and may become even smaller if planning is approved for the construction of the new commercial unit. It doesn't seem possible that a courtyard this size can accommodate seating for 8-10 customers plus the commercial waste and recycling for the business, plus the residential waste and recycling for the three-bedroom flat on the first floor. This situation will only be worsened should planning be approved for the new unit, when additional commercial waste and recycling will then need to be accommodated. With such little space, I don't see how this courtyard will be an effective and useable space.

We are also concerned that the increased footfall, deliveries and waste disposal will make an already dangerous junction even more hazardous for other members of the public. As we have already stated, this site, located on a busy intersection, also lies on four local school routes and a major thoroughfare for UEA students and staff, as well as being on the official Pedalways route.

Capacity

In practical terms, it should be noted that this premises does not have the capacity to serve 30 covers (internally) – the amount stated on the application. According to the Norwich City Council Business Rates records, the total square meterage for the business on this premises is 26.6 square meters. The maximum capacity for the interior of this premises therefore is 26 people.

Toilets

Neither are there enough toilets for patrons. The council specifies that two toilets are needed to accommodate up to 150 males and 30 females. The plans that have been submitted are based on the facilities offered by the premises whilst it was a craft shop prior to its renovation in 2017-2018. As far as I am aware, the toilet shown on the ground floor of the building was taken out during this refurbishment. There is no evidence of whether the basement toilet is mechanically ventilated and therefore whether it is suitable for use.

The residents of Maida Vale frequently have to deal with people urinating in front flower bed that runs along the street. This situation will only get worse if customers attending the café bar at 81 Park Lane have infrequent access to toilets.

Disability Access

The business has made no attempt to become accessible for disabled patrons despite numerous refurbishments. There is no level-access via the front entrance, into the back rooms of the premises or from the premises into the courtyard garden via the rear exit. If the upstairs toilet no longer exists, then there is also no accessible toilet either. This contravenes section 2.5 of Norwich City Council's Licensing Policy.

Summary

All of the above is evidence of the unsuitability of this premises to be located in a quiet residential area such as this. There simply is not the room for it and there is not the space to allow for all the aspects of the business to function and to be run effectively without causing a danger or a nuisance to local residents and to pedestrians and passing traffic. It should also be noted that there are numerous business premises not far away on Unthank Road that are empty at the moment and would appear to be far more suitable for the needs of this business.

Yours sincerely,

Ben Smart and Megan Bradbury

LICENSING

From: noreply_xforms@norwich.gov.uk
Sent: 12 September 2021 11:27
To: LICENSING
Subject: Licensing - Representation Form

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


Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious.

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	Kaoru Sakurai
Postal address	
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	81 Park Lane

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>I strongly object to the licencing application submitted by the new leaseholders of 81 Park Lane, under the objective of the prevention of public nuisance as a resident of Maida Vale.</p> <p>I am very much concerned about the strong likelihood of noises coming from the use of the premises as a licenced café/restaurant up until 11pm every day, particularly from diners seated in the back yard adjacent to 1 Maida Vale.</p> <p>81 Park Lane not only is a terraced property that is directly linked to 1 Maida Vale, its wall to the</p>

back yard directly sits on Maida Vale, dominating the first part of the quiet cul-de-sac. It also stands on a prominent position in a densely populated conservation area. It is located on the top of a hill at a busy junction of a number of residential roads including Park Lane, Mill Hill Road, Avenue Road, Portersfield Road and Maida Vale. The property does not have a front garden and sits directly onto the street. 81 Park Lane is surrounded by a large number of residential properties in all directions within a small radius. Many of the residents are families like myself with small children.

My main concern for the application by the leaseholders of 81 Park Lane to utilise a large part of the property for licenced café purposes, namely ground floor, basement and yard is the noise and the disturbance it could cause to the residents like us who live on their doorstep.

