

# **NORWICH CITY COUNCIL**

## **Report for Resolution**

**Report To** Licensing Sub-Committee  
11 February 2010

**Report of** Head of Legal, Regulatory & Democratic Services

**Subject** Licensing Act 2003:  
Application for the Grant of a Premises Licence -  
The Narthex Cathedral of St John the Baptist  
Unthank Road Norwich NR2 2PA

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### **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 to grant a Premises Licence in respect The Narthex Cathedral of St John the Baptist Unthank Road Norwich NR2 2PA following the receipt of Interested Party objections.

### **Recommendation**

That Members determine the application to grant a Premises Licence in respect of The Narthex Cathedral of St John the Baptist Unthank Road Norwich NR2 2PA in accordance with the:

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

### **Financial Consequences**

The financial consequences for this report are nil.

### **Corporate Objective/Service Plan Priority**

The report helps to achieve the service plan priority of protecting the interests of the public through the administration of the licensing function.

**Contact Officer**  
**Ian Streeter**

**Phone No 212439**

### Background Documents

The Licensing Act 2003  
Guidance issued under Section 182 of the Licensing Act 2003  
Norwich City Council Statement of Licensing Policy

## 1.0 The Application

- 1.1 The applicant is the Roman Catholic Diocese of East Anglia.
- 1.2 The Narthex is a new community facility directly attached to the Cathedral of St John the Baptist providing access to assembly and social areas, toilets, refectory and shop.
- 1.3 This grant application seeks to allow the provision of regulated entertainment, entertainment facilities, late night refreshment and the supply of alcohol at the premises.
- 1.4 The details of the Operating Schedule are as follows:

1.4.1 The Licensable Activities are:

- Plays (indoors and outdoors)
- Films (indoors and outdoors)
- Indoor sporting events
- Live Music (indoors and outdoors)
- Recorded Music (indoors and outdoors)
- Performances of Dance (indoors and outdoors)
- Anything of a similar description to live music, recorded music and performances of dance (indoors and outdoors)
- Provision of Facilities for Making Music (indoors and outdoors)
- Provision of Facilities for Dancing (indoors and outdoors)
- Provision of facilities for entertainment of a similar description to making music and dancing (indoors and outdoors)
- Late Night Refreshment (indoors and outdoors)
- Supply of Alcohol (for consumption on and off the premises)

1.4.2 The proposed standard days and hours for the licensable activities are:

• Plays	06:00 – 02:00	Sun – Mon
• Films	06:00 – 02:00	Sun – Mon
• Live Music	06:00 – 02:00	Sun – Mon
	06:00 – 06:00	New Years Eve
• Recorded Music	06:00 – 02:00	Sun – Mon
	06:00 – 06:00	New Years Eve
• Performances of Dance	06:00 – 02:00	Sun – Mon
	06:00 – 06:00	New Years Eve
• Anything of a similar description	06:00 – 02:00	Sun – Mon
	06:00 – 06:00	New Years Eve
• Provision of Music Facilities	06:00 – 02:00	Sun – Mon
	06:00 – 06:00	New Years Eve
• Provision of Dance Facilities	06:00 – 02:00	Sun – Mon
	06:00 – 06:00	New Years Eve
• Facilities of a similar description	06:00 – 02:00	Sun – Mon
	06:00 – 06:00	New Years Eve

• Late Night Refreshment	23:00 – 05:00	Sun – Mon
• Sale by Retail of Alcohol	06:00 – 02:00	Sun - Mon
	06:00 – 06:00	New Years Eve

1.4.3 The opening hours requested are:

00:00 – 24:00      Sun – Mon

1.4.4 The steps proposed by the applicant to support the Licensing Objectives are attached to the report as Appendix A.

1.4.5 Following discussions with Environmental Services, the applicant has proposed to include an additional condition within their operating schedule:

‘Regulated entertainment in the outside areas of the licensed area should be inaudible at the nearest noise sensitive premises after 23:00 on any day’.

## **2. Relevant Representations**

2.1 The responses from the Responsible Authorities are as follows:

Police – No representations.  
 Environmental Services – No representations.  
 Fire Officer – No representations.  
 Planning Officer – No representations.  
 Area Child Protection Committee – No representations.  
 Trading Standards – No representations.

2.2 Representations objecting to the application have been received from Interested Parties with concerns relating mainly to the licensing objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance. Copies of these representations are attached to the report at Appendix B. Representations have also been received in support of the application and these are attached at Appendix C.

2.3 A site map of the area identifying the application premises is attached as Appendix D. A more detailed map of the area detailing the Interested Party addresses will be available at the meeting.

