

Report to	Licensing sub committee 19 April 2018	Item
Report of	Head of citywide services Licensing Act 2003:	3
Subject	Application for the Grant of a Premises Licence – Pure Gold, 52 Prince of Wales Road Norwich NR1 1LL	

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 the above premises, 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 priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function.

Financial implications

None.

Ward/s: Thorpe Hamlet

Cabinet member: Councillor Maguire – Safe City Environment

Contact officers

Maxine Fuller, Licensing Assistant

01603 212761

Background documents

None

Report

The application

1. The applicant is Pure Gold Limited, 52 Prince of Wales Road Norwich NR1 1LL.
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 representations.

Environmental 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. 10 representations objecting to the application have been received from local residents and 2 from local ward councillors. Copies of the representations are attached at appendix B to the report.

Norwich City Council Statement of Licensing Policy

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

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

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

Summary

7. 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.
8. 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
9. 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.
10. 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 C 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.
11. 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 19

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

Pure Gold Premises Licence

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

Petrit

* Family name

Vladi

* 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

10967631

Business name

Pure Gold Limited

If your business is registered, use its registered name.

VAT number

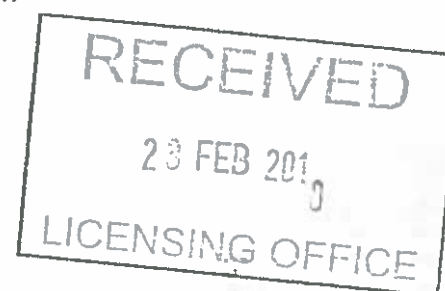
GB

283454584

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

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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 (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ 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
- ☐ Other (for example a statutory corporation)

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

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NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Pure Gold Limited

Details

Registered number (where applicable)

10967631

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
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

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.

The premises had been operating as a late night bar at the heart of the designated entertainment zone in Norwich City Centre. The venue is nearing completion having been fitted as a lap dancing club occupying ground floor and basement . The premises has a current SEV Licence 18/00064/SEXEST

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

Continued from previous page...

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PROVISION OF PLAYS

Will you be providing plays?

☐ Yes ☒ No

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PROVISION OF FILMS

Will you be providing films?

☐ Yes ☒ No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes ☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

☐ Yes ☒ No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

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...

THURSDAY

Start 20:00

End 03:45

Start

End

FRIDAY

Start 20:00

End 03:45

Start

End

SATURDAY

Start 20:00

End 03:45

Start

End

SUNDAY

Start 20:00

End 03:45

Start

End

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

☒ Indoors

☐ Outdoors

☐ Both

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

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

Amplified music being played for the dance performance stage on the ground floor. Amplified music played in the private booths performance area on the basement floor although this will be low volume to avoid interference with the performance(s) in adjacent booths

State any seasonal variations for playing recorded music

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

Additional hour to allow for the end of British Summer Time

Non-standard timings. Where the premises will be used for the playing of recorded music 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.

New Year's Eve 10:00 to 10:00 New Year's Day

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Continued from previous page...

☒ Yes

☐ No

Standard Days And Timings

MONDAY

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

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

Lap dancing and pole dancing performances involving nudity and semi-nudity (also described as 'exotic dancing')

State any seasonal variations for the performance of dance

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

Additional hour to allow for the end of British Summer Time

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of dance 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.

New Year's Eve 10:00 until 10:00 New Year's Day

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

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

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 20:00

End 04:00

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.

TUESDAY

Start 20:00

End 04:00

Start

End

WEDNESDAY

Start 20:00

End 04:00

Start

End

THURSDAY

Start 20:00

End 04:00

Start

End

FRIDAY

Start 20:00

End 04:00

Start

End

SATURDAY

Start 20:00

End 04:00

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

Entertainment of a similar description to that falling within Recorded Music or Performance of Dance

Will this entertainment take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations for entertainment

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

Additional hour to allow for the end of British Summer Time

Non-standard timings. Where the premises will be used for entertainment 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.

New Year's Eve 10:00 to 10:00 New Year's Day

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

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...

TUESDAY

Start 23:00

End 03:45

Start

End

WEDNESDAY

Start 23:00

End 03:45

Start

End

THURSDAY

Start 23:00

End 03:45

Start

End

FRIDAY

Start 23:00

End 03:45

Start

End

SATURDAY

Start 23:00

End 03:45

Start

End

SUNDAY

Start 23:00

End 03:45

Start

End

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

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations

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

Additional hour to allow for the end of British Summer Time

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of late night refreshments 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.

New Year's Eve 10:00 to 10:00 New Year's Day

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

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.

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

Continued from previous page...

Will the sale of alcohol be for consumption:

☒ On the premises ☐ Off the premises ☐ Both

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

State any seasonal variations

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

Additional hour to allow for the end of British Summer Time

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.

New Year's Eve 10:00 to 10:00 New Year's Day

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

Name

First name

Petrit

Family name

Vladi

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)

Issuing licensing authority
(if known)

Continued from previous page...

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'.

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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.

The premises will provide sexual entertainment in the form of lap dancing and pole dancing. These 'exotic dance' performances will involve some nudity and semi-nudity. There will be House Rules comprising a Code of Conduct for Performers and a Code of Conduct for customers and these will accommodate conditions within Norwich City Council SEV Licence 18/00064/SEXEST which applies to these premises

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

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.

An additional hour to allow for the end of British Summer Time

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.

New Year's Eve 10:00 to 10:00 New Year's Day

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LICENSING OBJECTIVES

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

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

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

No alcoholic drink shall be sold for consumption off the premises.

Anyone who appears to be under the age of 25 years shall be requested to provide identification. Only photographic identification shall be accepted such as a passport, driving licence or Citizen's Card with holograms. If a customer is unable to provide identification then no sale shall be made, or when adult entertainment is taking place allowed to remain on the premises.

b) The prevention of crime and disorder

The Licensee, that is the person in whose name the premises licence is issued, shall ensure that at all times when the premises are open for any licensable activity, there are sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the Licence and for preventing crime and disorder

No persons carrying open bottles shall be admitted to the premises at any time.

All bar staff will be trained in the basic law relating to the safe supply of alcohol and a record of who has received training will be kept at the premises

Continued from previous page...

Notice will be displayed throughout the premises stating that CCTV is in operation.

The Licensee shall maintain a digital colour CCTV system at the premises that ensures that all public areas of the licensed premises are monitored, including all public entry and exit points, bar and all dance areas and which shall continually record whilst the premises are open to the public. Video recordings will be kept for a minimum of 31 days for inspection by the Police or other authorised responsible authority.

A record of staff training in relation to the sale of alcohol will be kept on the premises and available to Police or Licensing Authority on request.

