

Report to	Licensing sub committee 15 February 2013	Item
Report of	Head of citywide services	4
Subject	Licensing Act 2003: Application for the grant of a fixed term Premises Licence - Norfolk & Norwich Festival Trust Chapelfield Gardens Chapelfield East Norwich NR2 1SF	

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 Norfolk & Norwich Festival Trust Chapelfield Gardens Chapelfield East Norwich NR2 1SF for the period 16 May 2013 – 26 May 2013 following the receipt of relevant representations.

Recommendation

That Members determine the application to grant a Premises Licence for the period 16 May 2013 – 26 May 2013 in respect of the Norfolk & Norwich Festival Trust Chapelfield Gardens Chapelfield East Norwich NR2 1SF in accordance with the:

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

Corporate and service priorities

The report helps to meet the corporate priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function.

Financial implications

None.

Ward/s: All wards

Cabinet member: Councillor Driver – Environment and neighbourhoods

Contact officers

Ian Streeter, licensing manager

01603 212439

Background documents

None

Report

The application

1. The applicant is Christopher Harding who is clerk to the Norfolk & Norwich Festival Trust 9 St Thomas Beever Close Wymondham Norfolk NR18 0RG.
2. The application seeks to allow the licensable activities of:
 - a) the provision of plays (indoors and outdoors)
 - b) the provision of live music (indoors and outdoors)
 - c) the provision of recorded music (indoors and outdoors)
 - d) the provision of performances of dance (indoors and outdoors)
 - e) the provision of anything of a similar description to live music, recorded music or performances of dance (indoors and outdoors)
 - f) late night refreshment (indoors and outdoors)
 - g) the supply of alcohol for consumption on the premises.
3. The proposed standard days and hours for the licensable activities are:

The provision of plays (indoors and outdoors):

Monday	12.30 – 01.00
Tuesday	12.30 – 01.00
Wednesday	12.30 – 01.00
Thursday	12.30 – 01.00
Friday	12.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of live music (indoors and outdoors):

Monday	12.30 – 01.00
Tuesday	12.30 – 01.00
Wednesday	12.30 – 01.00
Thursday	12.30 – 01.00

Friday	12.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of recorded music (indoors and outdoors):

Monday	11.00 – 01.00
Tuesday	11.00 – 01.00
Wednesday	11.00 – 01.00
Thursday	11.00 – 01.00
Friday	11.00 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of performances of dance (indoors and outdoors):

Monday	12.30 – 01.00
Tuesday	12.30 – 01.00
Wednesday	12.30 – 01.00
Thursday	12.30 – 01.00
Friday	12.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of anything of a similar description to live music, recorded music or performances of dance (indoors and outdoors):

Monday	11.00 – 01.00
Tuesday	11.00 – 01.00
Wednesday	11.00 – 01.00
Thursday	11.00 – 01.00

Friday	11.00 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

Late night refreshment – (indoors and outdoors):

Monday	23.00 – 01.00
Tuesday	23.00 – 01.00
Wednesday	23.00 – 01.00
Thursday	23.00 – 01.00
Friday	23.00 – 01.00
Saturday	23.00 – 01.00
Sunday	23.00 – 01.00

Supply of alcohol (for consumption on the premises):

Monday	12.00 – 01.00
Tuesday	12.00 – 01.00
Wednesday	12.00 – 01.00
Thursday	12.00 – 01.00
Friday	12.00 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

4. The opening hours of the premises are:

Monday	10.30 – 01.30
Tuesday	10.30 – 01.30
Wednesday	10.30 – 01.30

Thursday	10.30 – 01.30
Friday	10.30 – 02.30
Saturday	10.00 – 02.30
Sunday	10.00 – 00.30

5. A copy of the operating schedule, with the steps put forward by the applicant to promote the licensing objectives, together with a plan of the premises are attached at appendix A to the report.

Relevant representations

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

Police – representations received (attached at appendix B to the report)

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

7. Relevant representations have been received in respect of the application with concerns which appear to relate to the licensing objectives of the prevention of public nuisance and the protection of children from harm. A representation supporting the application has also been received. Copies of all the representations received are attached at appendix C to the report.
8. A site map of the area identifying the application premises in relation to the relevant representation party address will be available at the meeting.

Norwich City Council Statement of Licensing Policy

9. Attached at appendix D are the elements of the City Council's local Licensing Policy which are considered to have a bearing upon the application:

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

10. Attached at appendix E are the elements of the National Guidance issued by the Secretary of State that are considered to have a bearing upon the application.

Summary

11. In determining the application with a view to promoting the licensing objectives the Sub-Committee must give appropriate weight to:

- a) 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);
 - b) the representations (including supporting information) presented by all the parties;
 - c) the guidance issued under Section 182 of the Licensing Act 2003 (National Guidance); and
 - d) the Council's own statement of licensing policy.
12. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- a) Grant the application as asked;
 - b) Modify the conditions of the licence by altering or omitting or adding to them;
 - c) Reject the whole or part of the application
13. 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.
14. The representations received appear to relate to issues that fall under the licensing objectives of the prevention of public nuisance and the protection of children from harm. The Sub-Committee is directed to paragraphs 24 and 26 of the local licensing policy at appendix D which contain examples of factors that impact on the licensing objectives that the applicant could consider when addressing these issues. These paragraphs also contain 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.
15. 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.

APPENDIX
A

**NORFOLK
& NORWICH
FESTIVAL
2013**

OPERATING SCHEDULE

Festival Gardens
Chapelfield Gardens, Norwich
16 - 25 May 2013
(plus set up 12 - 15 May; get out 26 – 28 May)

1st Draft
December 2012

1. EVENT DESCRIPTION
2. EVENT MANAGEMENT
3. CROWD MANAGEMENT
4. EMERGENCY PROCEDURES
5. EVACUATION PROCEDURES
6. TRAFFIC MANAGEMENT
7. NORWICH CITY COUNCIL – CONDITIONS OF USE
8. FIRE PRECAUTIONS AND EQUIPMENT
9. WASTE MANAGEMENT
10. NOISE MANAGEMENT PLAN
11. LOST CHILDREN POLICY
12. CATERING

APPENDIX 1: EVENT MANAGEMENT TEAM STRUCTURE

APPENDIX 2: SITE PLAN

APPENDIX 3: RISK ASSESSMENTS

APPENDIX 4: PRODUCTION SCHEDULE

APPENDIX 5: SECURITY SCHEDULE

APPENDIX 6: FIRST AID SCHEDULE

APPENDIX 7: CONTACT LIST

1. EVENT DESCRIPTION

Building on the considerable success of the Festival Gardens project in May 2009 to 2012, the Norfolk & Norwich Festival would like to return to Chapelfield Gardens in 2013 with a focussed and equally ambitious programme of events, centred on Salon Perdu, (the beautiful and hugely popular Spiegeltent).

Festival Gardens 2013 will comprise:

Festival Spiegeltent: installed in Chapelfield Gardens for **ten days** (16-25 May 2012). The programme will follow similar lines to 2012, though for a shorter period of time: We are envisaging programming two shows a night (2000, 2230 – dependent upon show lengths of individual acts) and a programme of work during the day at weekends, with a range of workshops and events for young and old alike (dance, cabaret, circus, music, literary) and social activities that will engage a range of communities. The programme will again be an eclectic selection of circus, music, dance, theatre and cabaret/variety/burlesque, mixing future-retro, classic-contemporary, the accessible and the innovative. In 2013 we are looking to repeat our successfully launched fundraising gala an additional event on the evening of Thursday 16th May which will be a Fundraising Gala Evening for NNF sponsors and VIPs.

Opening Weekend (18-19 May): a weekend of free outdoor work enlivening the Festival Gardens along similar lines to Garden Party (2012), May Daze (2011), Garden Party (2009 and 2010) and City of Secrets (2008) on the weekend 17-19th May. This event will feature international and national outdoor arts, children's performances, street performances, installations, dance, circus, variety, theatre and music. In 2013 the focus will spread the performances between the Festival Gardens, and various streets and spaces within the city centre.

