

NORWICH CITY COUNCIL

Report for Resolution

Report To Licensing Sub-Committee

30 November 2009

Report of Head of Legal & Democratic Services

Subject Licensing Act 2003:
Application for the Grant of a Premises Licence -
Tesco Stores Ltd 45-53 Prince of Wales Road NR1 1BL

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 Tesco Stores Ltd 45-53 Prince of Wales Road NR1 1BL following the receipt of Interested Party objections.

Recommendation

That Members determine the application to grant a Premises Licence in respect of Tesco Stores Ltd 45-53 Prince of Wales Road NR1 1BL 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 Officers
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 Tesco Stores Ltd Tesco House Delamare Road Cheshunt Waltham Cross Herts EN8 9SL.
- 1.2 This grant application seeks to allow the supply of alcohol for consumption off the premises.
- 1.3 The details of the Operating Schedule are as follows:
- 1.3.1 The Licensable Activities are:
- Supply of alcohol
- 1.3.2 The proposed standard days and hours for the licensable activities are:
- Supply of alcohol 06:00 – 23:00 Sunday – Monday
- 1.3.3 The opening hours requested are:
- 06:00 – 23:00 Sunday - Monday
- 1.4 The steps proposed by the applicant to support the Licensing Objectives are attached to the report as Appendix A.
- 1.5 Following consultation with the Norfolk Constabulary the applicant has agreed to the following additions to the operating schedule:
- Ordinarily a security guard will be on the premises from 1900 hours to close on a Friday, Saturday and Sunday night;
 - Upon police request we will provide personal details of any employee either employed directly or indirectly by the Premises holder;
 - Door staff should refuse entry to any one who appears to be drunk or disorderly; and
 - The Premises Licence holder will be an active member of the Norwich Licensing Forum.

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 Fourteen objections 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. One representation has been received which in principle has no objection to the application and recommends that a number of conditions be attached to the grant of any licence. This is attached at Appendix B1 to the report.
- 2.3 A site map of the area identifying the application premises is attached as Appendix C. 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 D 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 E are the elements of the National Guidance issued by the Secretary of State that are considered to have a bearing upon the application. Also included are the relevant extracts relating to representations from local councillors.

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 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 D 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 10.21 of the national guidance, which states that 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. For example, a limitation may be appropriate following police representations in the case of some shops known to be a focus of disorder and disturbance because youths gather there.

Paragraph 13.41 of the national guidance states 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)

We are a national retailer that sells alcohol as part of a broad offering of goods and services. We have held off-licences in our stores for many years and are an approved British Institute of Inn-keeping examination centre. We have written training policies and formal training programmes are in place, which ensure our people are equipped to meet all licensing objectives. All training and revision/refresher materials are reviewed regularly. We have introduced our 'Think 25' policy to all of our stores in June 2009, this policy is brought to customer's attention through point of sale material at the checkout and where alcohol is displayed for sale. We take legal compliance very seriously and in addition to local training we employ a central alcohol licensing compliance manager and have a compliance committee.

b) The prevention of crime and disorder

The premises will have digital CCTV system that covers many areas of the shop floor, including the proposed area which will be used for beer and wine, should we be successful with our application. Images will be retained for a minimum of 21 days and made available on enforcement request. Ordinarily, a member of the Management team will be on the premises all the time the store is open. A person will have responsibility for the premises whilst the premises are open.

c) Public safety

A person will have responsibility for the premises whilst the premises are open. Management will be trained to support the running of the premises including looking after our customers and staff. The store will adhere to all rules and regulations relating to public safety.

d) The prevention of public nuisance

We intend to be an active member of the community.
We welcome the opportunity to liaise with Police and enforcement authorities should the need arise.

e) The protection of children from harm

All staff will be trained and regularly refreshed in the corporate 'Think 25' Policy. Staff will be trained to look at the customer and 'Think 25' when selling alcohol.
A till prompt will appear on the initial sale of alcohol that will remind the seller of their responsibilities including not to sell alcohol to anyone under the age of 18.
The store will display signage around the premises informing both staff and customers of our 'Think 25' policy on alcohol.

