



**NORWICH**  
City Council

**MINUTES**

## **LICENSING COMMITTEE**

**5pm to 6.20pm**

**25 October 2012**

**Present:** Councillors Kendrick (chair), Haynes (vice chair), Barker, Button, Henderson, Manning, Neale, Price, Sands (M) and Thomas

**Apologies:** Councillors Lay, Stammers and Wright

### **1. POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011: EARLY MORNING RESTRICTION ORDERS AND LATE NIGHT LEVY**

(Superintendent Sanford and Chief Inspector Tempest, of the Norfolk Constabulary, attended the meeting for this item.)

The licensing manager presented the report and answered members' questions. Members were advised that the government would be producing guidance for local authorities which would clarify the "prescribed manner" for the advertisement of Early Morning Restriction Orders (EMROs). EMROs applied to the sale of alcohol for consumption both on and off licensed premises. The licensing manager confirmed that the proposed EMROs would apply to the licensing authority area as a whole with the proposed additional hour for sales of alcohol on Saturdays and Sundays applying to the area currently designated by the council as the late night activity zone (LNAZ).

During discussion on the proposal not to implement a late night levy, the licensing manager explained that a late night levy could be applied to those premises that supplied alcohol between the hours of midnight to 6am. He estimated that the gross amount raised would be £38,000 if it was applied to those premises that supplied alcohol between 3am and 6am. It was also noted that it would be difficult and costly to administer a late night levy.

Superintendent Sanford then presented Norfolk Constabulary's response to the new powers contained in the Police Reform and Social Responsibility Act 2011 (as set out in appendix A of the report) and, together with Chief Inspector Tempest answered members' questions.

Councillor Driver, cabinet member for environment and neighbourhoods, confirmed that the cabinet supported the recommendation to council as set out in the report.

The chair proposed, seconded by Councillor Button that text should be included in the consultation papers to ask members of the public whether they support the principle of an early morning restriction order in Norwich by indicating yes or no, and if yes to select either option as set out in paragraph 17 of the report. It was:

**RESOLVED**, with 9 members voting in favour (Councillors Kendrick , Haynes, Barker, Button, Manning, Neale, Price, Sands (M) and Thomas) and 1 member abstaining (Councillor Henderson), to preface the questions in the consultation with a yes/no question asking whether the principle of early morning restriction orders is supported, and if yes to indicate the preferred option.

Discussion ensued in which members discussed how members of the public, particularly the residents in the vicinity of Prince of Wales Road, would be consulted. Members noted that the council would need to conduct the consultation and advertise the order in the “prescribed manner” and that this would be set out in the government guidance available at the end of the month.

Councillor Price said that he supported EMROs and suggested as this was new legislation the committee set a date to review the EMRO. Members were advised that potentially the EMRO would need to be reviewed if the proposed changes to the LNAZ were introduced in 2014.

The licensing manager then explained some minor amendments to the recommendations as set out in the report: delete the reference to paragraph 19 and replace with 17; delete the word “when” in (a) and (b) and insert “within which”; delete 3.00 in the second line of (b) and replace with 2.30.

**RESOLVED** to recommend to council:

- (1) to advertise the proposals contained in paragraph 17 of the report in accordance with section 172B(1)(a) of the Police Reform and Social Responsibility Act 2011, and preface the questions in the consultation with a yes/no question asking whether the principle of early morning restriction orders is supported, and if yes to indicate the preferred option, namely to introduce either:
  - (a) an Early Morning Restriction Order (EMRO) to prohibit the sale of alcohol between the hours of 03:00 and 06:00, Monday to Sunday in respect the whole of the licensing authority area, with the exception of the area currently designated by the council as the Late Night Activity Zone (LNAZ) (attached at Appendix B) within which the sale of alcohol will be prohibited between the hours of 03:00 and 06:00 Monday to Friday and 04:00 and 06:00 on Saturdays and Sundays;
  - (b) an EMRO to prohibit the sale of alcohol between the hours of 02:30 and 06:00, Monday to Sunday in respect the whole of the licensing authority area, with the exception of the area currently designated by the council as the Late Night Activity Zone (LNAZ) (attached at Appendix B) within which the sale of alcohol will be

prohibited between the hours of 02:30 and 06:00 Monday to Friday  
and 03:30 and 06:00 on Saturdays and Sundays.

- (2) not to introduce at this time a late night levy as defined in the Police Reform and Social Responsibility Act 2011.

CHAIR