No patrons shall be allowed to leave the premises whilst in possession of any drinking vessel or open glass bottle whether empty or containing any beverage.

There shall be a minimum of one SIA registered door supervisor present at any time when the premises are open to the public for the performance of exotic dancing. In addition, a minimum of two SIA door supervisors shall be on duty every Friday and Saturday night and any night where there is live music, dance or disco event between the hours of 21:00 and the terminal hour stated on the Licence

Door Supervisors will be employed during the late evening and early hours of the following morning proportionate to the risk.

The Licensee will ensure that there are sufficient staff on the premises to be able to monitor the behaviour of customers whilst inside the premises and take action to alert the Police and prevent problems escalating.

There will be a door supervisor signing in/off book which will include date, full SIA badge number, tour of duty and times worked. This book will be kept on the premises and available for inspection by Police or Licensing Authority on request.

All incidents involving Door Supervisors shall be recorded in a suitable log, including all refused entries. The log shall be made available for inspection on request to the Police and Officers of the Local Authority.

The door supervisors will monitor the capacity using clickers.

Anyone who appears to be under the age of 25 years shall be requested to provide identification. Only photographic identification shall be accepted such as a passport, driving licence or Citizen's Card with holograms. If a customer is unable to provide identification then no sale shall be made, or when adult entertainment is taking place allowed to remain on the premises.

Toughened glass will be used in place of regular glass.

A search policy will be in place and documents relating to this will be available for inspection on the premises.

There will be no entry/re-entry to the premises after 3am except for those using the designated smoking area.

Toilets will be checked every hour and a log kept of each check. The log shall be made available on request to the Police and Officers of the Local Authority.

Breathalyser will be carried out by door supervisor's on patrons deemed intoxicated, for as long as licensing officers supply the breathalyser.

The premises will use the link radio scheme (Alert Project 150) while this is in operation in the City Centre Night Time Economy to report incidents of disorder at the premises. Use of the link radio does not negate responsibility of the venue to report incidents to Police via other channels if a Police response would be reasonably required. The venue will ensure that all subscription charges are paid for the duration of the scheme. This condition is strictly only enforceable whilst the terms and conditions of Project 150 are available.

Continued from previous page...

A suitably worded sign of sufficient size and clarity will be displayed at the point of entry to the premises advising customers that they may be asked to produce evidence of their age.

There shall be in place a set of House Rules made up of a Code of Conduct for Performers and a Code of Conduct for customers. A copy of these Codes of Conduct will be submitted to the Police and Licensing Authority and these will not be changed without reference to these Authorities.

Each Performer will sign a copy of their Code of Conduct before being allowed to commence dancing at the premises and this record is to be available on site to Police or Licensing Officers on request.

Employee records of Performers will be kept and made available to the Authorities on request.

c) Public safety

When disabled people are present adequate arrangements must exist to enable their safe evacuation in the event of an emergency. Staff must be aware of disabilities and react according to a pre determined plan.

All escape routes and exits must be kept unobstructed, in good order with non slippery and even surfaces, free from trip hazards and clearly identified.

All exit doors whenever the premises are occupied must be able to be easily opened in the case of an emergency without the use of a key, card, code or similar means.

Fire fighting equipment must be provided in the licensed premises as required by the fire authority.

In the absence of adequate daylight the lighting in any area accessible to the public, members or guests must be fully in operation when they are present.

All exit doors will be easily operable.

Means of escape will be maintained unobstructed and clearly identifiable with emergency lighting and illuminated exit signs.

All recommendations of the Norwich Fire and Rescue Service will be promptly acted upon.

All gas and electrical appliances on the premises will have current safety certificates.

The premises are well ventilated by the use of intake and extractor fans.

A log will be maintained of all incidents/accidents which may occur on the premises.

An adequate and appropriate supply of first aid equipment will be available on the premises.

The provision of the Regulatory Reform (Fire Safety) Order 2005 apply to these premises and accordingly all fire and health and safety risk assessments will be fully implemented.

d) The prevention of public nuisance

Litter and detritus resulting from the business which is dropped outside will be cleared up.

Internal and external lighting provided for the purpose of customer and staff safety and for the security of the premises must be so positioned to not cause nuisance to neighbouring or adjoining properties.

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Waste and refuse must be removed in a timely manner to a licensed waste disposal facility.

Suitable ventilation and extraction systems must be provided to eliminate noxious odours. Such systems must be maintained on a regular basis.

Empty bottles and other waste must be stored in a lidded skip within the curtilage of the premises prior to collection. Operationally the waste must be removed from the public area on a frequent basis and transferred to the skip. Transfer to an external skip or other waste receptacle will not be undertaken between the hours of 21:00 and 08:00 on any day.

To secure a reduction in the level of noise emanating from the premises, such that noise levels from amplified music shall not exceed 45db at 63Hz C.B.F., 40db at 125Hz C.B.F. and NR30 over the frequency range from 250Hz to 8KHz as measured at position 1 metre outside any noise sensitive premises and shall not exceed 37db at 63Hz C.B.F., 30db at 125Hz C.B.F. and NR20 over the frequency range from 250Hz to 8Kz as measured inside any adjoining noise sensitive premise.

Bar managers to establish a closing time management policy designed to reduce rowdy behaviour on exit at closing time, involving the use of 'notices' requesting that patrons leave and disperse quietly, plus announcements made over the address system.

Regular checks by staff of the immediate outside area and to encourage patrons to use litter bins to dispose of rubbish.

The licence holder shall not display, or allow the display of any advertisement promoting any event or providing entertainment held at the premises, in particular, unless the licence holder has complied with paragraph 1.2

1.1 no display of advertisement(s) shall take place on any;

1.1.1 structure placed on, over, in or adjacent to the highway;

1.1.2 public or privately owned premises or land;

1.1.3 street furniture including litter bins, seating etc;

1.2 there shall be no display of advertisements unless the licence holder has first obtained written consent from;

1.2.1 the owner of the structure, or premises or land, or street furniture and;

1.2.2 the local planning authority which has granted advertisement consent for the advertisement(s) and;

1.2.3 the highways authority (if applicable);

1.2.4 Copies of all relevant consents shall be provided to the licenising authority within 14 days from the date when the request was made by the licensing authority.

1.3 The licence holder shall take all reasonable precautions and exercise all due diligence to ensure that no person promoting or providing entertainment on the premises, nor any person acting on behalf of any such person, shall display in an unlawful manner advertisement(s) promoting or providing entertainment on the premises. In particular; the licence holder will ensure any persons booking, promoting or otherwise providing entertainment on the premises will;

1.3.1 sign and date a disclaimer which will state the following;

The display of advertisement(s) such as fly posters is an offence under section 224 of the Town and Country Planning Act 1990 (as amended), if the advertisement(s) do not have express consent from the local planning authority, or if the advertisement(s) are excluded by Schedule 1 of the Town and Country Planning (Control of Advertisement) Regulations 2007. Each advertisement is considered a separate offence; the maximum fine for each offence on conviction is £2,500.