SpiegelGarden: The area around the Festival Spiegeltent will again be transformed into a beautiful social and entertainment area, inspired by classic European Festival sites, and combining food and drink offers, music and walkabout performance. This will be a place for the audience to meet and gather before and between performances around the city. The designated area for this will be contained within a fenced off area within Chapelfield Gardens and will be licensed. Entry to the site will be monitored to ensure that capacity is not exceeded. An SIA-badged door supervisor will be on duty while the site is open to the public.

Finale Weekend (25 May): On Saturday 25th May NNF will host a small collection of outdoor performances within the park (and possibly a show in the city streets). The performances will complement the family daytime programming in the Spiegeltent.

2. EVENT MANAGEMENT

The Event Management Team will be headed by NNF Production Manager, Mark Denbigh. His team will include the Technical Manager, the Health and Safety Consultant, the Spiegeltent General Manager, the Site Manager and the Head of Security. Once appointed, the security company will work with the Event Management team and the Health and Safety Officer to create a robust stewarding and security plan and in accordance with recommendations laid down in the Event Safety Guide. The team will be supplemented according to the requirements of the programme of activity (see Crowd Management - below).

Together the event team and the stewards will work to ensure the following;

- A free movement for the public along existing pathways
- Monitoring of all installations and temporary venues once in place
- That information is readily available to the public regarding programme of events and timings, location of welfare facilities

- That a clear communication line is maintained at all times between stewards and the Event Management Team
- Ensuring that the four licensing objectives are maintained at all times public are on site – these being:
 - The prevention of crime and disorder
 - Public Safety
 - The Prevention of public nuisance
 - The protection of children from harm

3. CROWD MANAGEMENT

Requirements of the overall management of the site will vary with the level of activity at any particular time:

3.1 Get-in, set-up, installation, de-rig and get-out [12 -15 & 26-28 May] – –

The installation and removal of the Spiegeltent, the bar tent and any other possible temporary demountable structures will take place within daylight hours in an open city park and work activity will be managed to reflect the potential hazards associated with this type of working environment. In particular, construction sites will be cordoned off, and vehicle movement and parking will be strictly controlled. Security staff will be employed to staff the vehicle access gate during working hours and to guard the site at all other times.

3.2 Performance/public event times [16-25 May]

There will be a professional stewarding and security presence in the Gardens throughout, performing the following functions. These roles are suggestions only at the moment, and will be ratified once the event security company has been contracted and the security plan established.

1. SIA-badged security acting as static guard at Spiegeltent back stage area and vehicle access gate
2. SIA-badged security acting as static guards at any temporary installation deemed vulnerable
3. SIA-badged roving "Rapid Response" team around the park at peak times
4. SIA-badged door supervisor present in Spiegel Garden when operating (licensed area)
5. Norfolk & Norwich Festival stewards providing general public information and guidance and for crowd/audience management at open air performances whether static or walkabout

If any stewards become aware of a disturbance or incident, they should immediately contact the Head of Security, with details of the location and a brief description of the activity. The Head of Security, in conjunction with the Spiegeltent General Manager or their on-site representative (Site Manager), will make the assessment as to whether the matter can be dealt with, or whether the emergency services need to be called. NNF stewards must not put themselves at risk.

3.3 Security and licensed areas

- All areas licensed for the sale and consumption of alcohol will be separated and enclosed with barriers.
- Alcohol licensed areas will be monitored by SIA registered Door Supervisors.
- The Spiegeltent General Manager will liaise with Norfolk Police to ensure that security staff and stewards are appropriately SIA qualified in line with the Security and Industry Act 2001.
- All security staff will wear fluorescent arm bands to display their SIA badge.

4. EMERGENCY PROCEDURES

The Spiegeltent General Manager, Site Manager, and the Head of Security will be in communication at all times. All staff will be briefed on:

- Evacuation routes
- Procedures for clearing the public to allow emergency access
- Code words for differing procedures
- Positions of First Aid point
- Staff with appropriate First Aid training will be on duty within Spiegeltent area during public performance times
- Lost Children point: Chapel Field Day Nursery (18-19 and 25 May only)
- Correct procedures to be adopted when dealing with members of the public.
- Correct procedures for dealing with lost children incidents (see below)
- The Event Liaison Point (ELP) will be the Spiegeltent production office, where the event site map will be on display with fire safety equipment positions indicated, along with static steward deployment. Additionally all key mobile numbers will be available along with details of the radio channels. The ELP will also act as the base for the Emergency Liaison Team (ELT) which will comprise the Security Manager, the Site Manager, the Health and Safety Consultant
- Emergency Services RVP: to be decided in consultation with the appropriate authorities at the first event Safety Advisory Group.

Positions of First Aid point will be:

- 12 -28 May: Spiegeltent Production Office
- 18 – 19, 25 May: First Aid unit parked at clearly visible point

5. EVACUATION PROCEDURES

5.1 Site Evacuation

An incident involving a fire, accident, bomb scare or crowd disturbance could necessitate the evacuation of part or all of Chapel Field Gardens.

Following the discovery of an incident, the Site Manager will inform the emergency services, Head of Security and Spiegeltent General Manager. The message to indicate an incident that may necessitate evacuation will be:

"WE ARE GOING TO LEVEL BLUE AT [location]" (indicate part of the Gardens in which incident is happening)

The decision to evacuate the Gardens will be taken by the Site Manager, unless emergency services are on site in which case authority is transferred to them. If the decision is made to evacuate, this will be relayed to all staff via radio. The message to indicate evacuation will be with the use of the code phrase;

"WE ARE GOING TO LEVEL BLACK AT [location]" (indicate which venue is to be evacuated)

Routes for evacuation would be:

1. Towards junction of Chapel Field North & Chapel Field East
2. Towards junction of Chapel Field East and Chapel Field Road
3. Towards roundabout at Chapel Field Road/Chapel Field North/Cleveland Road

5.2 Venue Evacuation

In the event of a single venue needing evacuation the venue manager will make this decision, communicate it to the Site Manager and co-ordinate evacuation using venue specific evacuation procedure (see below).

When evacuation procedures are instigated, the message:

"[Venue] AT LEVEL BLACK" will be broadcast over the radio channel by Venue Manager. All staff in the vicinity of the venue concerned should act to move general public away from the venue for their own safety and in order to clear an area for the audience.

A subsequent or simultaneous evacuation of the entire Gardens may be necessary

"FESTIVAL GARDENS AT LEVEL BLACK" will be broadcast over the radio channel by the Site Manager. On hearing this message, all performance activity will cease, and the music PA, if operational, will be used to make the announcement:

"LADIES and GENTLEMEN: I AM SORRY WE HAVE TO CLEAR THE GARDENS. PLEASE FOLLOW FESTIVAL STAFF TOWARDS THE NEAREST AVAILABLE EXIT [or specific exits as appropriate]"

Key staff will utilise loud hailer, if required, to broadcast to the crowd not in the vicinity of the PA, or if the music PA is not operational.

On hearing this message, staff will be deployed to inform the public which way to leave the Gardens and assist with the flow of the crowd to ensure an orderly movement.

Staff to use arm signals to back up the announcements and to use firm but re-assuring language to encourage egress. Once evacuation is complete, the Event Management Team will meet at the Emergency Liaison Point to discuss further action.

5.3 Spiegeltent Evacuation

Decision to evacuate Spiegeltent and its subsequent implementation will be conducted by Spiegeltent General Manager (SGM) with support from staff and security employed within the venue. There will be two nominated deputies to assist with this procedure.

1. SGM to ensure all lights are put to full and sound track/live musicians stop playing.
2. SGM to make announcement to audience via show PA: "Ladies & Gentlemen, we are sorry to announce that we have to evacuate the building. Please follow staff through the nearest exit."
3. Message should be repeated as necessary and should be calm and reassuring. If an exit is blocked the remaining exits should be pointed out.
4. Staff to assist by indicating exit with firm, straight arm pointing to exit nearest their particular location.
5. Nominated deputy at main entrance to supervise egress and ensure audience and staff to gather at Muster Point - by Bandstand.
6. Nominated deputies at rear exits to supervise egress and ensure audience and staff gather at temporary Muster Point - on path at East of Chapelfield Gardens. At order to evacuate crew will undo heras panels to allow audience to move to main Muster Point in centre of Gardens when it is safe to do so.
7. SGM to ensure venue is clear and call emergency services.