On the first floor of 81 Park Lane is a rental property with multiple occupants. The noises from the cafe directly below them until 11pm late at night could intrude upon them. And as I mentioned earlier 81 Park Lane is attached to 1 Maida Vale, which is a privately owned home to a family. The noises from the back yard of customers dining and drinking until 11pm will undoubtedly carry to their house and beyond, potentially causing every residence in the vicinity disturbance and stress. It could not be just be the noises from the drinking outside in the courtyard, but the noises from the ground floor and basement could penetrate and resonate through the walls. As a neighbour living a few doors down, I worry about the noise coming from the courtyard and people going outside to have a cigarette in our street, talking loudly late at night under the influence of alcohol. The frequent entering and departing of customers looking to purchase alcohol from the premises till 11pm every night could cause disturbance. People under the influence of alcohol could also wander further into our street, which as I previously mentioned, is a cul-de-sac and potentially cause disturbance and disorder.

As there are no parking spaces available in the vicinity of the building, granting dining for up to 30 customers could also cause problems in that respect. As it will be unrealistic to expect every customer to travel by foot to the café. This could cause conflict and disturbance on our street. So from a public safety point of view, I feel that this would not be fair on the residents.

I have lived in Maida Vale for 15 years and there has never been a licensed business operating at 81 Park Lane during that time. Turning it into a licenced business would not be conducive to a quiet residential area which also happens to be a conservation area.

I am also aware that there has been a new planning permission application submitted by the owners of 81 Park Lane with a plan to demolish the boundary wall and the demolition of the garage which sits in the courtyard. If the planning were granted, the new boundary wall would be lower so the noise from within the courtyard could travel even further. There would also be the issue of potential access to their proposed new retail/commercial unit. Therefore, while this is separate planning issue, I would like to draw your attention to a potential further noise disturbance and take it into account when making your decision.

To conclude, I strongly object to your granting permission to the licencing application made by the leaseholder of 81 Park Lane on the grounds of public nuisance in a densely populated conservation area.

To protect children from harm

Please suggest any conditions which would alleviate your concerns

I would suggest not granting permission.

Full name:	Kaoru Sakurai	Date:	12/09/2021
------------	---------------	-------	------------

LICENSING

From: noreply_xforms@norwich.gov.uk
Sent: 12 September 2021 20:06
To: LICENSING
Subject: Licensing - Representation Form

CAUTION! - This email originates from outside Norwich City Council

Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious

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	Mark Wernham
Postal address	
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	81 Park Lane, Norwich

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>I object to this application as a resident of Maida Vale, which will be impacted if this licence is granted.</p> <p>My objection is based on the prevention of public nuisance.</p> <p>With the best will in the world, an alcohol licence up to 11pm seven days a week will inevitably lead to noise and anti-social behaviour in the heart of what is a quiet residential area.</p>

	<p>The licence application includes use of the yard, which if used for the consumption of alcohol will create noise levels you might associate with a party, seven nights a week.</p> <p>Previously, the premises was a café which operate during the day, which was not a problem. Having said that, there were times when customers would park inconsiderately, blocking the entrance to Maida Vale, or on the pavement outside the café, making it difficult to exit our street in a car safely, as it is on an unusually laid-out intersection of several roads, and sometimes queues would gather outside the premises. These issues would become worse if this licence is granted.</p> <p>I also note that the owners of the property have put in a planning application to demolish the garage and the wall between their property and Maida Vale This would further blur the line between the quiet residential cul-de-sac of Maida Vale and 81 Park Lane's function as a premises serving alcohol, causing conflict between residents and customers over noise. It clearly shows the intention of the owners to impose a busy venue for the serving of alcohol on a residential area where it will have significant negative impact on the well-being and peaceful lives of the residents.</p>		
To protect children from harm			
Please suggest any conditions which would alleviate your concerns			
Full name:	Mark Wernham	Date:	12/09/2021

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 01 September 2021 12:39
To: LICENSING
Subject: Licensing - Representation Form

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


Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious.

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	Emma McKay
Postal address	
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	81 Park Lane Norwich NR2 1NH

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	Park Lane is a residential street. We already have problems with fights, drug dealing and car vandalism at night connected customers leaving the existing pubs at night and after closing time. This has been ongoing since the pubs opened after lockdown. The police have attended incidents. Yet another outlet selling alcohol and encouraging more groups of people to mill about and hang around drunk and increase these problems.
Public safety	Traffic is a big issue. Again, the emphasis must be that Park Lane, Mill Hill Road, Avenue Road and Portersfield Road are residential roads. Mill Hill and Park Lane are already used as cut through to some extent, often with cars travelling far too fast, well above the speed limit, creating traffic hazards for residents and pedestrians. The increase in traffic as a result of granting the license will exacerbate this problem.