## **3.0 Norwich City Council Statement of Licensing Policy**

3.1 Attached at Appendix E are the elements of the City Council’s local Licensing Policy which are considered to have a bearing upon the application:

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

4.1 Attached at Appendix F are the elements of the National Guidance issued by the Secretary of State that are considered to have a bearing upon the application.

## 5.0 Summary

- 5.1 The Sub-Committee is obliged to determine this application with a view to promoting the licensing objectives which are:

the prevention of crime and disorder;  
public safety;  
the prevention of public nuisance;  
the protection of children from harm.

- 5.2 In making its decision, the Sub-Committee is also obliged to have regard to guidance issued under Section 182 of the Licensing Act 2003 (National Guidance) and the Council's own local licensing policy. The Sub-Committee must also have regard to all of the representations made and the evidence it hears.

- 5.3 The Sub-Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the application as asked;
- Modify the conditions of the licence by altering or omitting or adding to them;
- Reject the whole or part of the application

- 5.4 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 necessary in order to promote the licensing objectives.

- 5.5 The representations received from the Responsible Authority and the Interested Parties appear to relate to issues that fall under the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. The Sub-Committee is directed to paragraphs 21 and 25 of the local licensing policy at Appendix E which contain examples of factors that impact on the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance that the applicant could consider when addressing these issues. These paragraphs also contains examples of control measures that may be taken into account in operating schedules having regard to the type of premises and/or the licensable activities.

- 5.6 Insofar as the issue of licensing hours is concerned, the Sub-Committee is directed to paragraph 13.41 of the national guidance, which states that licensing hours should not inhibit the development of evening and night-time local economies, and that providing consumers with a greater choice and flexibility is an important consideration. However, this should always be carefully balanced against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet. The Sub-Committee is also directed to paragraph 31.7 a) of the local licensing policy, authorising the restriction of licensing hours, where the licensing authority believes, on the basis of representations, that to not do so would exacerbate public nuisance.

The Committee must decide whether there is a strong enough case for the restriction of licensing hours, based on the representations made, to promote the licensing objectives.

- 5.7 The Sub-Committee is also reminded of the contents of appendices 2 and 4 of the local licensing policy (not re-produced in this report) that contain pools of model conditions relating to the prevention of crime and disorder and the prevention of public nuisance.

# APPENDIX A

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

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 9)

**b) The prevention of crime and disorder**

The Narthex will have well-trained staff and volunteers on duty who are vigilant and experienced. There will be well-lit public areas and a comprehensive alarm system that is linked through to Cathedral House. The venue will only be hired out to respectable groups and societies with references provided where applicable. There will be well-trained bar staff and terms and conditions of hire, together with contracts, will be drawn up for external use of the building.

**c) Public safety**

The Narthex will have well-trained staff and volunteers and a well-maintained venue. Risk Assessments will be undertaken, periodically updated and acted on as necessary. Fire drills and evacuation procedures will be carried out regularly and the building will have comprehensive signage. The Narthex will be a well-equipped and well-maintained building that adheres to all access and Health & Safety requirements.

**d) The prevention of public nuisance**

The Narthex will have well-trained staff and volunteers who are vigilant and experienced. Booking forms and contracts will include a request that those who hire the premises respect the neighbours - especially on leaving the premises. Notices will also be posted to that effect. The Narthex is within the grounds of the Roman Catholic Cathedral and adjacent to the Plantation Gardens, not particularly close to residential buildings. As such, it is considered that the activities that are proposed are unlikely to cause public nuisance.

**e) The protection of children from harm**

The Narthex will have well-trained staff and volunteers who have all been CRB checked. When the premises are hired out for functions at which children will attend, the hirer will agree to terms and conditions concerning the protection of children. An Under 21 policy will be observed and photographic ID required as necessary - in relation to the sale of alcohol.

Norwich City Council Licensing Authority  
Licensing Act 2003

APPENDIX  
B

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

Your name/organisation name/name of body you represent (see note 1)	MRS MARY TYRIE RESIDENT
Postal address	1 ROYAL ARCH COURT EARLHAM ROAD, NORWICH NR2 3RU
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	ST JOHN'S CATHEDRAL NARTHEX
Address of the premises you wish to support or object to.	EARLHAM ROAD NORWICH.