As responsible licensed premises, we do not tolerate any unlawful advertisement(s) by person promoting entertainment on our premises.

We will assist fully with any investigation relating to incidences concerning the unlawful display of advertisement(s) including fly posters, banner advertisement(s) etc. We will provide to Norwich City Council, who are the licensing authority a copy of this signed and dated disclaimer and your full contact details on request.

1.3.2 provide their full name and date of birth of any person(s) promoting or providing entertainment on the premises;

1.3.3 provide the name of their business (if applicable)

Continued from previous page...

1.3.4 provide their full business or residential postal address;

1.3.5 provide their contact telephone number

1.3.6 the licence holder will ensure that all contact details have been verified by asking for and retaining a photocopy of any appropriate proof of identification such as a current passport, drivers licence or any other appropriate document that will provide proof of identity to the licensing authority's satisfaction.

1.3.7 if the contact information retained by the licence holder does not meet the criteria set out in 1.3.2 to 1.3.7 ie the details are incomplete or have not been confirmed by verifying the details of the person booking, promoting or otherwise providing entertainment on the premises the licence holder shall be in breach of these conditions.

1.3.8 the licence holder will retain contact details for a period of not less than 3 months from the date of the advertised event or entertainment. All contact details will be provided to the licensing authority within 7 days of any request made to the licence holder.

1.4 the licensing authority may require the licence holder to remove any unlawfully displayed advertisement(s) within 2 days of the date of notification. Failure to remove any unlawfully displayed advertisement(s) in accordance with such a request shall be in breach of these conditions.

1.5 the failure by a licence holder to remove any unlawfully displayed advertisement(s) will result in the licensing authority removing such unlawful advertisement(s). Any costs incurred by the licensing authority in removing such unlawful advertisements shall be recoverable from the licence holder as a debt.

Except for access and egress, doors and windows will be kept closed when licensable music is being played.

The outside area to the rear of the premises shall not be open to or used by the public or customers, other than for use in the case of an emergency for example, in case of fire.

An adequate number of staff will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary especially during the terminal hour to assist in a quiet and orderly dispersal of patrons.

Volume levels from licensable music, both live and recorded will be monitored both inside and outside the premises by responsible persons with particular regard to excessive noise to neighbouring properties.

There shall be no amplified music in the application premises before the council has determined the permitted maximum sound levels expressed in dBLAeq(5min) measured at a point 2 metres from any loudspeaker forming part of the amplification system and thereafter the permitted maximum sound level shall not be exceeded at any time.

e) The protection of children from harm

All members of staff at the premises will seek credible photographic proof of age evidence from any person who appears to be under the age of 25 years and who is seeking to purchase or consume alcohol on the premises.

A suitably worded sign of sufficient size and clarity will be displayed at the point of entry to the premises advising customers that they may be asked to produce evidence of their age.

No person under the age of 18 years will be allowed access to any part of the premises at a time where an activity or entertainment of a sexual nature is being provided.

Entry and exit to the premises will be controlled so that it would not be possible to see into the premises from the street at any time during a live show.

Section 19 of 19

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.

Continued from previous page...

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 (£)

190.00

DECLARATION

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

Petrit Vladi

* Capacity

Owner

* Date

23

/

02

/

2018

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.

Continued from previous page...

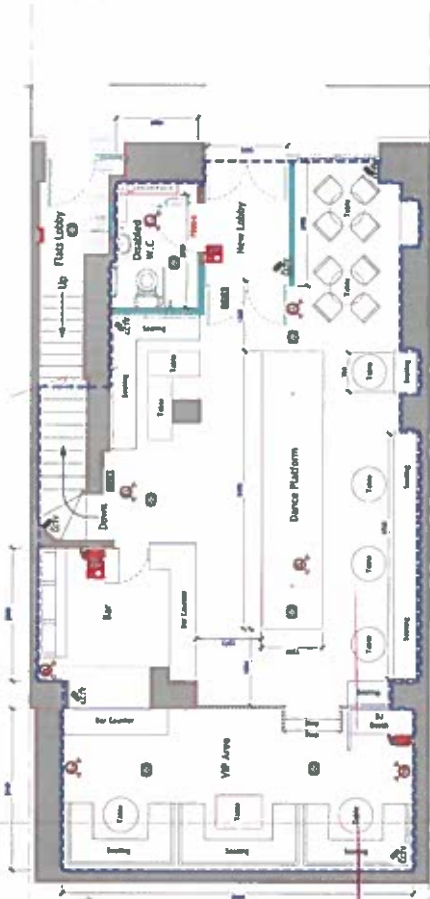
IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

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

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

RECEIVED
20 FEB 2010
LICENSING OFFICE



PROPOSED GROUND FLOOR PLAN
scale - 1:500/A1



PROPOSED BASEMENT FLOOR PLAN
scale - 1:500/A1



PROPOSED FRONT ELEVATION
scale - 1:500/A1

- DRAWING KEY**
- New & in-filled walls
 - Licensed Area
 - Fire Call Point
 - Fire Extinguisher
 - Fire Exit Sign
 - Accident Book
 - Closed Circuit T.V
 - Smoke Detector
 - Emergency Lighting
 - First Aid Station
 - Fire Alarm Control Panel

- Brick Flat Arch
- Buff Facing Brick
- Timber Lath window (Painted White)
- Original Cast Iron Building (Painted White)
- Powder Coated Aluminium Facade (Colour Black)
- Emergency Lighting
- Chemical Fresh Through Colour Render
- Decorative Iron Building Painted Black
- Existing Door changed to Window & blacked out with Film Intensity
- House changed sign age at shown
- Powder Coated Aluminium Doors (colour charcoal grey)

Project No: CP-16-07-003		Date: 8
Client: As Shown (A1)		Drawn: [Signature]
Project Name: 52 Prince Of Wales Road		Scale: 1:117
Proposed Change of Use: Plans & Elevation		CP-16-07
As Proposed		

52 Prince Of Wales Road
Proposed Change of Use
Plans & Elevation
As Proposed

CP-16-07-003

52 Prince Of Wales Road
Proposed Change of Use
Plans & Elevation
As Proposed

CP-16-07

52 Prince Of Wales Road
Proposed Change of Use
Plans & Elevation
As Proposed

PURE GOLD GENTLEMAN'S CLUB

PROPOSED SIGN
scale - 1:1100/A1



NORWICH
City Council

Norwich City Council Licensing Authority Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	Matthew and Lynn Major
Postal address	50 St Faiths Lane Norwich NR11NN
Email address	[REDACTED]
Contact telephone number	[REDACTED]
Name of the premises you wish to support or object to	Pure Gold – previously Bar 52
Address of the premises you wish to support or object to	52 Prince of Wales Road, Norwich