	<p>The junction of Park Lane, Avenue Road, and Portersfield Road, where 81 Park Lane is situated, is already a dangerously busy junction. There have been many near misses with bicycles and pedestrians and some collisions. More cars generated by this outlet will make the situation even worse.</p> <p>Park Lane is a permit parking zone (P) so there is no space for parking. There are double yellow lines outside 81 Park Lane. When customers or take-away delivery vans are picking up their orders the only place to park is on the pavement or to block the road. Parking on the pavements is a danger to pedestrians as they then must walk in the road. This is particularly difficult for the disabled and those with pushchairs. There are several schools in the area, the nearest being the Avenues. Children walk back from school and need to have safe pavements to use. Parking in the road will cause obstructions and be hazardous for other road users. Allowing the license will endanger pedestrians and residents.</p> <p>The junction of Park Lane and The Avenues, where 81 Park Lane is situated, is already a dangerous junction. There have been many near misses with bicycles and pedestrians. More cars generated by this outlet will make the situation even worse. There is nowhere to park.</p>		
To prevent public nuisance	<p>Residents of Park Lane already suffer noise nuisance at closing time as drinkers make their way home. This includes shouting singing urinating in front gardens and throwing down bottles. There has been an increase in littering and broken glass on the pavements. Rubbish and bottles left in front gardens. Broken glass is a hazard to children and pets. It also makes the area look untidy and neglected.</p> <p>Having more customers leaving a licensed premises throughout the evening and hanging around outside after closing time will increase the noise nuisance.</p> <p>I believe the owners already have premises on Lower Goat Lane in the city centre, which is not licensed from 11am – 11pm. If it is not permitted in the city centre, why should it be allowed in a residential street?</p> <p>Having experienced the pandemic people need to feel secure and relaxed on their own street. Yet more licensed outlets in residential areas is not conducive to this.</p>		
To protect children from harm			
Please suggest any conditions which would alleviate your concerns	<p>Not allowing an alcohol licence. Closing time earlier than 11pm. A closing time of 7pm</p>		
Full name:	Emma McKay	Date:	01/09/2021

LICENSING

From: Victoria Penn [REDACTED]
Sent: 14 September 2021 18:28
To: LICENSING
Cc: Jamie Osborn
Subject: Objection to Licensing plans for 81 Park Lane

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

Do not click on links or open attachments if you do not recognise the sender's email address or the message looks suspicious.

Dear Licensing team,

We would like to object to the premises license for 81 Park Lane.

Public nuisance

The proposed licensed venue is in the middle of a highly residential area and due to the limited space in the premises, customers will inevitably spill out into the outdoor space. Serving alcohol until 23:00 will mean noise and disruption from those customers until a late hour.

The extended opening hours of the premises will mean increased light pollution, noise pollution and odour from the cooking.

It is unclear from the plans submitted with this application how the outdoor space in the premises will be managed. Given that this backs directly onto properties on Maida Vale it is important that this is clarified.

Public safety

The premises is situated at a busy junction with traffic coming down Park Lane from Unthank Road unable to see around the corner. Having people who may be intoxicated spilling out onto the pavements and the roads at night could pose a risk to public safety. While this may be outside of the licensed premises area, it remains a significant risk.

We would therefore like to object to the application as it stands.

Yours,

Victoria Osborn and family

8 Maida Vale, NR2 3EP



83 Park Lane
Norwich
NR2 3EL

The Licensing Team
Norwich City Council
City Hall
St Peters Street
Norwich NR2 1NH



6 September 2021

Dear Madam/Sir

Re. 81 Park Lane, Application for a Premises Licence/Club Premises Certificate (Licensing Act 2003): licence to serve alcohol and hours of operation

A licence to serve alcohol, especially if granted along with the proposed hours of operation, would be likely to result in an increased level of anti-social/nuisance behaviour that would impact on us and others in the neighbourhood—a quiet residential area and Conservation Area. We write therefore to oppose it.

The former cobbler's shop appears not to have the space—indoors and outdoors—for alcohol to be consumed on the premises; there would be overspill on to the pavements or the roads, in particular Park Lane and Maida Vale. Even if alcohol consumption could be confined to the premises, a licence to serve alcohol up to as late as 11 o'clock at night would still encourage anti-social/nuisance behaviour nearby, 'after hours'. At No. 83 Park Lane, the overspill or nuisance behaviour would have a serious impact.