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

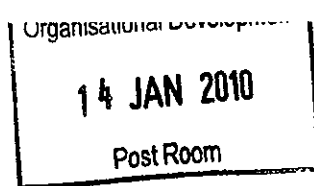
Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	PLEASE SEE LETTER ATTACHED
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Signed:

Date: 13-1-10

Please see notes on reverse



Mrs Mary R Tyrie  
1 Royal Arch Court  
Earlham Road  
Norwich, Norfolk, NR2 3RU

Email:

13<sup>th</sup> January 2010

Legal and Democratic Services  
Norwich City Council  
St Peter's Street  
NORWICH  
NR2 1NH

**For the attention of Mr I Streeter, Licensing Manager**

**Re: The Narthex Social Club, Cathedral of St John the Baptist**  
**Your Ref: 09/02343/Prem**

Thank you for your letter of 29<sup>th</sup> December regarding the application for licensing changes. I object to some of the details applied for in that licence for the following reasons:

- 1 To prevent public nuisance I would request that the licence for the retail sale of alcohol be restricted to 11pm at night. Special conditions could be attached to the licence for special events such as weddings, etc.
- 2 Licensing for outdoor music, plays, films, dancing, or anything of a similar nature to be limited to 11pm and restricted to indoors only after that time except for a maximum number of perhaps ten per year.
- 3 I have no objection to a cafeteria being opened all day from 10am – 5pm, although parking may become a problem in that respect if the expected amount of customers increases as much as they are hoping.
- 4 Parking in the immediate area is a problem (especially on a Sunday) for all the local residents including the local bed and breakfast places up and down this road. This development is going to exacerbate the problem and with the blind corner at the Cathedral and the difficult exit there are sure to be some serious accidents and delays.
- 5 This is a residential area and we have already had problems with windows being broken, etc and I feel sure that these problems will escalate if the full licences applied for are granted. By reducing the scope of the licenses applied for it will ensure that firm control will be exercised to the complete satisfaction of all those living in the area.



- 6        The application for "Late Night Refreshment (Both Indoors and Outdoors)" will cause much disturbance to us local residents as this licence covers from 11pm – 5am, so in fact, that is giving the social club a 24-hour alcohol licence. Not many folk will want tea and scones between 11pm and 5am.

I look forward to attending the Planning Committee meeting.

Yours faithfully

Mary Tyrie (Mrs)

Enc

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

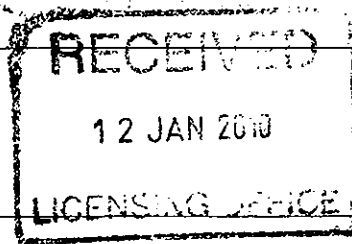
**Statement of support or objection to  
an application for a premises licence**

<b>Your name/organisation name/name of body you represent (see note 1)</b>	MRS SHIRLEY MARY MORTON
<b>Postal address</b> 52, ROYAL ARCHBOUT NR2 3RU	
<b>Email address</b>	
<b>Contact telephone number</b>	

<b>Name of the premises you wish to support or object to</b>	ST. JOHN CATHEDRAL
<b>Address of the premises you wish to support or object to.</b>	UNITANK RD. NORWICH.

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

<b>Licensing Objective</b>	<b>Please set out your support or objections below. Please use separate sheets if necessary</b>
To prevent crime and disorder	PLEASE SEE ENCLOSED SHEETS.
Public safety	
To prevent public nuisance	
To protect children from harm	



<b>Please suggest any conditions which would alleviate your concerns.</b>	
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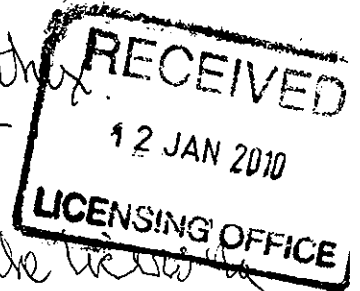
Signed:

Date: 11.1.2010

**Please see notes on reverse**



Re St. John's Northex



Upon receiving the copy of the licensing application for the building known as the "Northex" at St John's Cathedral Leaden Rd

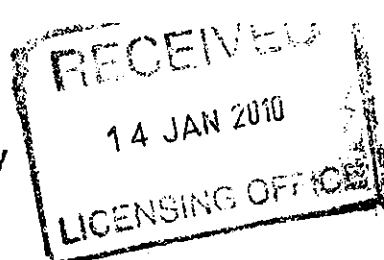
I was horrified, you must be aware of the complex of flats directly opposite the church occupied by retired elderly people, none of whom I am sure were expecting to be subjected to the noise and congestion into the early hours of the morning when twenty four hours of "Opening time" will inevitably bring.

3 year that as a resident of Nagai. 17 ver  
count we are all facing the discount  
of chaos, noise pollution and general  
upheaval. I therefore must vote  
most strongly against giving permits  
for twenty four hours licensing.