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

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	<p>The Prince of Wales Road has long been a place for drunken and anti-social behaviour. The police presence on POWR helps stop and prevent inappropriate behaviour happening directly outside premises, but unfortunately this does not stop anti-social behaviour spilling over to the adjoining residential areas all night and especially when venues close. The police have demonstrated they cannot be everywhere at once.</p> <p>The Police report 2014, which preceded the introduction of the Cumulative Impact Policy (hereafter CIP), suggested a correlation between increasing levels of violence and the opening of new licensed premises.</p>
Public safety	The closure of the recent nightclub premises on POWR has created an opportunity for the council

	<p>to improve public safety on POWR at night and in the early hours. NCC should take a positive stand against the negative impact that these types of business bring to the city. I would not disagree that many of the businesses on POWR do their best to manage behaviour and public safety, but experience shows that stopping the behaviour happening inside and outside these venues just moves the problem to the adjoining residential areas.</p>
To prevent public nuisance	<p>Drunken behaviour over spilled into the nearby areas all night and into the early hours of the morning bringing; noise, violence, urinating in public places, street drinking, litter and loitering. This application proposes long opening times until the early hours, every day of the week. If this is approved it will make the current situation even worse than it is.</p>
To protect children from harm	<p>POWR is the access into and out of our city. The bad behaviour that these types of venues attract makes the whole area less desirable for families to use this road safely at all times.</p>
Please suggest any conditions which would alleviate your concerns.	<p>Four nightclubs have just gone into administration on POWR which has resulted in Norwich City Council having to write off hundreds of thousands of pounds of unpaid tax. I, like others believe this is because this type of night life is no longer viable because of lower income levels and higher drink prices. This subsequently results in people 'preloading' with alcohol before they go out and spending less when out, which affects the profits</p>

these types of venues can make and increases the risk of the Norwich residents have to pick up shortfall when the businesses go bust.

At present 52 POWR does not have a Premises Licence, therefore its impact on the area is zero. Bearing in mind our comments above, if a Licence was granted, there would be a negative cumulative impact. Therefore under the terms of the CIP this application should be refused.

Signed:

Date: 22/3/18

Please see notes below

Your name/organisation name/name of body you represent (see note 1)

Councillor Ben Price

Postal address

262 King Street, Norwich, NR1 2BL

Email address

[Redacted]

Contact telephone number

[Redacted]

Name of the premises you wish to support or object to

Pure Gold

Address of the premises you wish to support or object to

52 Prince Of Wales Road

To prevent crime and disorder:

The Norfolk Police Constabulary presented an extensive document of data to the Licensing Committee in relation to their recommendations for the introduction of an EMRO for Norwich in March 2013. This data can be found on in a PDF attachment (EarlyMorningRestrictionOrderProposal20130321) I have sent over with my objection. Please make this document available to Councillors who are judging this application. This document contains lots of qualitative and qualitative data surrounding crime, disorder in the late night economy.

One strongly identified trend in this document showed that the rates of Crime and Disorder increases the further into the early hours of the morning alcohol is sold and consumed. If the Licensing Committee grants a new licence for this venue, it is expected that Crime and Disorder will increase. An overall increase in capacity to consume alcohol within the Late Night Activity Zone at these key times will only make the problem greater. There is a direct correlation between increased consumption of alcohol and an increase in crime and disorder.

From the police report 2014 (which led to the introduction of the CIP)

"The most recent statistics since the beginning of 2014 suggest a trend of increasing levels of violence. This has coincided with the opening of new licensed premises (such as Stadia, Bar 52, Vanity, Senses). It is not specifically the management of these premises which has led to increased crime levels but rather the cumulative impact of more and more premises operating between 1am and 4am." (p15)

I also include a copy of the report regarding the CIP as a PDF (CIP cabinet report) attachment for Councillors to have a copy made available to them.

Norwich's cumulative impact policy was introduced because the Prince of Wales Road area is a hotspot for violent crime and disorder, particularly at night, as backed up by the data I earlier referred to. Crucially, in relation to this current application, for the most up to date police data for January where we can see that there has been recorded 8 counts of ASB, 3 Criminal damage, 3 Public order, 1 Violence and sexual offences, 1 Drugs, 1 Robbery. This is a clear demonstration that crime and disorder is still having a larger than is acceptable impact in this area of the city. Please see the link provided: <https://www.police.uk/norfolk/F31/crime/2018-01/all-crime/995465/>

In February 2018, we have seen reported in the EDP, violence and assaults to five police officers in one night on Prince of Wales road. This clearly demonstrates that the cumulative saturation of bars and clubs in this area of the city is currently having a negative impact on the licensing objective of crime and disorder and that the committee must uphold the CIP.

<http://www.edp24.co.uk/news/crime/police-assaulted-kings-lynn-norwich-1-5390144>

Norwich City Council licensing policy (p40, section on Cumulative Impact Special Policy)

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

Public safety:

The Norfolk Police Constabulary presented extensive pages of data in relation to their recommendations for the introduction of an EMRO in Norwich. This data strongly identified a trend that the chances of being a victim of crime increases the further into the early hours of the morning alcohol is sold and consumed. If the Licensing Committee grants a licence of this venue, it is expected that public safety will diminish due to an expected increase in the numbers of people out for longer, later into the night. This is backed by the statistics contained in the EMRO PDF.

To prevent public nuisance:

From the report to Licensing committee

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

To protect children from harm:

This objective relates to the protection of children from moral, psychological and physical harm. This premises is located very close to a primary school and nursery. Therefore it is entirely inappropriate for an additional premises to be selling alcohol in its vicinity, adding the cumulative impact. The Council has a legal duty to protect children from early exposure to "drinking alcohol". The ASB related to people leaving this venue will contribute to Children being exposed to ASB that consists of the detritus with the journeys home, public urination, vomiting and sexual activities.

Signed: Councillor Ben Price, Thorpe Hamlet 23/3/18

Fuller, Maxine

From: barry goodacre
Sent: 18 March 2018 19:46
To: LICENSING
Subject: Pure Gold Objection

Barry Goodacre

42 St Faiths Lane, Norwich

NR1 1NN

Objection to License application

Dear colleagues

I object to the the application for 'Pure Gold' (formerly Bar 52)

[https://www.norwich.gov.uk/downloads/file/4389/pure_gold - 23 february 2018](https://www.norwich.gov.uk/downloads/file/4389/pure_gold_-_23_february_2018)

Under the Cumulative Impact Policy, the presumption is that new licenses will not be granted unless n the applicant can show that a new license will have zero negative impact on the licensing objectives.