The house, like No. 81, is situated hard on the road. The area in front, which includes the doorstep from the public pavement, a low front wall, and a gate, is prone to misuse such as late-night gatherings or 'parties'; glass bottles and cans discarded over the wall; shouting, or long conversations close to the windows; graffiti; also use as a lavatory. Having experience of these already (some have woken us and kept us awake), we would oppose any proposal that would increase the incidence of such behaviour. The pandemic, which encouraged outdoor-drinking, has not helped.

It has become apparent that to prevent or limit nuisance/anti-social behaviour, licensed premises need to be in a suitable location and have an adequate space of their own, and the premises at 81 do not satisfy either of these.

Yours faithfully

Sue Womersley
David Colley

2 Maida Vale
Norwich
NR2 3EP

FAO: Rachel Bennett, Licensing Advisor

I wish to register my objections to the Premises License Application for 81 Park Lane NR2 3EL.

My objections are as follows;



Prevention of Public Nuisance

Size and Situation of Premises

The size and location of the premises make it completely unsuitable for licensed evening activities. The building is situated at the end of a quiet residential cul-de-sac, with exclusively residential streets surrounding (protected by the alcohol-free PSPO status of Park Lane). It is at the top of a hill which causes projection of noise from that site through surrounding streets and the building itself shares a party wall with number 1 Maida Vale. The location of the premises sits on the corner of a busy junction where Park Lane, Mill Hill Road, Maida Vale, Avenue Road and Portersfield Road meet- this is essentially a blind bend where any blocking of the pavement either by vehicles or customer queues obstructs visibility for both pedestrians and vehicles, creating a very dangerous situation for all. In addition to this the site owners have submitted a planning application which will increase commercial activity on the site by adding an additional unit and making alterations to the brick wall perimeter thus further exacerbating noise nuisance from the premises. The development intended by the owners will also significantly reduce the outdoor space available which it is suggested in this licensing application is adequate for up to 10 people.

This property is a small Victorian shop and shopkeepers residence, and has always operated conventional retail hours appropriate to its residential location. The disruption that will be caused by night time custom at 81 Park Lane will have an unacceptable adverse impact on our community.

Queues

The proposed use of the premises makes no allocation of space to manage customer arrivals. Neither is there consideration for provision of a smoking area. It is inevitable that people will gather on the pavement around the building in both of these scenarios causing noise disturbance for residents, obstruction for pedestrians, and reducing visibility for road users on Maida Vale, Portersfield Road and Avenue Road.

It has not been specified how either customers or staff will access the back yard for service. The only access to the building is the fire escape stairs at the back of the property, which joins a service room, not a dining area, so it seems likely that customers will have to use the public pavement for access to outdoor seating and to access facilities such as toilets inside the building. It has not been specified whether the route for service by staff will also use the public pavement.

In addition to this significant congestion, the application also includes provision of 'take-away' in its operations, without regard for how this will operate. Given that with the proposed capacity there is not likely to be indoor space for collections, take-away customers may also be required to wait at the busy entrance on Park Lane. The noise generated by take-away customers arriving, waiting for collection, and departing will be extremely disturbing for residents.

Refuse Storage and Collection

The previous café business on this site used the residential bins for waste disposal. That business opened far shorter hours than are being proposed in this licensing application, and for fewer days per week. These bins have always been stored on the pavement, in breach of NCC regulations, as the previous leaseholder felt that there was insufficient space to store them in the premises yard. As far as I am aware these residential waste and recycling bins were intended for use only by the residential flat on the first floor and thus will stay on site regardless of changes to the commercial let. In this case, and particularly given the proposed increase in trade, it is unlikely that the refuse will be stored so as not to present a public nuisance in terms of obstruction to the highway, noise during use, and odour for the neighbouring properties. Moreover, there is no possible strategy by which the waste could be collected from this site so as not to cause public nuisance. The pavement outside the property, between Maida Vale and the end of the property, is bordered by wooden bollards in attempt to prevent people parking at this dangerous spot. Unfortunately, all too often, this is ignored and people (private vehicles, trades and deliveries) park between the bollards and the property blocking the entire pavement to pedestrians and making exit from Maida Vale and Portersfield Road extremely dangerous. Whether the large