14 JAN 2010

Post Room

Norwich City Council Licensing Authority  
Licensing Act 2003



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

Your name/organisation name/name of body you represent (see note 1)	DAVID LEVY CHAIN OF TRUSTEES
Postal address	NORWICH CENTRE FOR PERSONAL AND PROFESSIONAL DEVELOPMENT 7 EARLHAM ROAD, NR2 3RA
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE NARTHEX CATHEDRAL OF ST JOHN THE BAPTIST
Address of the premises you wish to support or object to.	UNTHANK ROAD NR2 2PA

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	THERE HAVE BEEN A NUMBER OF REPORTED CRIMES IN THIS AREA OF LATE - THIS POTENTIAL FOR MORE
Public safety	LATE NIGHT ALCOHOL CONSUMPTION CAN NOT BE CONDUCTIVE TO IMPROVING PUBLIC SAFETY IN THE AREA AROUND OUR PROPERTY -
To prevent public nuisance	EARLHAM ROAD / UNTHANK ROAD
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	MUCH TIGHTER RESTRICTIONS OF LICENCING HOURS
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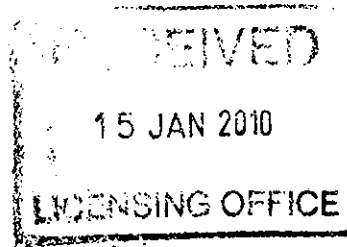
Signed:

Date: 13/01/2010

Please see notes on reverse

Norwich City Council Licensing Authority  
Licensing Act 2003

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



Your name/organisation name/name of body you represent (see note 1)	West Pottergate Tenants' & Residents' Association
Postal address	15 West Pottergate Norwich NR2 4BN
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Narthex, Cathedral of St John the Baptist
Address of the premises you wish to support or object to.	Untham Road, Norwich, NR2 2PA

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	See enclosed objections
To prevent public nuisance	/
To protect children from harm	/

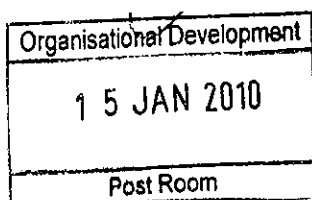
Please suggest any conditions which would alleviate your concerns.	
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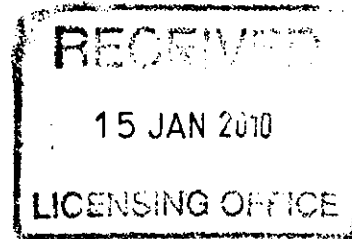
Signed:

Date:

13-1-2010

Please see notes on reverse





Reference 09/02343/PREM

**The Narthex, Cathedral of St John the Baptist.**

**Objections to grant of Premises Licence by West Pottergate Tenants' & Residents' Association.**

The West Pottergate Tenants' and Residents' Association oppose the grant of a Premises Licence for the narthex of the cathedral of St John the Baptist because it would be prejudicial to public safety for the residents of Paragon Place.

This opposition is put forward on the following grounds:

1. The provision of car parking at St John's Cathedral is very limited. As a result, visitors to the cathedral regularly park their vehicles in Paragon Place and Earlham Road. This is a regular occurrence on Sunday mornings and at other times when there are major events at the cathedral.
2. The vehicles parked in Paragon Place are parked at will, without regard to any parking regulations in force for the street, and in Earlham Road often very close to the junction with Paragon Place.
3. The result of irresponsible parking in Paragon Place is the likelihood that access to emergency vehicles, especially fire engines and ambulances, will be dangerously restricted, if not entirely prohibited, by vehicles parked on both sides of Paragon Place. This clearly constitutes a matter of public safety for the residents in Paragon Place and adjacent properties.
4. The grant of a premises licence for the narthex of St John's Cathedral may well cause the irresponsible parking of vehicles in Paragon Place and Earlham Road to be repeated at other times when special events are held at the

cathedral, especially during the night. In addition to the problem of irresponsible parking there may well be the noise occasioned by the slamming of car doors and driving off of vehicles.

These are matters that are of real concern to the residents of Paragon Place and must be taken into account when the grant of a Premises Licence for the Narthex of St John's Cathedral is considered.



# APPENDIX C

Norwich City Council Licensing Authority  
Licensing Act 2003

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

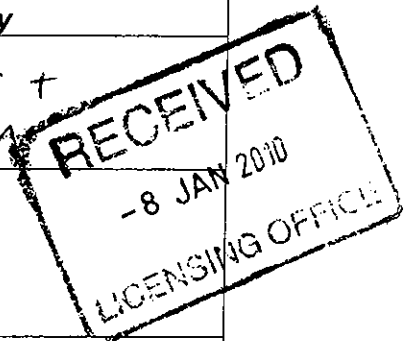


Your name/organisation name/name of body you represent (see note 1)	ROSALIND NICHOLSON
Postal address	42 Royal Arch Court
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Northcote
Address of the premises you wish to support or object to.	NR2 2PA