In the event of a power failure the above procedure will be followed with the following alterations:

1. Emergency lighting will switch on and PA system cease to operate
2. SGM to make voice announcement

6. TRAFFIC MANAGEMENT

- There will be no vehicle movement on site during the performances.
- During the build up there will be movement by cherry picker (powered access platform), a number of LWB Sprinter-style vans, a 7T box truck, Hi-Ab Container truck, waste water/sanitation truck. All vehicle movement will be monitored by Site Manager (or designated member of their team) and site crew and banksmen will be deployed where necessary.
- A delineated working area will be set up around the Hi-Ab for unloading/loading, and around other delivery vehicles as necessary.
- The entry gate will be staffed by SIA security in radio contact with Site Manager during busy set-up periods and at other times will be locked. The Site Manager will hold the gate key and open the gate for, and brief, any incoming vehicles. This person will also ensure that the gate is otherwise closed by monitoring use of the gate by other key holders.
- Vehicles must not drive onto grass except when public safety demands, or over areas of tree root under tree canopies. Vehicle routes on and off to unload/load positions should be planned and communicated to drivers on arrival at vehicle entrance gate in order to avoid grass and tree root areas. Vehicle movement on and off the Spiegeltent site will remain on vehicle trackway installed for the purpose.
- Vehicles which are part of installations will be parked on wooden spreader plates and must not be placed under tree canopies.
- Regular replenishment of water supplies, bar stock, market stalls etc will all be scheduled out of operating hours in the early morning period. Site Manager or appointed deputy to meet all vehicle deliveries and brief on vehicle movement procedures prior to entry.
- Access for Emergency Service vehicles will be maintained at all times.
- Artists and technicians may enter the park in order to deliver or collect equipment but must not park on site. It is accepted that up to three technician vehicles may need to be parked adjacent to the Spiegeltent for short periods to facilitate on-going access to tools and equipment. These vehicles to be parked on trackway laid within the Spiegeltent compound for the purpose.
- NNF to identify parking area close to the park for service vehicles.
- All staff and artists to be informed in advance of these parking restrictions.

7. Norwich City Council – Condition of Use of Green Spaces

In considering the plan for NNF13 and underpinning all the above systems and procedures Norwich City Council's conditions of use will be the principal concern and their rigorous implementation will be the responsibility of the Spiegeltent General Manager and Site Manager, managed by the Production Manager. These conditions of use will be communicated to all Festival staff, contractors, artists and companies.

The conditions of use are as followed:

Conditions for the protection of all parks

1. All vehicles that are not required to stay on the park after set-up will be removed or within the tracked back stage area.
2. Vehicles must offload from hard standing and not drive on the grass where possible
3. Vehicles must not park on shrub bed areas and the edges of shrub beds should be protected from damage.

4. Loading must not be applied to any drainage/soakaway covers or within 1m of covers.
5. Vehicles must not drive between the trees as this will damage roots.
6. Structures and vehicles must not be positioned within the tree canopy.
7. There will be a designated Site Manager at all times who will be responsible for controlling the site and any activity and vehicle movement.
8. NNF to book all services they require.
9. Any incident must be reported immediately to Norwich City Council.

Specific protection measure relating to Chapelfield Gardens

1. If access is required over the grassed areas this must either be tracked or fully boarded.
2. When the central pillar from the sunflower gates is removed from its normal position it must be locked in position on the purpose built pad near the hedge.
3. The gate must never be left open and unattended.
4. There will be only 5 vehicle passes for site vehicles during the event. These will be parked by the entrance gate on the designated boarded area. There will be no parking on the park at any time.
5. NNF have a site map of the park, and particular care must be taken of specific trees as identified by Green Spaces.

8. FIRE PRECAUTIONS AND EQUIPMENT

- Appropriate fire safety equipment will be positioned by all generators, PA equipment and at designated fire points throughout the Gardens.
- Site crew, venue managers, stewards and other appropriate personnel will be briefed on the positioning of extinguishers and their correct usage.
- A Fire Risk Assessment will be completed for all buildings or temporary structures housing 5 or more people.

Extinguisher positions:

- Water extinguishers by the Exits in all tented venues and installations
- Dry powder by any heating equipment
- CO2 by all large generators and main electrical distribution points
- Dry powder, CO2 and water all available in Spiegeltent backstage compound
- Dry powder and water at Ticket Booth when in operation

9. WASTE MANAGEMENT STRATEGY

NNF is committed to maintaining a safe, clean site and minimising impact from waste during and after the event.

- Litter collections will be the responsibility of all on-site staff during normal running. All staff will be instructed to dispose of unsightly litter and will do a post-event litter pick up each evening once the Spiegeltent performances have started.
- In addition on the Saturday, Sunday and Monday mornings a litter-pick team will be employed.
- During the event build up, performances and break down additional bins, both for recyclable and non-recyclables will be provided for staff usage.
- The main event waste point for staff usage will be bins within the Spiegeltent backstage compound where general waste and recycling bins will be located.
- Catering sub-contractors will be instructed to provide small bins for public usage and will be responsible for disposing of all waste in the immediate vicinity of their unit or stall into bins provided by NNF.
- Recycling will be encouraged and multi-use recycling bins will be available at all refuse points.
- A schedule of litter bin collections will be arranged with NCC refuse contractor.

10. NOISE MANAGEMENT STRATEGY

The PA systems in use on site will be limited to:

- Spiegeltent system where limit will be set and managed in accordance with advice from Environmental Health officers.
- Café/bar PA system. This system will consist of two speakers playing ambient background music. Curfew for this PA system set at 23:00.
- Other small PA systems (TBC) will only be in use during daytime hours

Limits will be set and managed according to current Noise at Work regulation and in accordance with limits set by Norwich City Council Environmental Health Team.

10.1 Monitoring MNL

It is proposed to take background noise level readings (limits defined by Norwich City Council Environmental Health Team) on a regular basis and at all times when deemed appropriate by the Event Producers at nearest residence on Chapel Field East and Chapel Field North.

Hours of Operation for entertainment and plant/machinery

- Site Crew will begin work on Sunday 12 May (an unobtrusive start may occur prior to this installing festoon cable runs, and receiving delivery of fencing and rail sleepers for example) and the site will be completely clear of staff and infrastructure by 20:00 on Wednesday 29 May.
- Work schedule starts 9am each day although a small number of deliveries may occur between 08:00 and 09:00 on some days.
- A 22:00 curfew will be set for all outdoor work, construction etc. during site build up and break down. On all other days, outdoor work, if any, will end at dusk or earlier.
- There will be no overnight working.
- Soundchecks will all be conducted during daylight hours.
- Daytime outdoor entertainment will be restricted to weekends.
- Outdoor café/bar operating hours will end at 00:00 each evening.
- Spiegeltent opening hours will end at 00:00 on Sundays, at 01:00 on Monday – Thursday, and 02:00 Fridays and Saturdays. A drinking-up period of 30 minutes will be imposed which will help to spread the departure of audience.

10.2 Noise mitigation measures

- Strict outdoor performance and PA curfew at 23:00
- Strict outdoor work curfew at 22:00
- Outdoor café/bar to close by 00:00
- All local residences informed of event through leaflet drop and liaison with Residents Assoc.
- Siting of all PA systems to take account of local residences
- No over-night working
- Door and FOH staff at Spiegeltent will encourage attendees to leave quietly at closing time each evening and will repeat this message through full duration of egress.
- Door staff will be tasked with ensuring any audience outside the Spiegeltent doors behave quietly
- Background noise level readings (LA90,T) will be taken on a regular basis at nearest residence on Chapel Field East and Chapel Field North to ensure levels fall within Noise Council Guidelines (no more than 15DbA above background over 15 minute period). These readings will be acted upon immediately should there be any cause for concern.
- Festival site mobile phone number circulated to local residences. Phone in possession of Site Manager.
- Festival management team to de-brief after each performance day and especially after Friday/Saturday events in order to review and adjust.