commercial waste bins that will be needed are stored inside the yard (which has not been stated in the application, and in which scenario would leave insufficient space for seating) or on the pavement (contrary to Norwich City Council regulations), there is no way for a commercial waste collection service to access the site without blocking the pavement and/or Maida Vale. Should the planning application submitted by the owners be approved, construction works at this very small site will mean that there will be no space for commercial waste bins within the curtilage of the property. There have been no waste management plans for the collection and disposal of waste or empty bottles outlined by the applicant.

Deliveries and Loading

The licensing application details the operating hours of the business being between 8am and 11pm Mon-Sat and 8am-10pm Sun, with alcohol served from 12pm seven days a week. To cater for this volume and type of trade, deliveries will need to be large and frequent. This will bring huge disruption both in terms of noise and obstruction to the surrounding streets. Of particular concern is that Park Lane is on the school run route for a number of schools and nurseries with children using this pavement both with their carers and also independently. If this pavement is obstructed, children are forced to cross over the road at a busy junction on a blind bend with no pedestrian crossing (and the building site at St Peters Church on the opposite side). There is no indication of how this will be managed. Furthermore, there are no management plans for the take-away element of the business in terms of how deliveries will be run from the premises. Given what has previously been noted about the location of the site- the lack of vehicle access or parking and the absence of legitimate loading facilities, it seems likely that any delivery service would cause further dangerous obstruction, and noise disturbance.

Kitchen Ventilation and Air Extraction

The premises plan submitted is significantly out of date, with the building having undergone multiple and significant changes since the layout there described. The drawing provided is fundamentally inaccurate and there is a complete absence of detail. The application therefore does not describe either in written or diagrammatic form where kitchen ventilation will be. If the applicant is relying on open windows for adequate ventilation this will cause significant noise disturbance for neighbouring properties. If mechanical extraction will be installed this could potentially introduce significant noise disturbance, as well as odour nuisance. These issues are particularly relevant as the prospective licensee is proposing to extend the usual café hours used by previous leaseholders to operating until 11pm Mon-Sat and 10pm Sun.

Transport

There is a huge amount of pressure on parking facility in the area and frequent problems because of it. In Maida Vale, as in the surrounding streets, we have cars parked in resident's only parking on a regular basis, and it is often difficult to find a parking space because of illegally parked vehicles. In addition to this, the junction at the end of Maida Vale is very often blocked entirely by illegally parked vehicles making it impossible to get vehicles in or out of the street until the parked vehicle is moved by the owner (please see attached photograph for example). There is no provision for parking for customers at 81 Park Lane, which will inevitably add to the illegal parking issues on our streets.

No consideration has been given to customers arriving by bicycle either, and there are no bicycle racks provided anywhere on the premises. This will very likely lead to significant disturbance as people try to find railings and posts to which to lock their bikes- with the garden fences and railings of Maida Vale being a prime spot.

Prevention of Crime and Disorder

Toilet Provision

As a dark and secluded street we occasionally suffer people using the flower beds of Maida Vale as a public toilet, which I'm sure you'll appreciate is abhorrent. These incidents are likely to increase with alcohol being served into the night in premises without the appropriate number of toilets.

Antisocial Behaviour

Whilst it is recognised in the NCC Licensing Policy that license holders do not have direct responsibility for customers outside of their premises, it is however stated that applications must be assessed in relation to Public Nuisance and the "impact on those living, working or otherwise engaged in normal activity in an area" (24.2). It is very likely that customers leaving the premises at closing will make a significant amount of noise, and potentially be an intimidating presence on the corner of Maida Vale particularly for female residents walking home at night.

Outdoor Surveillance

With the back yard of the property accessed directly through the gates to the street and not via the building, monitoring the number of people on the premises and the appropriateness of their behaviour will not be possible. There is no clear view for staff members from within the building and no way of managing this area without stationing a staff member permanently outside.

There is a significant risk of both antisocial behaviour and underage drinking in this area.