Additional alcohol sales outlets clearly creates the likelihood of more customers, or customers drinking more, and therefore affects the licensing objectives.

Crime and disorder

Norwich's cumulative impact policy was introduced because the Prince of Wales Road area is a hotspot for violent crime, particularly at night, and despite very significant police presence, and the mitigation measures described in the application. The need for such measures demonstrates the risk of additional crime and disorder, and does nothing to suggest that the additional impact is zero. This would be required in order for a license to be granted. Experience of residents suggests otherwise.

This is supported by evidence From the police report 2014 (which led to the introduction of the CIP

“The most recent statistics since the beginning of 2014 suggest a trend of increasing levels of violence. This has coincided with the opening of new licensed premises (such as Stadia, Bar 52, Vanity, Senses). It is not specifically the management of these premises which has led to increased crime levels but rather the cumulative impact of more and more premises operating between 1am and 4am.” (p15)

Public Safety

The applicant describes safety measures for staff and customers but ignore the impact on the street scene of additional outlet,

Section 30.7 of the policy states:

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.

The implication is that good management even if it exists, is not sufficient to mitigate additional outlets.

Preventing public nuisance

The measures to clear up rubbish, noise and unwanted adverts do not address the main concerns of residents and visitors to Norwich. It is the alcohol -related rowdy, intimidating and occasionally anti-social and violent behaviour that accompany the high concentration of alcohol sales in the area. That is why we have a Cumulative Impact policy, and why it is not possible for the applicant to show that his establishment will not add to such public nuisances

Protection of children -

Measure to prevent admission of children to the bar do nothing for children living nearby, or with customers.

Even modest consumption by parents has been shown to harm children

(eg <http://www.ias.org.uk/uploads/pdf/IAS%20reports/rp28102017.pdf>)

while consumption by young people is a well known contributing factor to many health and financial difficulties.

The applicant cannot show that more alcohol sales do not lead to greater harm.

Granting this application would send a message that existing venues can ignore the CIP without even attempting to justify why a new license or variation should be granted. This is why the application should be refused – the impact on crime and disorder of ignoring the CIP will be very significant if Norwich fails to enforce its own policy.

Regards

Barry Goodacre

Sent from Mail for Windows 10

Fuller, Maxine

From: barry goodacre [REDACTED]
Sent: 17 March 2018 20:10
To: LICENSING
Subject: Pure Gold
Attachments: Pure gold objection with policy notes.doc

Sent from [Mail](#) for Windows 10

Objection to License application

Dear colleagues

I object to the The application for 'Pure Gold' (formerly Bar 52)

[https://www.norwich.gov.uk/downloads/file/4389/pure_gold - 23 february 2018](https://www.norwich.gov.uk/downloads/file/4389/pure_gold_-_23_february_2018)

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The applicant cannot show that more alcohol sales do not lead to greater harm.

Granting this application would send a message that existing venues can ignore the CIP without even attempting to justify why a new license or variation should be granted. This is why the application should be refused – the impact on crime and disorder of ignoring the CIP will be very significant if Norwich fails to enforce its own policy.

ENDS

Here is the link to Norwich's Licensing policy. Below are some useful extracts

https://www.norwich.gov.uk/info/20014/licensing/1373/licensing_policy/1

Norwich City Council licensing policy (p40, section on Cumulative Impact Special Policy)

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.

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.

29.11 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.

(Section on trading hours)

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.**

From report to Licensing committee

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.

24.7 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

Cumulative impact policy in relation to licence variation application

Argument

Norwich's cumulative impact policy was introduced because the Prince of Wales Road area is a hotspot for violent crime, particularly at night.

Sugar and Spice is within the cumulative impact policy area. This means **there is a presumption that applications for licence variations that affect the licensing objectives will be refused**. An extension to trading hours clearly creates the likelihood of more customers, or customers drinking more, and therefore affects the licensing objectives. The cumulative impact policy is very clear that the burden of proof lies with the applicant: where an application is received for a premises within the CIP area, **the applicant must demonstrate how the licence variation would not have a negative effect on the licensing objectives. This application shows zero evidence of this**, simply stating 'as before' for each objective (and as far as I can see, the previous application is not even provided for reference – you may want to ask officers about this omission, as it means members do not have the relevant information in front of them). This is clearly not in line with the council's policy.

Granting this application would send a message that existing venues can ignore the CIP without even attempting to justify why a variation should be granted. This is why the application should be refused even though the police have not objected – the impact on crime and disorder from this one licence variation might be minimal (which is presumably why they haven't objected), but ignoring the CIP will have a very significant impact in future.

From the police report 2014 (which led to the introduction of the CIP)

"The most recent statistics since the beginning of 2014 suggest a trend of increasing levels of violence. This has coincided with the opening of new licensed premises (such as Stadia, Bar 52, Vanity, Senses). It is not specifically the management of these premises which has led to increased crime levels but rather the cumulative impact of more and more premises operating between 1am and 4am." (p15)

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- the hours of opening, particularly between 11pm and 7am

Fuller, Maxine

From: Ann Ray
Sent: 18 March 2018 16:13
To: LICENSING
Subject: Bar 52 becomes Pure Gold. Alcohol license expired

Dear Sir/Madam,

I object to the The application for 'Pure Gold' (formerly Bar 52)

[https://www.norwich.gov.uk/downloads/file/4389/pure_gold - 23 february 2018](https://www.norwich.gov.uk/downloads/file/4389/pure_gold_-_23_february_2018)

Under the Cumulative Impact Policy, the presumption is that new licenses will not be granted unless the applicant can show that a new licence will have zero negative impact on the licensing objectives.

Additional alcohol sales outlets clearly create the likelihood of more customers, or customers drinking more, and

therefore affects the licensing objectives.

Crime and disorder

Norwich's cumulative impact policy was introduced because the Prince of Wales Road area is a hotspot for violent

crime, particularly at night, and despite very significant police presence, and the mitigation measures described in

the application. The need for such measures demonstrates the risk of additional crime and disorder, and does

nothing to suggest that the additional impact is zero. This would be required in order for a license to be granted.

Experience of residents suggests otherwise. They are regularly disturbed at 4am by drunken shouting people.

This is supported by evidence From the police report 2014 (which led to the introduction of the CIP

"The most recent statistics since the beginning of 2014 suggest a trend of increasing levels of violence. This has

coincided with the opening of new licensed premises (such as Stadia, Bar 52, Vanity, Senses). It is not specifically

the management of these premises which has led to increased crime levels but rather the cumulative impact of

more and more premises operating between 1am and 4am.” (p15)

Public Safety

The applicant describes safety measures for staff and customers but ignore the impact on the local residents of

the additional outlet,

Section 30.7 of the policy states:

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.