10.3 Public egress

- Crowd egress from site will be staggered due to varied finish times of free and ticketed entertainment.
- Management to take active measures to underline message to leave Spiegeltent venue quietly (notices, reminders by door staff and other FOH staff, announcements at the end of performances).
- No car parking in immediate vicinity ensures noise of vehicles departing kept to a minimum.
- Drinking up period in Spiegeltent helps spread departure time.

11. LOST CHILDREN POLICY

A Lost Children point will be set up for the weekend daytime event days when a full programme of daytime, family friendly activity will be in place. At all other times activity is ticketed but remains under supervision of professional security and stewarding staff fully briefed on Lost Children procedure below.

If a child is found and assessed as lost:

- Staff should report immediately to Chief Steward and Production Manager or Site Manager in their absence.
- A clear location report should be given using the code phrase "Raising a Flag"
- Lost Children Point (Chapel Field Day Nursery) should be immediately informed.
- A nursery nurse should then be dispatched to the location. If nursery nurse is not available at this point another member of the event team must be sent to the location.
- Staff to wait for 10 minutes in situ with the child if appropriate,
- After maximum of 10 minutes, Nursery Nurse to take child to Lost Children Point and contact Police.
- Event Management Team must be kept fully informed of situation and will alert Emergency Services when or before child is taken to the designated point.
- All staff briefed on how to deal with children appropriately.
- If parents or guardian arrive prior to or during escort to Lost Children Point, staff to use discretion as to whether the adults are genuine and to ensure handover is witnessed. On no account should staff hand over a child if there is an element of doubt.
- If there is doubt the member of staff should explain that procedural issues mean it is necessary to go to the Lost Children Point to log the handover. Once there a re-assessment can be made. Handover will remain the responsibility of the Security company and/or NNF staff.

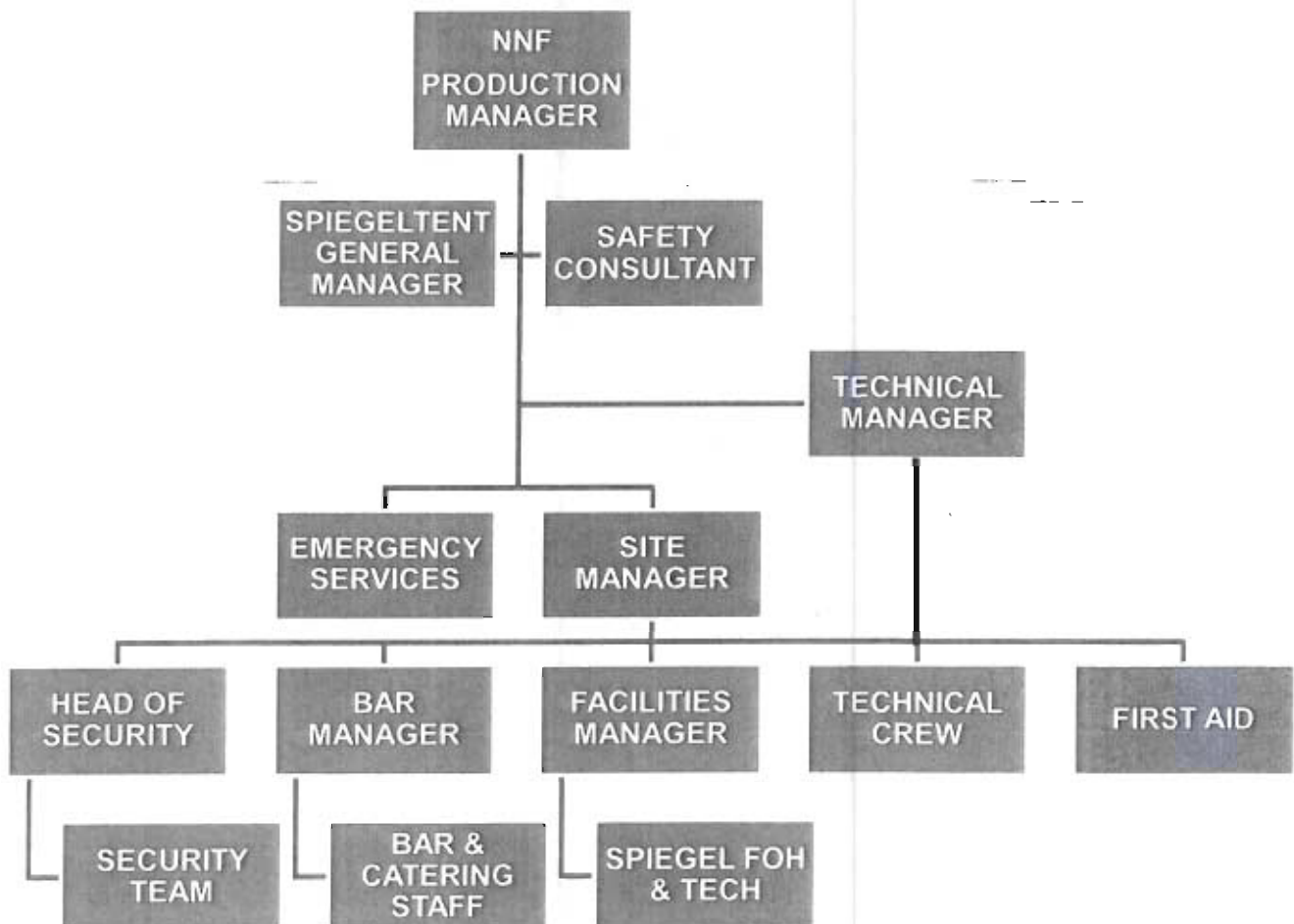
If a child is reported missing:

- A detailed description of the missing child must be taken with specific information
- An alert should be put out to all staff. It is especially important that all Gate staff have a clear indication and description as soon as possible.
- Event Management Team must be immediately informed in order that they can then inform Emergency Services if appropriate.
- Parent/guardian should be taken to Lost Children Point at Chapel Field Day Nursery. NNF staff and/or Security staff to record handover of child when found.