Public Safety

Maximum Occupancy

The property does not have the capacity to meet minimum occupancy space requirements for the proposed number of customers and would therefore be unsafe. According to Norwich City Council Business Rates records, the total area for the business at 81 Park Lane is 26.6 square meters. This would give a maximum occupancy of 26 people indoors (before subtraction of traffic areas and fixtures).

Toilet Provision

There are insufficient toilet amenities for the number of customers being proposed in this application. According to Norwich City Council Licensing Policy restaurants and cafes are required to provide two toilets for up to 150 males and two toilets for up to 30 females. There is just one toilet accessible to customers in the basement of the building. This has a single door (no lobby) and leads directly into the basement room. As I understand it this toilet room is unventilated.

Disabled Access Provision

There have been no Disabled Access adjustments made despite extensive material alteration to the premises, as are required by the Equalities Act (2010) and Norwich City Council's own Licensing Policy (2.5). There has been no ramp access installed, no disabled toilet facility, and no wheelchair access allowance in the restaurant layout. This will either create potentially unsafe conditions for those with disability, or else exclude entirely those with disability needs.

Kitchen Extraction

No plan has been provided for kitchen ventilation/air extraction and the applicant has failed to show how Health & Safety at Work and/or Control of Substances Hazardous to Health Regulations will be therefore be met (as per 2.12 of Norwich City Council Licensing Policy).

Insufficient Space

The insufficient space for the proposed occupancy inside the building will be dangerous for it's patrons, jeopardising routes out of the building through

overcrowding, and furthermore, exits from the basement and the back of the building which are unclear. The lack of waiting space for people arriving, the absence of provision for take-away customers, and lack of available outdoor space all contribute to the significant risk of obstruction to the public highway, and unacceptable disturbance for residential neighbours.