The implication is that good management, even if it exists, is not sufficient to mitigate additional outlets.

Preventing public nuisance

The measures to clear up rubbish, noise and unwanted adverts do not address the main concerns of residents

and visitors to Norwich. It is the alcohol-related rowdy, intimidating and occasionally anti-social and violent

behaviour that accompany the high concentration of alcohol sales in the area. That is why we have a Cumulative

Impact policy, and why it is not possible for the applicant to show that his establishment will not add to such public

nuisances.

Protection of children

Measure to prevent admission of children to the bar do nothing for children living nearby, or with customers.

Even modest consumption by parents has been shown to harm children

(èg <http://www.ias.org.uk/uploads/pdf/IAS%20reports/rp28102017.pdf>)

while consumption by young people is a well known contributing factor to many health and financial difficulties.

The applicant cannot show that more alcohol sales do not lead to greater harm.

Granting this application would send a message that existing venues can ignore the CIP without even attempting

to justify why a new license or variation should be granted. This is why the application should be refused – the

impact on crime and disorder of ignoring the CIP will be very significant if Norwich fails to enforce its own policy.

Yours faithfully,

Ann Ray

17 Highland Avenue

Norwich

NR2 3NP

Fuller, Maxine

From: Cllr Grahame, Lesley
Sent: 17 March 2018 15:03
To: LICENSING
Subject: Objection to License application for Pure Gold, 52 Prince of Wales Road

Dear colleagues

I object to the application for 'Pure Gold' (formerly Bar 52)
[https://www.norwich.gov.uk/downloads/file/4389/pure_gold - 23 february 2018](https://www.norwich.gov.uk/downloads/file/4389/pure_gold_-_23_february_2018)

Under the Cumulative Impact Policy, the presumption is that new licenses will not be granted unless the applicant can show that a new licence will have zero negative impact on the licensing objectives.

Additional alcohol sales outlets clearly creates the likelihood of more customers, or customers drinking more, and therefore affects the licensing objectives.

Crime and disorder

Norwich's cumulative impact policy was introduced because the Prince of Wales Road area is a hotspot for violent crime, particularly at night, and despite very significant police presence, and the mitigation measures described in the application. The need for such measures demonstrates the risk of additional crime and disorder, and does nothing to suggest that the additional impact is zero. This would be required in order for a license to be granted. Experience of residents suggests otherwise.

This is supported by evidence From the police report 2014 (which led to the introduction of the CIP

"The most recent statistics since the beginning of 2014 suggest a trend of increasing levels of violence. This has coincided with the opening of new licensed premises (such as Stadia, Bar 52, Vanity, Senses). It is not specifically the management of these premises which has led to increased crime levels but rather the cumulative impact of more and more premises operating between 1am and 4am." (p15)

Public Safety

The applicant describes safety measures for staff and customers but ignore the impact on the streetscene of additional outlet,
Section 30.7 of the policy states:

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.

The implication is that good management even if it exists, is not sufficient to mitigate additional outlets.

Preventing public nuisance

The measures to clear up rubbish, noise and unwanted adverts do not address the main concerns of residents and visitors to Norwich. It is the alcohol -related rowdy, intimidating and occasionally anti-social and violent behaviour that accompany the high concentration of alcohol sales in the area. That is why we have a Cumulative Impact policy, and why it is not possible for the applicant to show that his establishment will not add to such public nuisances

Protection of children -

Measure to prevent admission of children to the bar do nothing for children living nearby, or with customers.

Even modest consumption by parents has been shown to harm children

(eg <http://www.ias.org.uk/uploads/pdf/IAS%20reports/rp28102017.pdf>)

while consumption by young people is a well known contributing factor to many health and financial difficulties.

The applicant cannot show that more alcohol sales do not lead to greater harm.

Granting this application would send a message that existing venues can ignore the CIP without even attempting to justify why a new license or variation should be granted. This is why the application should be refused – the impact on crime and disorder of ignoring the CIP will be very significant if Norwich fails to enforce its own policy.

Best wishes

Lesley Grahame

Thorpe Hamlet Ward Councillor

Bennett, Rachel

From: Michele Paton
Sent: 15 March 2018 09:49
To: LICENSING
Subject: Pure Gold 52 Prince of Wales Road Norwich NR1 1LL

Norwich City Council Licensing Authority Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	Michele Paton
Postal address	52 College Road Norwich NR2 3JL
Email address	
Contact telephone number	



Name of the premises you wish to support or object to	Pure Gold
Address of the premises you wish to support or object to	52 Prince of Wales Road Norwich NR1 1LL

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

Licensing Objective	<i>Please set out your support or objections below.</i> <i>Please use separate sheets if necessary</i>
To prevent crime and disorder	Another very late night club selling alcohol and featuring lap and/or pole dancing and nudity/sem-nudity will increase crime and disorder in Prince of Wales Road. There is already enough of a late-night problem there already. It is a burden on the community and on scarce policing resources.

Public safety	This club will add to the health and safety problems in the area.
To prevent public nuisance	This club will make the public nuisance problem in the area worse.
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	License to run from 20.30 hours to 22.30 hours.
---	---

Signed: Date:Michele Paton 15 March 2018

Please see notes below

Bennett, Rachel

From: Spam Feckers - [REDACTED]
Sent: 01 March 2018 14:14
To: LICENSING
Subject: License application - Pure Gold - 52 POW Road Norwich - 18/00231/PREM

Hi,

Please accept this e-mail as feedback in relation to the Premises Licence application (18/00231/PREM) having received a letter from you today.

I/We strongly object to this application on the grounds that the street has numerous strip clubs and to be open that late in the mornings will surely only encourage more disrespectful behaviour.

Many thanks

Fuller, Maxine

From: Mark Felton
Sent: 19 March 2018 18:45
To: LICENSING
Cc: Lesley Grahame
Subject: Application for 'Pure Gold' (formerly Bar 52), Prince of Wales Road

Dear Sir or Madam:

I wish to register an objection to the granting of a licence to Pure Gold (formerly Bar 52), on Prince of Wales Road, Norwich. I live at 56 St. Faith's Lane behind Prince of Wales Road, and the granting of a licence would be in violation of the Council's Cumulative Impact Policy. I wish to object on the following grounds:

1. To prevent crime and disorder. The residents of St. Faith's Lane are already plagued by anti-social and criminal behaviour generated by the nightclubs and associated businesses of Prince of Wales Road, often necessitating police intervention. I myself have worked closely with the police to try and minimise these disturbances. Adding another business serving alcohol will make matters worse.
2. Public safety. The premises on Prince of Wales Road generate a lot of rubbish, with patrons dropping food and packaging in my front garden. Also, patrons from these businesses use certain areas along my street as a public toilet. Adding another business will only exacerbate the problem.
3. To prevent the public nuisance. We are constantly assailed by anti-social levels of noise pollution from businesses on Prince of Wales Road, when we would like to see less of these anti-social businesses being granted licences in a residential area. I wonder how long it will be before residents have to deal with prostitutes using the quiet roads of Prince of Wales Road after patrons have wound themselves up sufficiently in strip joints like the proposed Pure Gold.
4. To protect children from harm. As a parent I do not wish to have my children exposed to these kinds of establishments, their lewd advertising nor to the kinds of people that patronise them. This is a school area, with Norwich School across the Close and Charles Darwin School at the bottom of Prince of Wales Road.