12. CATERING

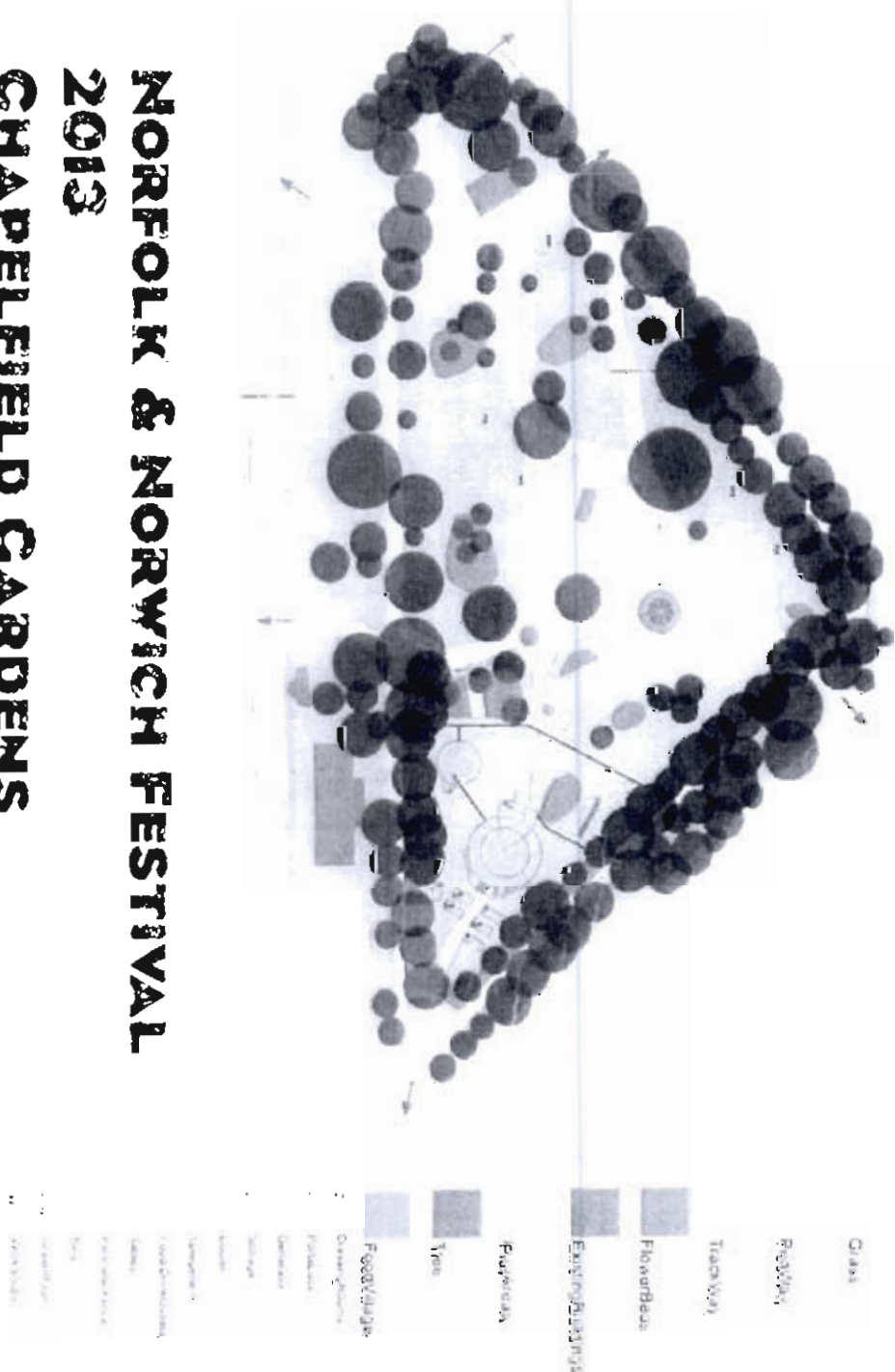
All catering provision will be agreed before the event with Environmental Health and will comply with information in NCC document Mobile Catering Units. EH will be involved in the process of decision on positioning and all catering will be checked by EH on site before opening.

APPENDIX 1: EVENT MANAGEMENT TEAM STRUCTURE



APPENDIX 2: SITE MAP – TBC

NORFOLK & NORWICH FESTIVAL 2013 CHAPELFIELD GARDENS SCALE 1:1000



APPENDIX 3: RISK ASSESSMENTS [indicative]

Activity / Area	Hazards	Persons at risk	Severity	Likelihood	Rating	Precautions	Residual rating
NATURE OF SITE – Public Gardens – site set up							
Vehicle movement	Crushing, trips and falls, collisions with public.	Public, staff, artists	4	2	8	<p>Vehicle entry controlled by security staff at gate. If security staff not on duty, site manager to hold gate key.</p> <p>All vehicles entering site to have route described. All vehicles reminded to drive at 5mph and use audible warning signals if fitted.</p> <p>Vehicles to use headlights when travelling on site. Hazard lights NOT to be used when vehicle travelling.</p> <p>Regular vehicle deliveries/collections to be scheduled outside opening hours.</p> <p>All deliveries/collections to be timed around quiet periods.</p> <p>Banksman to be used if deemed appropriate by site manager.</p> <p>Off-site parking to be identified in order to discourage attempts to park in the Gardens.</p>	6 or less
Loading/unloading in public space	Collisions with pedestrians, cyclists, injuries to staff	Staff public	4	2	8	<p>Delineated work areas set up for loading/unloading where appropriate and for any on-going load/unload.</p> <p>Banksman/lookout to be used if deemed appropriate by site manager.</p>	6 or less
Construction / Dismantling temporary	<p>Falls from height</p> <p>Trips and slips</p> <p>Manual handling</p>	Stewards, staff, artists	4	2	8	<p>Delineated work areas to be set up as appropriate.</p> <p>Method statements to be produced for all construction.</p> <p>Structural drawings and calcs to be produced where necessary.</p> <p>Site manager to monitor work activity, especially in relation to manual handling, and intervene if necessary.</p>	6 or less
Management of Construction, & outside contractors	Compromising general safety	Staff Public Contractors	5	2	10	All contractors are vetted and approved by event organisers. Site Production Manager will monitor on site and empowered by organisers to halt any activity deemed unsafe.	6 or less
First Aid	Accident, illness	Staff, contractors	3	2	6	<p>Fully stocked first aid kit to be kept on site at all times.</p> <p>Qualified First Aider to be nominated as responsible person during all main build periods.</p>	6 or less

Activity / Area	Hazards	Persons at risk	Severity	Likelihood	Rating	Precautions	Residual rating
NATURE OF SITE – Public Gardens – outdoor shows							
Crowd disturbance, overcrowding	Crushing, trips and falls	Public, staff, artists	3	3	9	<p>Atmosphere designed to be gentle, calm. Stewards to encourage movement away from potential excess build up and at potential pinch points.</p> <p>Placing of outdoor shows based on maximising viewing areas</p> <p>Programming of outdoor shows to spread audience at peak times</p> <p>Programming of outdoor shows to reflect capacity of park and viewing areas available</p> <p>Audience area ground conditions checked in lead up and on morning of shows by site production manager</p> <p>Professional security & stewarding available for re- deployment by organisers to divert public away and close any or all access gates with existing gates or temporary barriers</p> <p>No fireworks, thereby limiting numbers</p> <p>No celebrities thereby limiting numbers</p>	6 or less
Audience Access	Crushing, trips & falls	Public, staff, artists	3	3	9	<p>All access points remain open throughout – or staffed if subject to short term closure</p> <p>Majority of audience anticipated to be familiar with site. No infrastructure on pathways</p>	6 or less
Vehicle movement	crushing, trips and falls, collisions with	Public Stewards artists	4	2	8	<p>No vehicles on site during peak times</p> <p>Site Production manager to have full control over any vehicle entry at other times.</p> <p>Any vehicle on site during public hours must travel at 5mph max, with headlights on and utilise audible warning signals if fitted</p> <p>Off-site parking to be identified in order to discourage attempts to park in the Gardens</p> <p>No vehicles to park on grass unless it is part of their performance and cleared with site Manager in advance eg – a circus tent</p>	6 or less
First Aid	Medical incident or emergency	Public Stewards artists	3	2	6	<p>First Aid unit set up close to centre of site for peak periods</p> <p>Peripatetic first aiders also in use</p> <p>Emergency services fully informed of event</p> <p>Emergency service vehicle access routes into park maintained at all times – show siting to take account of emergency service vehicle route in RVP location circulated to relevant staff</p>	6 or less

Activity / Area	Hazards	Persons at risk	Severity	Likelihood	Rating	Precautions	Residual rating
Nature of Structures – temporary tented structures							
Structural failure		Public Stewards Artists	3	3	9	All structures erected by professional contractors employed by owners, or by owners themselves. All structures must be signed off on completion and remain as built throughout installation period. Site Production Manager and Venue Managers to do daily visual checks on integrity of structure	6 or less
Fire		Public, staff, artists	3	3	9	All fabrics certificated flame retardant. Appropriate fire extinguishers in place in all structures. Structure managers to brief all staff and whereabouts and use of fire fighting equipment	6 or less
security		Public Stewards Artists	3	2	6	Marquee areas to remain under security surveillance when unattended. Circus Ronaldo under overnight surveillance. Spiegeltent locked when not in use, café/bar has all stock locked away in secure container when not in use	6 or less
Nature of Structures – art Installations							
Any installation subject to separate safety documentation produced by owner/operators:							
Nature of Structures – Spiegeltent							
Spiegeltent structure built by contractor's own staff to guidelines established in accompanying Baubüchle							
Spiegeltent shows subject to show-specific risk assessment							
Nature of Structures – Café/Bar tent							
Structure subject to separate method statement and risk assessment for construction and use once contractor have been identified							
Nature of Structures – electrical and lighting Installations							
electricity		Public, staff, artists	3	3	9	All installations installed by professional contractor issuing cert of compliance for all generators. All electrical supplies protected by 30ma RCD trips. All cables run in approved manner aware from public thoroughfares. Appropriate fire. All generators fenced.	6 or less
Rigging Installation		Public, staff, artists	4	3	12	All rigging subject to method statement and to have secondary safeties in place at all times. All rigging at height to be installed in accordance with current Work At Height Regulations	6 or less