Yours sincerely,

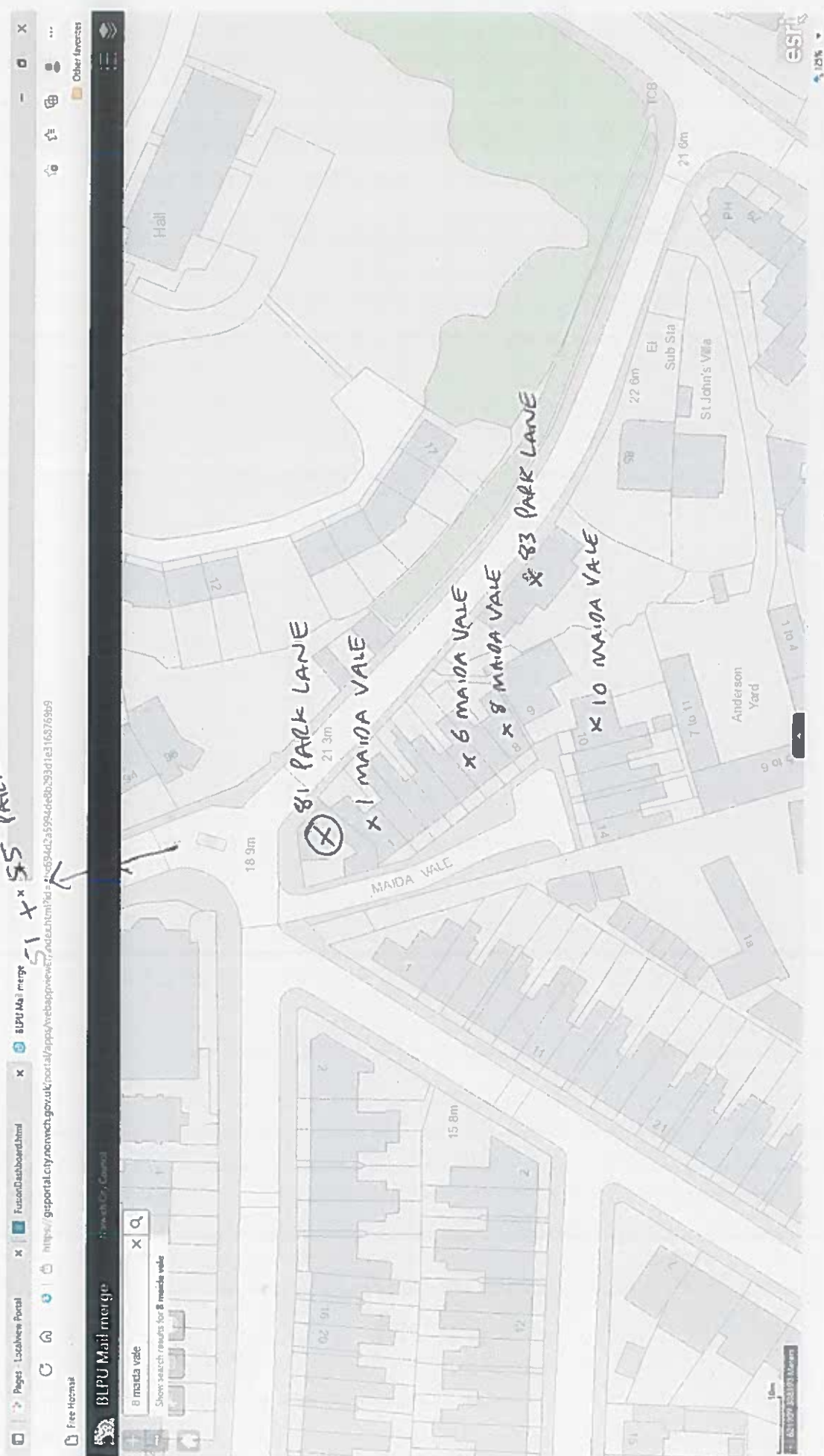


Ms Kirsty Bradbury



MAP SHOWING LOCATION OF PREMISES / OBJECTS

51 x 55 PARK LANE



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 D – cumulative impact special policy

29.1 Cumulative impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area e.g. the potential impact on crime and disorder or public nuisance.

29.2 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that the licensing authority can take into account. This should not, however, be confused with 'need' which concerns the commercial demand for a particular type of premises e.g., a pub, restaurant or hotel. The issue of 'need' is

therefore primarily a matter for the market to decide and does not form part of this licensing policy statement. (see paragraph 7 of Section A)

29.3 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. However, there are other mechanisms, both within and outside the licensing regime, that are available for addressing such issues. For example:

- planning controls;
- positive measures to create a safe and clean environment in partnership with local businesses, transport operators and others;
- the provision of CCTV;
- powers to designate parts of the city as places where alcohol may not be consumed publicly;
- confiscation of alcohol from adults and children in designated areas;
- police enforcement of the law with regard to disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- enforcement action against those selling alcohol to people who are drunk;
- police powers to close some premises for up to 24 hours on the grounds of disorder, the likelihood of disorder or excessive noise; and
- the power of police, local businesses or residents to seek a review of the licence or certificate.