It should be blindingly obvious to the Council that the long-suffering residents around Prince of Wales Road, who dutifully pay their council tax, should not have to live next to businesses more suitable for Amsterdam's red light district than the centre of Norwich. It presents an appalling image to visitors walking up the hill from the station.

Sincerely,

Dr. Mark Felton

Fuller, Maxine

From: PATRICK SMITH
Sent: 20 March 2018 16:58
To: LICENSING
Subject: Premises Licence Application - "Pure Gold", 52 Prince of Wales Road, NR1 1LL

Dear Sir/Madam,

We object to the above application. We have detailed our comments below under the four Licensing Objectives.

(1). To prevent crime and disorder.

The Prince of Wales Road (hereafter POWR) is notorious for alcohol related crime and disorder. The Police report 2014, which preceded the introduction of the Cumulative Impact Policy (hereafter CIP), suggested a correlation between increasing levels of violence and the opening of new licensed premises.

(2). Public Safety.

Personal safety is compromised when returning home via POWR in the early hours of the morning, particularly at week ends. This is particularly the case when revellers spill out from the, generally well managed, licensed premises onto the street.

(3). To prevent public nuisance.

We can experience noisy "reveller over spill" from POWR. This results in disturbed sleep. Illegal drinkers also gather outside Horsefair House, which is opposite us.

(4). To protect children from harm.

The aforementioned Horsefair House is part of Norwich School. Drinkers leave behind unpleasant litter, broken bottles and worse. This is a hazard for schoolchildren.

Suggestions and comments.

At present 52 POWR does not have a Premises Licence, therefore its impact on the area is zero. Bearing in mind our comments above, if a Licence was granted, there would be a negative cumulative impact. Therefore under the terms of the CIP this application should be refused.

Yours sincerely,

Patrick and Wilma Smith, 54 St. Faith's Lane.

Fuller, Maxine

From: Tom Pace <[REDACTED]>
Sent: 21 March 2018 10:41
To: LICENSING
Subject: Premises Licence Application "Pure Gold", 52 Prince of Wales Road NR1 1LL

Dear Sir/Madam,

We wish to object to the above Premises License Application on the grounds listed below, based on the four published Licensing Objectives i.e. To prevent crime and disorder as per the Police report 2014 preceding the Cumulative Impact Policy (CIP); Public Safety in the small hours especially at weekends when inebriated revellers move from pubs and clubs onto Prince of Wales Road; prevention of public nuisance when revellers disturb the sleep of local residents including ourselves, and also protecting Children from harm caused by broken glass, cans etc deposited at Horsefair House.

The current 52 Prince of Wales premises has no Premises licenses that as per the CIP terms referred to above this application should not be authorised.

Yours faithfully,

Dr T and Mrs KMC Pace, joint owners of 58 St Faiths Lane



NORFOLK

CONSTABULARY

Our Priority is You

Licensing Team
Norwich City Council
St Peters Street,
Norwich
NR1 2NN
Date: 22nd March 2018

The Licensing Team

Bethel Street Police Station
Norwich
Norfolk
NR2 1NN

Tel: 01603 276020

Fax: 01603 276025

Email: licensingteam@norfolk.pnn.police.uk

www.norfolk.police.uk

Non-Emergency Tel: 0845 456 4567

Dear Sir/Madam

Application for a premises licence – Pure Gold – 52 Prince of Wales Road

Norfolk Constabulary has received a copy of the application for a new premises licence for 52 Prince of Wales Road, Norwich.

The application requests the provision of regulated entertainment, the sale of alcohol and late night refreshment until 3.45 am with the premises closing at 4am daily.

It is of note that this premise held a premises licence since 2013 and was operated by the applicant, Mr Vladi during this time within the cumulative impact policy area. However due to the company holding the licence going into administration, the licence was lost which has resulted in the applicant Mr Vladi seeking to reapply.

Historically, the venue had been operating conventional bar, but the applicant has recently obtained a Sexual Entertainment Venue licence and intends to operate as a lap dancing venue. The description within application and the plan clearly reflects that intention. Previously, Norfolk Constabulary had no issues, under the Licensing Objectives, with the venue or management, before it ceased trading in its former guise. Therefore, based on the fact the venue seeks to re-open with the same Management in place, it is difficult to evidence that the granting of this licence will cause a significant impact to the crime and disorder or any other Licensing Objectives as a consequence.

Whilst it is accepted, the intention is for the premises to now operate as a sexual entertainment venue rather than a drinking establishment. Traditionally, these venues usually do not cause significant levels of crime due to customers attending for the entertainment rather than alcohol.

It is acknowledged that this area is within the Cumulative Impact Policy adopted by Norwich City Council. It is incumbent under this policy that the applicant demonstrates to the Licensing Sub-Committee, why the grant of a premises licence will not result in any negative cumulative impact on one or more of the Licensing Objectives.

The operating schedule within the application offers a number of measures to promote the licensing objectives such as employment of SIA Security Staff, staff training records, Dancers Code of conduct and a last entry time. As the application includes all those conditions we would propose for a venue of this nature, Norfolk Constabulary does not object to this application. As for consideration of the Cumulative Impact Policy, this is a matter for the Applicant to demonstrate there will be no cumulative impact on the night time economy and for the Licensing Sub Committee to adjudicate on based on any relevant representations from other interested parties.

Yours faithfully,

Fuller, Maxine

From: Brown, Mark
Sent: 26 March 2018 10:49
To: LICENSING
Subject: FW: the lap dancing application

Importance: High

Hi,

I understand the below relates to a licensing application for 'Pure Gold' at 52 Prince of Wales Road. Incorrectly forwarded to planning.

Regards

Mark

-----Original Message-----

From: Greater Norwich Local Plan [redacted].uk]
Sent: 26 March 2018 09:21
To: Brown, Mark [redacted].uk>
Cc: [redacted]
Subject: FW: the lap dancing application
Importance: High

Dear Mark

I'm forwarding this to you please

Thank you

Isabel

-----Original Message-----

From: Elizabeth Armstrong [redacted]
Sent: 23 March 2018 15:31
To: Greater Norwich Local Plan [redacted]
Subject: the lap dancing application

From Elizabeth Armstrong
4 Havant Close Norwich NR4 6NP
[redacted]

I wish to object to the application. I understand that there is until March 23rd to comment on it. I am utterly against and it will in my opinion do irreparable harm to the image of Norwich if it is granted. I do hope the application will not be granted.