Severity Index			Likelihood Index			Risk Rating Matrix					
						Catastrophic	Serious	Significant	Minor	Insignificant	
Catastrophic	Fatality, major injury, fire or loss of property	5	Certain	Harm is certain or near certain	5	Certain	25	20	15	10	5
Serious	Over 3 day injury, long term damage to health, serious property damage	4	Likely	Harm will occur frequently	4	Likely	20	16	12	8	4
Significant	Hospital treatment likely, some significant property damage	3	Possible	Harm may occur — — —	3	Possible	15	12	9	6	3
Minor	Slight injury, minor property damage	2	Unlikely	Harm will seldom occur	2	Unlikely	10	8	6	4	2
Insignificant	No injury or damage	1	Improbable	Harm difficult to foresee	1	Improbable	5	4	3	2	1

Residual rating

6 or less: risks adequately controlled - no further actions required

6 – 12: major accident possible - further control measures required

Above 12: control measures ineffective, possibility of major accident high, immediate further action required, possibly suspend work

APPENDIX 4: PRODUCTION SCHEDULE

Festival Gardens [FG], Spiegeltent [SP] and Outdoor Performance Area [OPA]

Friday 10/05/13

TBC NCC site handover [FG]

Sunday 12/05/13

07:00 Barriers delivered and installed / Needle sweep and litter pick [FG]
07:00 Van Rosmalen Spiegeltent [SP] arrival and installation
09:00 Install Festoon LX [FG]
12:00-00:00 Security on site [SP]

Monday 13/05/13

00:00-00:00 Security on site [continues throughout event]
08:00 Trackway delivered and laid [SP]
Generators delivered and commissioned [SP] –
Portakabins delivered and sited [SP]
Crew toilets delivered and sited [SP]
Production area bins delivered and sited [SP]
Back-stage Catering Set-up [SP]
09:00 Outdoor performance area [OPA] tents and furniture installed
10:00 LX installation begins [SP] Sound installation begins
Bar installation begins

Tuesday 14/05/13

09:00 LX installation continues [SP]
Sound installation continues
Bar install continues
17:00 Stage install
20:00 LX programming

Wednesday 15/05/13

09:00 Sound installation continues
Bar installation continues
Visual arts get-in
17:00 Show get-in continues
20:00 LX programming

Thursday 16/05/13

09:00 Public toilets [SP] delivered and sited [cleaning schedule (daily)]
Fundraising Gala get-in
Sound check for Gala
Bar installation completed
Gardens Catering set-up
14:00 Site Sign Off (Structures, Site and Electrics)
17:00 Final Set-up for Gala
19.00 – 01:00 Fundraising Gala

Friday 17/05/13

09:00 Spiegeltent set up
19:30 SP Doors open
20:00 Show 1
22:30 Show 2
02:00 Shutdown

Saturday 18/05/13

10:00 Catering Unit Inspections
10:30-18:00 Take To The Streets – outdoor and street performances
19:30 SP Doors open
20:00 Show 1
22:30 Show 2
02:00 Shutdown

Sunday 19/05/13

10:30-18:00 Take To The Streets – outdoor and street performances
19:30 SP Doors open
20:00 Show 1
22:30 Show 2
00:00 Shutdown

Monday 20/05/13

17:30 Performances [OPA]
19:30 SP Doors open
20:00 Show 1
22:30 Show 2
01:00 Shutdown

Tuesday 21/05/13

17:30 Performances [OPA]
19:30 SP Doors open
20:00 Show 1
22:30 Show 2
01:00 Shutdown

Wednesday 22/05/13

17:30 Performances [OPA]
19:30 SP Doors open
20:00 Show 1
22:30 Show 2
01:00 Shutdown

Thursday 23/05/13

17:30 Performances [OPA]
19:30 SP Doors open
20:00 Show 1
22:30 Show 2
01:00 Shutdown

Friday 24/05/13

17:30 Performances [OPA]
19:30 SP Doors open
20:00 Show 1
22:30 Show 2
02:00 Shutdown

Saturday 25/05/13

10:30-18:00 Take To The Streets – outdoor and street performances
11:00-22:00 Performances [OPA]
19:30 SP Doors open
20:00 Show 1
22:30 Show 2
02:00 Shutdown

Sunday 27/05/13

10:00-20:00 Spiegeltent get-out – Sound, LX and Bar

Monday 28/05/13 (bank holiday)

09:00-20:00 Spiegeltent get-out continues / Spiegeltent de-rigged and depart
Festival Gardens Infrastructure Dismantle and Collection commences
Festoon Derig
Public Toilets collected
Outside Performance Area and Bar Dismantled
Power Distribution de-rig
Generators decommissioned and collected
Portakabins First collection
Non-essential Trackway Collected

Tuesday 29/05/13

09:00-20:00 Festival Gardens get out continues
Remaining Track-way Collection
Remaining Portakabins Collection
Final Litter Pick
Production Area Bins Collected
Fencing and Barriers Collected

[remaining schedule TBC]

Wednesday 30/05/13

Time TBC Handover of keys to City Council and site sign-off

APPENDIX 5: SECURITY SCHEDULE (Provisional) – (Shifts in green are requested to be completed by First Aid trained security staff)

Date	Shift Times	Staff	Position/role	Type	Hours
12/05/2013	08:00-20:00	2	Spiegel tent area and vehicle access gate security	SIA	24
	20:00-08:00	2	Spiegel tent area and vehicle access gate security	SIA	24
13/05/2013	08:00-20:00	2	Spiegel tent area and vehicle access gate security	SIA	24
	20:00-08:00	2	Spiegel tent area and vehicle access gate security	SIA	24
14/05/2013	08:00-20:00	2	Spiegel tent area and vehicle access gate security	SIA	24
	20:00-08:00	2	Spiegel tent area and vehicle access gate security	SIA	24
15/05/2013	08:00-20:00	2	Spiegel tent area and vehicle access gate security	SIA	24
	20:00-08:00	2	Spiegel tent area and vehicle access gate security	SIA	24
16/05/2013	08:00-16:00	2	Spiegel tent area and vehicle access gate security	SIA	16
OPENING NIGHT	16:00-00:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	17:00-23:00	1	Spiegel tent area	SIA	6
	00:00-08:00	2	Spiegel tent area and vehicle access gate security	SIA	16
17/05/2013	08:00-17:00	2	Spiegel tent area and vehicle access gate security	SIA	18
	17:00-02:00	2	Spiegel tent area and vehicle access gate security	SIA	18
	17:00-02:30	1	Spiegel tent area	SIA	9.5
18/05/2013	02:00-10:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-18:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-18:00	3	Roving - Spiegel + Gardens	SIA	24
	10:00-18:00	1	Spiegel tent area	SIA	8
	18:00-02:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	20:00-08:00	1	Roving in the park	SIA	12
	18:00-02:30	1	Spiegel tent area	SIA	8.5
19/05/2013	02:00-10:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-18:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-17:00	1	Spiegel tent area	SIA	7
	10:00-18:00	3	Roving	SIA	24
	17:00-00:30	1	Spiegel tent area	SIA	7.5
	18:00-02:00	2	Spiegel tent area and vehicle access gate security	SIA	16
20/05/2013	02:00-10:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-18:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	17:00-01:30	1	Spiegel tent area	SIA	8.5