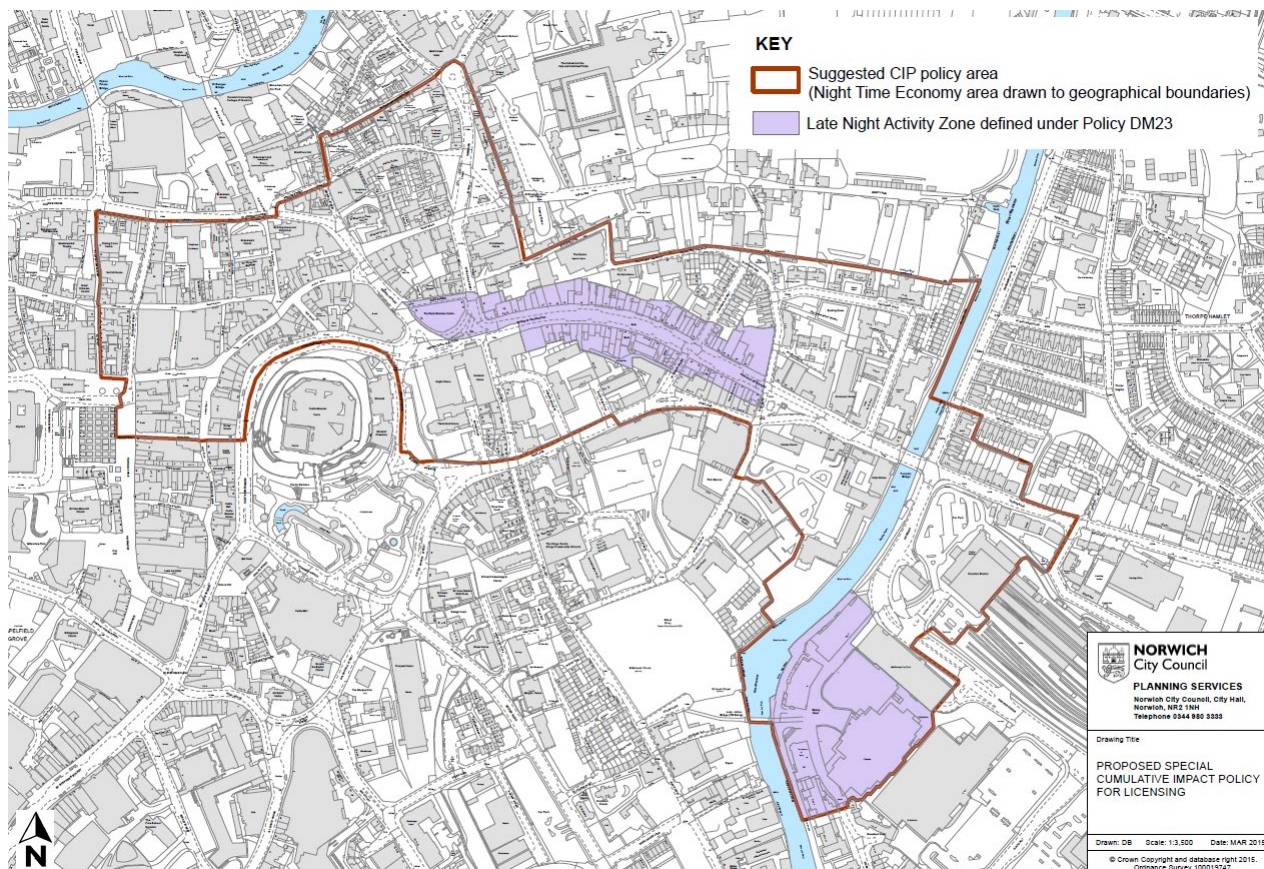
Adopted special policy on cumulative impact

29.4 The licensing authority should only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area are causing a cumulative impact on one or more of the licensing objectives.

29.5 The licensing authority received representations from Norfolk Constabulary that the high concentration of premises licensed to sell alcohol and/or provide late night refreshment between the hours of 2100 and 0600 within the police's late night economy public order policing zone produced a detrimental impact upon the licensing objectives.

29.6 The special cumulative impact policy applies to those premises applying for the grant or variation of a licence seeking any of the following licensable activities, between the hours of 2100 and 0600 and within the area indicated on the map shown below:

- the sale by retail sale of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- the provision of late night refreshment.



Applications

29.7 The cumulative impact policy creates a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates in respect of premises that fall within the designated cumulative impact area will normally be refused if relevant representations are received, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

29.8 An applicant wishing to obtain a new or varied licence for premises falling within the cumulative impact area must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.

29.9 To assist this process applicants are encouraged to submit a full and thoroughly considered application at the earliest opportunity. The onus is on the applicant to demonstrate to the responsible authorities the suitability and detail for their site. The applicant is encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have particular regard to the guidance issued by the Home Office under section 182 of the Act.

29.10 Despite the presumption against grant or variation, responsible authorities and other persons will still need to make a relevant representation before the council may lawfully consider giving effect to its cumulative impact policy.

29.11 The council recognises that a cumulative impact policy should not be absolute. The circumstances of each application will be considered properly and application for

licences that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its cumulative impact policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that necessary conditions would be ineffective in preventing the problems involved.

29.12 This special policy will not be used:

- as a ground for revoking an existing licence or certificate when representations are received about problems with those premises;
- to justify rejecting applications to vary an existing licence or certificate except where those modifications are directly relevant to the policy (for example, an application to vary a licence with a view to increasing the capacity limits of the premises) and are strictly necessary for the promotion of the licensing objectives;
- to impose quotas - based on either the number of premises or the capacity of those premises - that restrict the consideration of any application on its individual merits. Quotas have no regard to individual characteristics of the premises concerned. Proper regard will be given to those differences and the differing impact they will have on the promotion of the licensing objectives

29.13 This special policy will be reviewed regularly to assess whether it is still needed or should be expanded.

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.