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	I have not any objections + I support this application
Public safety	u
To prevent public nuisance	Us elderly people who would use the premises <del>like</del> promise not to cause a nuisance
To protect children from harm	Be



Please suggest any conditions which would alleviate your concerns.	
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Signed:

Date: 6. 1. 10

Please see notes on reverse

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

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

Your name/organisation name/name of body you represent (see note 1)	M R A. T. HOLLAND } (Residents) M R S K. HOLLAND }
Postal address	35 ROYAL ARCH COURT EARLHAM ROAD NORWICH NR2 3RU
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE NARTHEX, CATHEDRAL OF ST. JOHN THE BAPTIST.
Address of the premises you wish to support or object to.	UNTHANK ROAD NORWICH NR2 2PA

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	We consider that the application will, if granted, be a positive influence for the general good and that it will pose no threat of crime or disorder at all. We therefore enthusiastically support it.
Public safety	We consider that the application poses no threat to public safety. Furthermore, it will enhance wheelchair access. We therefore support it.
To prevent public nuisance	We consider there is no threat of public nuisance in this application. - Quite the reverse, it will be a positive influence for the good. We therefore support it.
To protect children from harm	We consider there is no danger to children as a result of this application. Again, the activities will provide a positive influence. We therefore support it.

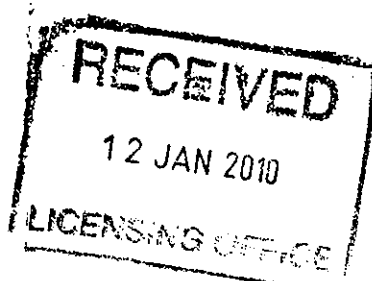
Please suggest any conditions which would alleviate your concerns.	
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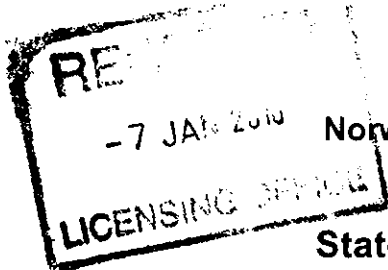
Signed:

Date:

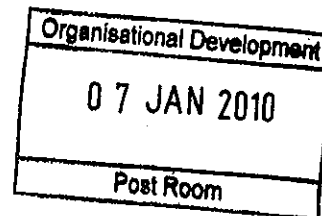
11<sup>th</sup> JANUARY 2010

Please see notes on reverse





Norwich City Council Licensing Authority  
Licensing Act 2003



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

Your name/organisation name/name of body you represent (see note 1)	JULIAN PETER MARSH
Postal address	12 UNTHANK RD NORWICH - NR2 2PA
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Norwich of St John's RC Cathedral
Address of the premises you wish to support or object to.	<del>St John's Rd</del> & Unthank Rd, Norwich NR2 2PA

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	The Norwich will provide a meeting place for socialising and fostering goodwill + harmonious relations
Public safety	
To prevent public nuisance	
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	
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Signed:

Date:

6th January 2010.

Please see notes on reverse

14 JAN 2010

Post Room

Norwich City Council Licensing Authority  
Licensing Act 2003

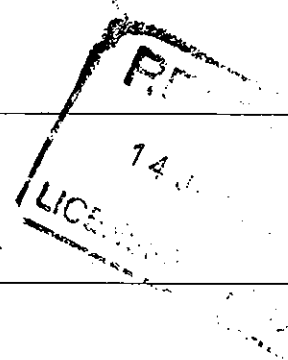
Statement of support or objection to  
an application for a premises licence

Your name/organisation name/name of body you represent (see note 1)	MRS ISABEL BUNTING
Postal address	30 ROYAL ARCH COURT NORWICH NR2 3RU
Email address	/
Contact telephone number	

Name of the premises you wish to support or object to	ST. JOHN THE BAPTIST NARTHEX
Address of the premises you wish to support or object to.	UNTHANK Road 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	I AM IN SUPPORT
Public safety	I SUPPORT
To prevent public nuisance	I SUPPORT
To protect children from harm	I SUPPORT



Please suggest any conditions which would alleviate your concerns.	
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Signed:

Date: 11. 1. 2010

Please see notes on reverse

Norwich City Council Licensing Authority  
Licensing Act 2003

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

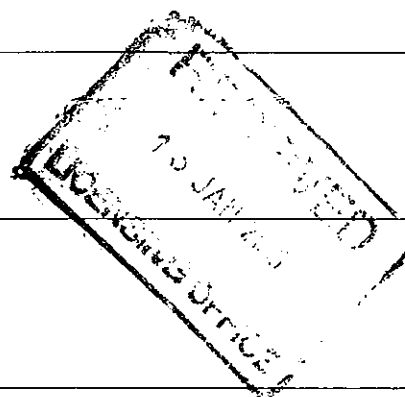
Organisational Development
13 JAN 2010
Post Room

Your name/organisation name/name of body you represent (see note 1)	MRS JOAN BIRD
Postal address	12 ROYAL ARCH COURT. EARLHAM RD NORWICH NR2 3RU.
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE NARTHEX, CATHEDRAL OF ST. JOHN THE BAPTIST.
Address of the premises you wish to support or object to	UNTHANK RD. NORWICH NR2 2PA.