With all good wishes,

Elizabeth

--
To see our email disclaimer click here <http://www.norfolk.gov.uk/emaildisclaimer>

Bennett, Rachel

From: PLANNING
Sent: 07 March 2018 13:30
To: LICENSING; Nelson, Graham
Subject: FW: Prince of Wales Road, Norwich

For info.

From: Trisha Drake [redacted]
Sent: 06 March 2018 19:29
To: clive.lewis.mp [redacted]
Cc: PLANNING
Subject: Prince of Wales Road, Norwich

Dear Mr Lewis,

I read with some dismay in the EDP today that a company by the name of **Pure Gold Limited** has applied for a licence for a premises in Prince of Wales Road to allow acts of nudity and semi-nudity seven days a week from 8.00pm until 4.00am. I am sure it will be 'pure gold' for them! 'Gentlemens Club'!!!!? Is it really 2018?

Does Norwich - our Fine City - really need such an establishment? As a local resident we suffer consistently with anti- social behaviour, noise, drugs etc etc.

A huge part of Norwich City Centre is being developed into residential dwellings. In particular St Ann's Quarter which stretches from King Street across almost to Rose Lane. There are many other buildings in that area currently being developed for residential use, including property on Prince of Wales Road as well.

Prince of Wales Road (and surrounding area) on Friday and Saturday nights is a disgrace and frankly an embarrassment. What visitors make of it goodness only knows. I am one of several residents of King Street who have recently installed our own external lighting systems in an endeavour to eradicate some of the anti-social behaviour we have had over the past months.

What it costs policing these areas over a year goodness only knows. Do the clubs in the area pay for the Police support on the streets? And why should our Police Force have to deal with such obnoxious behaviour?

I have no problem with people having a night out and enjoying themselves but when my husband and family have to get up in the morning and go to work after being disturbed throughout the night until 4.30/5.00 am it is quite challenging.

I am really not sure if you can bring any pressure to bear. I am copying this to the City Council Planning too. Norwich city centre is just being turned into a no-go area, especially on Friday and Saturday nights and it really needs some strong input to have some restrictions put on these establishments.

<http://www.edp24.co.uk/news/politics/norwich-lap-dancing-club-applies-for-licence-1-5420794>

This article mentions a 'designated entertainment zone'. As far as I can gather from the City Council website there is a 'defined late night activity zone'. I would argue that there is a difference. Bearing in mind the huge increase in residential building in this area, perhaps the 'defined zone' needs some reconsideration.

https://www.norwich.gov.uk/info/20199/adopted_local_plan/1457/development_management_policies/23

I would appreciate your thoughts and any input into this matter.

Yours sincerely,

Patricia Drake

96 King Street, Norwich, NR1 1QE



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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.

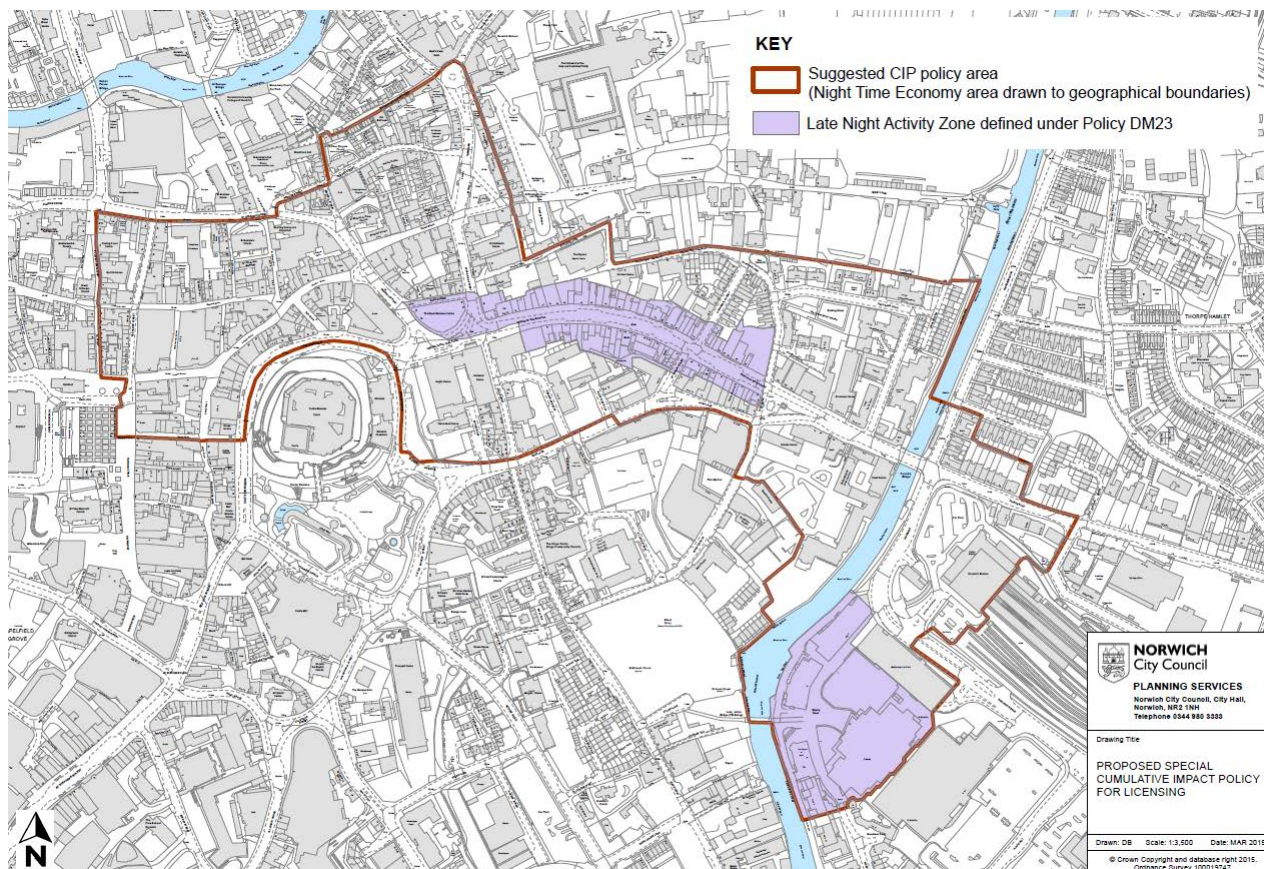
Adopted special policy on cumulative impact

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.