	18:00-02:00	2	Spiegel tent area and vehicle access gate security	SIA	16
21/05/2013	02:00-10:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-18:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	17:00-01:30	1	Spiegel tent area	SIA	8.5
	18:00-02:00	2	Spiegel tent area and vehicle access gate security	SIA	16
22/05/2013	02:00-10:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-18:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	17:00-01:30	1	Spiegel tent area	SIA	8.5
	18:00-02:00	2	Spiegel tent area and vehicle access gate security	SIA	16
23/05/2013	02:00-10:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-18:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	17:00-01:30	1	Spiegel tent area	SIA	8.5
	18:00-02:00	2	Spiegel tent area and vehicle access gate security	SIA	16
24/05/2013	02:00-10:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-18:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	17:00-02:30	1	Spiegel tent area	SIA	9.5
	18:00-02:00	2	Spiegel tent area and vehicle access gate security	SIA	16
25/05/2013	02:00-10:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-18:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-18:00	3	Spiegel tent area	SIA	16
	18:00-02:00	2	Spiegel tent area	SIA	16
CLOSING NIGHT	18:00-02:00	2	Spiegel tent area and vehicle access gate security	SIA	16
26/05/2013	02:00-10:00	2	Spiegel tent area and vehicle access gate security	SIA	16
	10:00-20:00	2	Spiegel tent area and vehicle access gate security	SIA	20
	20:00-08:00	2	Spiegel tent area and vehicle access gate security	SIA	24
27/05/2013	08:00-20:00	2	Spiegel tent area and vehicle access gate security	SIA	24
	20:00-08:00	2	Spiegel tent area and vehicle access gate security	SIA	24
28/05/2013	08:00-20:00	2	Spiegel tent area and vehicle access gate security	SIA	24
	20:00-08:00	2	Spiegel tent area and vehicle access gate security	SIA	24

APPENDIX 6: FIRST AID SCHEDULE

The event will be scored in compliance with the Event Safety Guide. Once this scoring has been done, appropriate medical cover will be requested.

An Initial look at the event (Gardens only) would indicate a scoring of <20 – which would require a cover of 4 first aiders when the public are in attendance.

Continued from previous page...

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

Norfolk & Norwich Festival event organisers undertake a consultation and planning development process with the local authority, statutory bodies, a professional security company, experienced stewards and other interested parties through a series of round table meetings. An operating schedule and risk assessment are developed alongside these meetings and distributed to all agencies and personnel. These documents outline the agreed policies and procedures of all aspects of the event, including the 4 licensing objectives and form the basis of briefings and documentation given to event personnel prior to the event. A professional security company and experienced stewarding staff will be in attendance throughout to ensure the smooth running and management of the events in the Festival Gardens. Security and stewarding staff will report directly to the Site Manager who will have responsibility for the management of the site delegated to them by NNF Management Team. All systems and procedures will be defined by the NNF Management Team in consultation with an experienced Safety Advisor. An emergency contact number for 'customer complaints' will be visibly displayed at entrances to Chapelfield Gardens and manned continuously so that anyone who has concerns can call.

b) The prevention of crime and disorder

Event organisers and the professional security company will work closely with Police to identify and plan for any potential threats to crime and disorder. The Police will be consulted before and during the event to minimise the impact of crime and disorder. Stewards and security will be located prominently and be visible throughout the event to manage crowds and report any issues to the Site Manager. SIA security will be employed as detailed in the security section of the Operating Schedule.

All Festival staff, stewards, Site Manager, along with Security Chief Steward will carry radios.

Any incident-reporting and authorising of remedial action will be done via Site Manager.

c) Public safety

A detailed risk assessment has been undertaken for the event as a whole and individual artists and performers are also supplying their own performance-related risk assessments. Appropriate measures will be taken to ensure the safety of all performers, staff and general public. Event equipment and structures will be stewarded or cordoned off to prevent public access where deemed appropriate. Stewards and security personnel will be located throughout the performance areas amongst the audience. Qualified first aiders will be in attendance throughout the event and in radio contact with the Site Manager. First aid will be provided in accordance with the risk assessment as defined in The Event Safety Guide. The detailed operating schedule and communication of all the contents to staff is a key part in ensuring the public safety of all. All catering equipment and outlets will be checked in accordance with local authority and outside catering guidelines.

d) The prevention of public nuisance

The event is oriented towards a family audience and public nuisance is not a major anticipated threat. Event organisers and the security company will work closely with the Police to identify and plan for any potential nuisance through round table meetings. Stewards will be briefed as to how to manage potential nuisance.

Noise nuisance will be minimised through controlled use of PA systems, each PA system clearly sited and scheduled, and levels kept within limits set by Norwich City Council Environmental Health. The layout of the site has been minimally revised from NNF12 and the refined technical specification of the PA system will remain to ensure that public nuisance is minimised. Programmed events in the late evenings will be for an 18+ audience.

The Festival Gardens opening times have been designed to maximise the impact of the event and minimise the potential of noise nuisance.

Consultation is being undertaken with surrounding residents and residents groups and a dedicated 'customer complaint' mobile number will be established which will be manned continuously.

Litter and recycling are key parts of the ethos of the Festival and therefore will be a key part of the management.

e) The protection of children from harm

A clear Lost Children policy with CRB checked staff is in place. Any leaders who are working with children will have relevant qualifications and CRB checks.

During the Family Weekend on Saturday 18 and Sunday 19 May and on the last Saturday of the Festival (25th May) a Lost Children's point will be managed by experienced CRB checked staff in radio contact with the Site Manager. The Lost Child point will be located at the Chapelfield Nursery and we will be working with Nursery staff to ensure child safety. At all other times when regulated entertainment is provided professional security and stewarding staff will be on the premises and they

Continued from previous page...

will be fully briefed on an appropriate lost children policy and procedure.

Where appropriate, age restrictions will be put on specific performances in the Spiegeltent.

The sale of alcohol will be strictly controlled.

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.

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

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

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

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

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

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

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

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

* Fee amount (£)

100.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS



APPENDIX B

NORFOLK
CONSTABULARY

Our Priority is You

Mr Ian Streeter
Licensing Manager
Norwich City Council
Norwich
NR2 1NH

Date: 15th January 2013

The Licensing Team

Floor 4 Vantage House
Fishers Lane
Norwich
NR2 1ET

Tel:

Fax:

Email: l

www.norfolk.police.uk

Non-Emergency Tel: 101

Dear Mr Streeter

Application for a Temporary Premises licence for Chapelfield Gardens for the Norfolk & Norwich Festival

I can confirm that the Police have received a copy of the temporary premises licence application for Chapelfield Gardens, Chapelfield East, Norwich, NR2 1SF for the annual Norfolk & Norwich Festival held from the 16th to 26th May 2013.

The Police do not anticipate this licence to cause an impact to the crime and disorder licensing objective as the application is the same as the previous year. However the following conditions used previously in 2012 are missing from the application for 2013 and the Police request these are again added:

- **Patrons will be prevented from taking any open drinking vessel off the site.**
- **Police will liaise with the organisers to ensure that plastic vessels are used in replacement of glasses where appropriate.**
- **The final written copy of the risk assessment will be submitted and agreed with Police and Licensing Authority 14 days prior to the event.**

With these Conditions added to the licence, the Police have no objections.

Yours faithfully,

Sue Woods
Licensing Officer



APPENDIX C

CORPORATE RESOURCES
09 JAN 2013
POST ROOM

Norwich City Council Licensing Authority
Licensing Act 2003

RECEIVED
-9 JAN 2013
LICENSING OFFICE

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

Your name/organisation name/name of body you represent (see note 1)	MR GRAHAM VOAK.
Postal address	FLAT 21 CHAPELFIELD EAST NORWICH NR2 1SF.
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	NORFOLK & NORWICH FESTIVAL
Address of the premises you wish to support or object to.	CHAPELFIELD GARDENS.

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>AS A RESIDENT OVERLOOKING THE CHAPELFIELD GARDENS THE NOISE FROM THE MUSIC IS SO VERY LOUD IT IS IMPOSSIBLE TO GET ANY RESPIRE LET ALONE ANY SLEEP WHILST THIS IS ONGOING. A FINISH TIME OF 2.AM IS TOTALLY UNACCEPTABLE! IF THIS IS THE SAME AGAIN, ^{AS PREVIOUS} I WILL HAVE TO VACATE MY HOME AS THE NOISE IS INTOLLERABLE. YOU ARE INVITED TO COME AND WITNESS THIS FOR YOURSELF. *</p>
To protect children from harm	
Please suggest any conditions which would alleviate your concerns.	<p>AN ELEVEN P.M CUT OFF POINT FOR THE RECORDED + LIVE MUSIC, MIDNIGHT AT THE VERY LATEST. THIS IS ONLY REASONABLE IN A RESIDENTIAL AREA.</p>

Signed:

Date: 3/1/13.