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	
To protect children from harm	



Please suggest any conditions which would alleviate your concerns.	
--	--

Signed:

Date:

8/1/2010.

Please see notes on reverse

Norwich City Council Licensing Authority  
Licensing Act 2003

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

Organisational Development
13 JAN 2010
Post Room

Your name/organisation name/name of body you represent (see note 1)	BASIL and DOROTHY TSCHAIKOV
Postal address	FLAT 31 Royal Arch Court Earham Road NR2 3RU
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The NARTHEX Cathedral of St. John The Baptist
Address of the premises you wish to support or object to.	

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

RECEIVED  
13 JAN 2010  
LICENSING OFFICE

Please suggest any conditions which would alleviate your concerns.	
--	--

Signed:

Date: 9 January 2010

Please see notes on reverse

Norwich City Council Licensing Authority  
Licensing Act 2003

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

Your name/ <del>organisation name</del> /name of <del>body you represent</del> (see note 1)	MRS M. M. HULME
Postal address	5, Royal Arch Court Earlham Rd, Norwich NR2 3RU
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Warthex Cathedral of St. John The Baptist
Address of the premises you wish to support or object to.	Unthank Rd Norwich NR2 2PA

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	<p>I support this application and have no concerns about any of these sections</p>
Public safety	
To prevent public nuisance	
To protect children from harm	

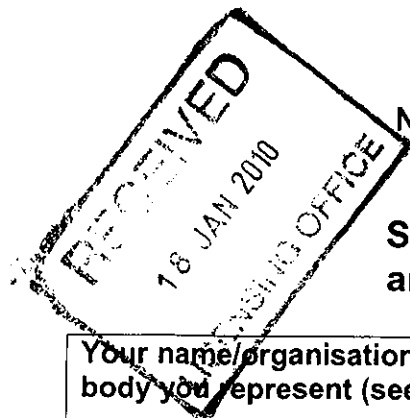
Please suggest any conditions which would alleviate your concerns.	
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Signed:

Date:

08 - 01 - 2010

Please see notes on reverse



Norwich City Council Licensing Authority  
Licensing Act 2003

Organisational Development
18 JAN 2010
Post Room

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

Your name/organisation name/name of body you represent (see note 1)	TREVOR + EENA GREEN
Postal address	29 ROYAL ARCH COURT EARLHAM RD NORWICH NR2 3RU
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE NARTHEX, CATHEDRAL OF ST. JOHN THE BAPTIST
Address of the premises you wish to support or object to.	UNTHANK RD NORWICH NR2 2PA

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	We support the proposal for the new licence & see no problems under the four areas listed.
Public safety	
To prevent public nuisance	
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	S
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Signed:

Date: 11.1.10

Please see notes on reverse



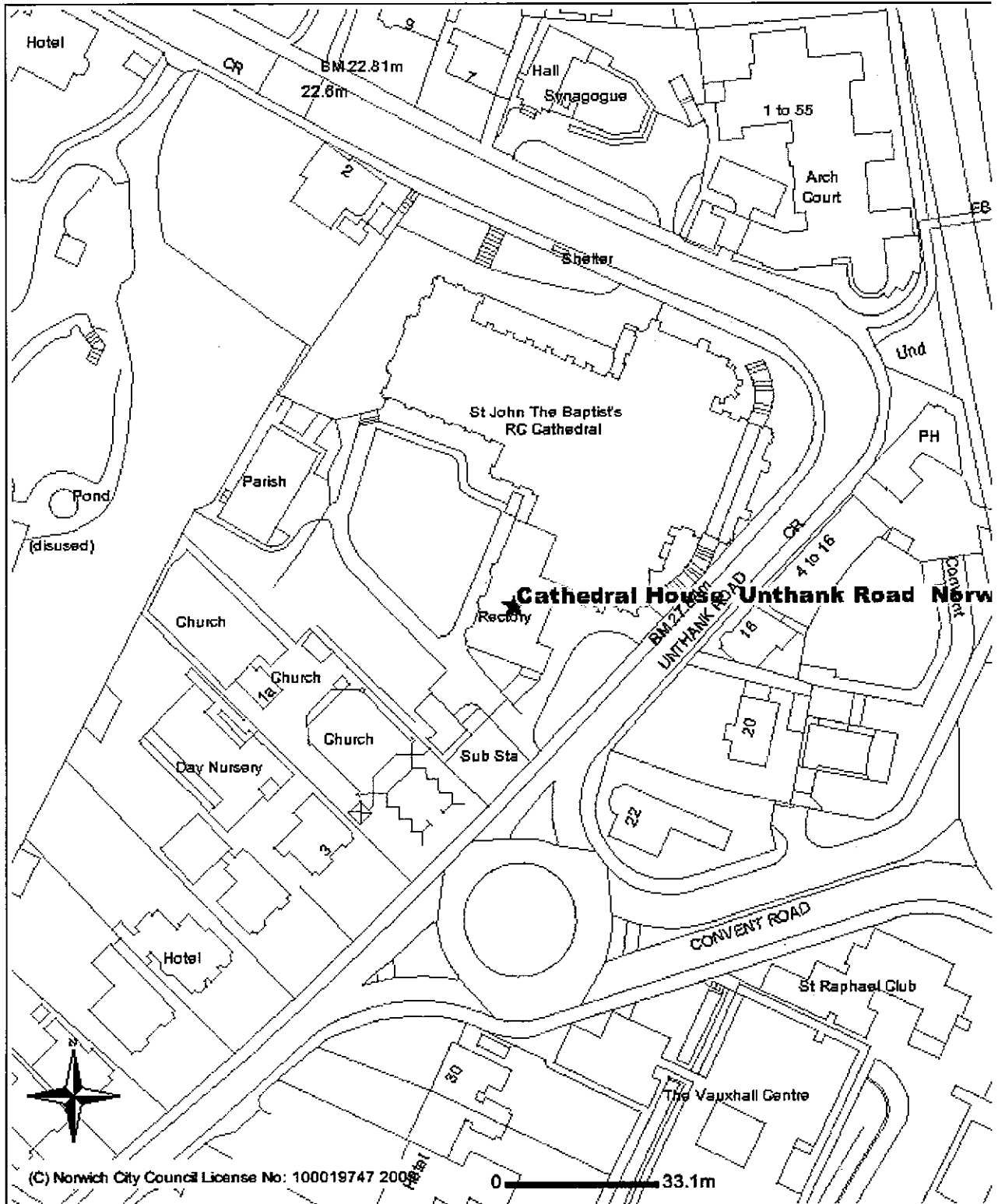
# APPENDIX D



**NORWICH**  
City Council

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# APPENDIX E

## 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.

### 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" 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.

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', in that it must relate to the likely effect of granting the licence on the promotion of at least one of the four licensing objectives. Representations, which 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 necessary 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 level of likely car parking demand on principal roads and surrounding residential streets and its effect on local residents, in comparison with the existing situation, and the effect on residential parking and emergency access;
- 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 A Premises Supervisor must be specified in the Operating Schedule for a premises, in which alcohol will be sold ('Designated Premises Supervisor' DPS). The DPS will have responsibility for running the premises on a daily basis. They should normally be present on the licensed premises on a regular basis. In addition to the DPS holding a personal licence, they should either undergo additional training, or to be able to demonstrate they have the experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.

**13.2 There must be proper management arrangements in place in all licensed premises, whether or not alcohol is sold or not, which will ensure there is an appropriate number of responsible, trained/instructed persons at the premises to provide the proper management of the premises, the activities taking place and compliance with all statutory responsibilities and the terms and conditions of the premises licence.**

## LICENSING OBJECTIVES

### 21.0 Objective - Prevention of Crime and Disorder

21.1 Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on the City Council, and others, to consider crime and disorder reduction in the exercise of all their duties. The Licensing Act 2003 reinforces this duty for local authorities.

21.2 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. **Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and the licensable activities at those premises.**

21.3 When addressing the issue of crime and disorder, the applicant should demonstrate that all those factors that impact on crime and disorder have been considered. These include:

- Underage drinking
- Drunkenness on premises
- Public drunkenness
- Keeping Illegal activity like drug taking and dealing, offensive weapons and sales of contraband or stolen goods away from the premises.
- Preventing disorderly and potentially violent behaviour on and outside the premises.
- Reducing Anti-social behaviour and Disorder inside and outside the premises
- Litter
- Unauthorised advertising
- Protecting people and property from theft, vandalism and assault
- Guard against glasses and bottles being used as weapons or causing accidents.