Please see notes on reverse

* I AM NOT A KILLJOY BUT I DO NEED TO GET SOME SLEEP BEFORE 2.00AM! AS DO MY FAMILY.

Norwich City Council Licensing Authority
Licensing Act 2003

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

REF 12/02460/PREM
12/02460/PREM

Your name/organisation name/name of body you represent (see note 1)	IRVIN GAIGG / CHAPELFIELD EAST FLATS / BLOCK B
Postal address	51 CHAPELFIELD EAST NR215F NORWICH
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	NORFOLK & NORWICH FESTIVAL CHAPELFIELD GARDENS
Address of the premises you wish to support or object to.	CHAPELFIELD EAST NORWICH NR215F

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	Object to the long opening over as the visitors of the event become louder and more drunk. Bottles have been smashed from people standing outside
Public safety	CHAPELFIELD HOST A KINDERGARDEN WHICH TAKES THE KIDS FOR A WALK AROUND IN THE GARDEN OBJECT TO LONG OPENING HOURS
To prevent public nuisance OBJECT	THE LONG OPENING HOURS PREVENT KIDS FAMILIES / RESIDENT OF BLOCK A & B OF SLEEP, THE NOISE FROM THE TENT, GENERATOR AND THROWING BOTTLES INTO THE RECYCLING BIN KEEPS PEOPLE.
To protect children from harm	BROKEN GLASS AND CANS FROM BYSTANDERS WHICH HAVE BEEN ATTRACTED FROM THE LOUD MUSIC CAN HARM KIDS FROM THE KINDERGARDEN

Please suggest any conditions which would alleviate your concerns.	ACTIVITIES & OPERATIVE TIMES SD - THURSDAY 10:00 - 22:30 FRI - SATURDAY 10:00 - 01:00 MOVE THE GENERATOR FURTHER AWAY FROM RESIDENTS
--	---

Signed:

CORPORATE RESOURCES

16 JAN 2013

Please see notes on reverse

POST ROOM

Date: 11.01.2013

RECEIVED

16 JAN 2013

LICENSING OFFICE

Norwich City Council Licensing Authority
Licensing Act 2003

RECEIVED

- 7 JAN 2013

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

LICENSING OFFICE

Your name/organisation name/name of body you represent (see note 1)	EMMY BURNE CHAPELFIELD NURSERY
Postal address	CHAPELFIELD EAST NORWICH
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	NNF 2013
Address of the premises you wish to support or object to.	Augustine Steward House 4 Toland, Norwich

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	Support
Public safety	Support
To prevent public nuisance	Support
To protect children from harm	Support

Please suggest any conditions which would alleviate your concerns.	N/A
--	-----

Signed:

Date: 2/1/13

Please see notes on reverse



APPENDIX D

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’, ie 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

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.

26. Objective – protection of children from harm

26.1 The council will consult with the appropriate area child protection committee for consideration of all applications for licences.

26.2 With a view to the promotion of the licensing objective relating to the protection of children from harm the council will work closely with the police and trading standards authority to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol products to children (for Minor Sales Major Consequences

information please contact trading standards on 0844 800 8013 (trading.standards@norfolk.gov.uk).

26.3 Applicants should be aware that the protection of children from harm includes the protection of children from moral, psychological and physical harm and this includes the protection of children from exposure to strong language, sexual expletives and gambling. In certain circumstances children are more vulnerable and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, the unpredictability of their age and their lack of understanding of danger.

26.4 There should be no presumption of giving children access nor any presumption of preventing their access to licensed premises. Where no licensing restriction is necessary, the admission of children will remain entirely a matter for the discretion of the individual licensee or club, or person who has given a temporary event notice.

26.5 Applicants must ensure that children will not be allowed access into premises when licensable activities involving eg topless female bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language. The council has given particular consideration to the types of entertainment referred to above, and has included within this policy their expectations of applicants in section A, paragraph 17.

26.6 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 protect children from harm, relevant to the

individual style and characteristics of their premises and the licensable activities for which a licence is being sought.

26.7 While children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration and no policy can anticipate every situation. **When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that may particularly impact on harm to children have been considered.** These include:

- where entertainment or services of an adult or sexual nature are commonly or regularly provided
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
- where there has been a known association with drug taking or dealing
- where there is a strong element of gambling on the premises
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

26.8 The council commends the Portman Group code of practice on the naming, packaging and promotion of alcoholic drinks. The code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years or older. **The council will expect all licensees to agree not to replenish their**

stocks following notification of a retailer alert bulletin by the Portman Group in relation to any product that is in breach of that code. Commitment to that code should be included in operating schedules.

26.9 The following examples of control measures are given to assist applicants

and are considered to be amongst the most essential that applicants should take account of in their operating schedule, having regard to their particular type of premises and/or activities:

- Effective and responsible management of premises.
- Provision of a sufficient number of people employed or engaged to secure the protection of children from harm.
- Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm.
- Adoption of best practice guidance (eg Minor Sales Major Consequences).
- Ensure that all drinks containers carry a price tag or other sticker that identifies your premises. This will be a useful tool for working with authorities to tackle underage drinking if problems arise.
- Limitations on the hours when children may be present, in all or parts of the premises.
- Limitations or exclusions by age when certain activities are taking place.
- Imposition of requirements for children to be accompanied by an adult.
- Train staff to deal with – and be vigilant about – potentially harmful situations, eg children in the presence of adults who are excessively drunk.
- Acceptance of accredited proof of age cards and/or new type driving licences with photographs, or passports.
- Measures to ensure children do not purchase, acquire or consume alcohol.
- Measures to ensure children are not exposed to incidences of violence or disorder.

These examples can be adopted in any combination.

26.10 In the case of film exhibitions, licence and certificate holders and those who have given notice of a temporary event within the terms of the 2003 Act should implement measures that restrict children from viewing restricted films classified according to the recommendations of the British Board of Film Classification or the council.

26.11 In premises where there may be children unaccompanied by adults any supervisors must have undergone appropriate checks through the Criminal Records Bureau.

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.

APPENDIX E

National Guidance

(issued under section 182 of the Licensing Act 2003)

PUBLIC NUISANCE

2.33 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.

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

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

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

2.37 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.

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

2.39 In the context of preventing public nuisance, it is again essential that conditions are focused on measures within the direct control of the licence holder or club. Conditions relating to public nuisance caused by the anti-social behaviour of customers once they are beyond the control of the licence holder, club or premises management cannot be justified and will not serve to promote the licensing objectives. However, premises should have adequate dispersal policies (where appropriate) in place to ensure that customers leave the premises promptly and with minimal disruption to those in the surrounding area.

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

PROTECTION OF CHILDREN FROM HARM

2.41 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment).

2.42 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or

- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.43 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm.

2.44 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.45 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.46 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

PROPOSED CONDITIONS

10.6 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.

10.7 In order to minimise problems and the necessity for hearings, it would be sensible for applicants and clubs to consult with responsible authorities when schedules are being prepared. Proper liaison may avoid the need for representations.

10.8 Conditions should be appropriate, proportionate and justifiable in meeting the licensing objectives. They should be written in a prescriptive format and be readily understood and enforceable.

10.9 It is also 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. Conditions should be appropriate for the promotion of the licensing objectives and easily enforceable.

CONSISTENCY WITH STEPS DESCRIBED IN OPERATING SCHEDULE

10.10 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.

10.11 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

10.12 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.

10.13 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

10.14 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.

10.15 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. Consideration should also be given to wider issues such as conditions already in place that address the potential negative impact on the promotion of the licensing objectives and the track record of the business. The physical safety of those attending such events should remain a primary objective.

Hours of trading

10.11 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.

10.12 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.

10.13 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.