21.4 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or licensable activities:

- Effective and responsible management of premises
- Training and supervision of staff
- Employ sufficient numbers of staff to keep numbers down of people awaiting service
- Provide sufficient seating for customers
- Patrols of staff around the premises
- Ensure sufficient lighting and visibility, removing obstructions if necessary, to discourage illegal activity.
- Introduce an entry policy – making people aware of it – and apply it consistently and fairly
- Implement a search policy to prevent drugs, offensive weapons etc being brought onto the premises
- Implement effective management of entrance queues – incorporating barriers if necessary
- Adoption of best practice guidance e.g. Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit, Minor Sales Major Consequences, Clubbing against Racism and other voluntary codes of practice, including those relating to drinks promotions e.g. The Point of Sale Promotions published by the British Beer and Pub Association (BBPA), Security in Design published by BBPA and Drugs and Pubs, published by BBPA
- Acceptance of accredited 'proof of age' cards e.g. Portman proof of age cards, Citizencard, Connexions Card and/or 'new type' driving licences with photographs, or passports
- Provision of effective CCTV in and around premises
- Employment of Security Industry Authority licensed door staff to manage the door and minimize disorder

Ensure glasses are collected on an on going basis, make regular inspections for broken glass and clear up.  
 Provision of toughened or plastic drinking vessels and bottles  
 Provision of 'bottle bins' inside the premises and near exits.  
 Provision of secure, deposit boxes for confiscated items i.e. Operation Enterprise Drug and Weapon Amnesty Safe's  
 Information displayed for staff and customers on Drug Awareness including the 'spiking' of drinks with drugs.  
 Provision of litterbins and other security measures, such as lighting, outside premises  
 Membership of local 'Pubwatch' schemes or similar accreditation schemes or organizations ie Operation Enterprise.  
 Responsible advertising  
 Distribution of promotional leaflets, posters etc.  
 Drug Seizure Kits (available from Norfolk Police Operation Enterprise)  
 Member of the 'NiteLink' radio scheme  
 Working in partnership with the SOS Bus scheme  
 Ban known offenders and share information with other licensed premises in the area  
 Implement a dispersal policy  
 Introduce a 'closed door' policy, with attendance prohibited for new customers 2-3 hours before licensable activities finish

## 25.0 Objective - Prevention of Public Nuisance

- 25.3 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.
- 25.7 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 23.00 and 07.00
  - 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

25.8 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, e.g. 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 (e.g. garden areas) of premises, including such matters as deliveries i.e not too early in the morning
- Adoption of best practice guidance (e.g. 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 2-3 hours before licensable activities finish.
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

## SECTION E - Hours of Trading

31.7 The policy options which will be applied to applications for premises licences where the sale or supply of alcohol for consumption on the premises is proposed, are as follows:

- a) **The Council will consider restricting the hours if it believes, on the basis of representations made, that not doing so would lead to or exacerbate problems of crime, disorder or public nuisance.**
- b) Where no relevant representations are received from either a responsible body or an interested party, the application will be granted in accordance with the terms of the operating schedule.
- c) Where relevant representations are received from either a responsible body or an interested party, and those representations relate to the hours of trading then subject to (a) above, the Council will consider restricting the hours in relation to any of the licensable activities for which a licence is being sought, provided it is considered necessary to do so in order to promote one or more of the licensing objectives which may not be achieved without such restrictions. The Council may impose different restrictions on hours for different licensable activities and for different days of the week.



# **APPENDIX F**

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

### **Standardised Conditions**

- 13.20 "...statements of policy should make it clear that a key concept underscoring the 2003 Act is for conditions to be tailored to the specific premises concerned. This effectively rules out standardised conditions...However, it is acceptable for licensing authorities to draw attention in their statements of policy to pools of conditions which applicants and others may draw on as appropriate."

### **The Scope of the Licensing Act 2003**

- 13.16 "...licensing is about regulating licensable activities on licensed premises...and the conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity."
- 13.17 "...whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case."

### **Licensing Law and the Control of Anti-Social Behaviour**

- 13.18 "...licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises."

### **Licensing Hours**

#### **Extended Opening Hours**

- 13.40 "...flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which lead to disorder and disturbance."
- 13.41 "...the Government wants to ensure that licensing hours should not inhibit the development of thriving and safe evening and night-time economies."

### **Consideration for Residents**

- 13.41 "...providing consumers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet."

- 9.4 "...it is for the licensing authority to decide in the first instance whether or not representations are relevant. This may involve determining whether they have been made by an interested party and whether or not, for example, an individual making a representation resides or is involved in business "in the vicinity" of the premises concerned."
- 9.5 "...licensing authorities should consider whether the individual's residence or business is likely to be directly affected by disorder and disturbance occurring or potentially occurring on those premises or immediately outside the premises."