APPENDIX

B

13 NOV 2009

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. ANDERSON
Postal address	22 THE CLOSE
Email address	
Contact telephone number	UNAVAILABLE

Name of the premises you wish to support or object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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	Anti-social behaviour increases with alcohol intake.
To protect children from harm	Low-cost alcohol available in Tesco is a medical long term risk to children.

Please suggest any conditions which would alleviate your concerns.	Health - left over bought ready made food containers attract urban foxes to leave
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Signed:

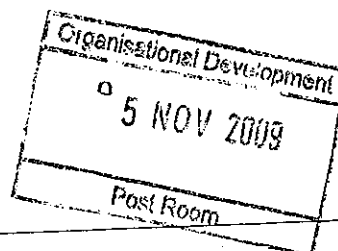
Date:

3/11/09.

Please see notes on reverse

-3 NOV 2009

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)	MS. F. H. KNIGHT
Postal address	37 RIVERSIDE ROAD NORWICH NR1 1SR
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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
1 OBJECT To prevent crime and disorder	My objections are on all four grounds, as a resident on Riverside Road, I
Public safety	my neighbours already suffer from drunken behaviours. That is the point of yet another cheap booze outlet when it is
To prevent public nuisance	already difficult to control drink-fuelled problems on Prince of Wales Road which spill over into surrounding areas
To protect children from harm	Anything which contributes to increasing the easy accessibility to alcohol at most times of day and night needs to be avoided

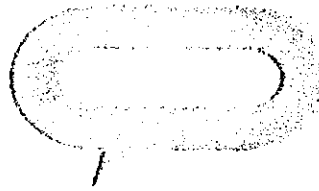
Please suggest any conditions which would alleviate your concerns.

Signed:

Date:

1st Nov 2009

Please see notes on reverse



NORWICH CITY LICENSING FORUM

Licensing Department
Norwich City Council
City Hall
St Peters Street
Norwich

Via Email

13 October 2009

Dear Sir or Madam,

**Re: Premises Licence Application Tesco Stores PLC, Ground Floor,
Britannia House, Prince of Wales Road, Norwich.**

The writer refers to the above Premises Licence application currently in your receipt.

I have been asked by the Norwich City Licensing Forum to make representations on this application for the Licensing Authority's consideration.

As you are aware Prince of Wales Road is an area particularly sensitive to alleged alcohol related crime and disorder. There are significant numbers of venues serving alcohol on their premises for consumption on their premises in close proximity to the proposed Tesco outlet.

Whilst no licensed premises in the area has directly objected to this application, we would ask that, on the grounds of preventing crime and disorder on Prince of Wales Road and beyond, the Premises Licence for this store be conditioned with the same implications as those of its neighbours;

- SIA registered doorstaff to patrol the venue after 9pm at night – Doorstaff are to sign on and off and log incidents for inspection.
- Challenge 21 policy to be introduced
- CCTV to cover the entire licensed area both inside and outside
- No supply of alcohol may be made under the license should there be no, or an unlicensed DPS
- Doors to the outlet are to be well lit
- No alcohol sold between the hours of 0700 and 0800
- Staff are to refuse entry to anyone appearing drunk and disorderly

NORWICH CITY LICENSING FORUM IS A PARTNERSHIP OF PREMISES AND PERSONAL LICENCE HOLDERS WORKING CONCERTEDLY WITH NORWICH CITY LICENSING AUTHORITY, NORFOLK CONSTABULARY, NORFOLK FIRE AND RESCUE SERVICE, CENTRAL NORWICH CITIZENS' FORUM AND THE NORWICH CITY CENTRE PARTNERSHIP TOGETHER WITH THE PROVIDERS OF SIA SECURITY PERSONEL. THEIR AIM IS TO SHARE INFORMATION AND RAISE PROFESSIONAL STANDARDS AND COMPETENCE IN THE MANAGEMENT OF THE HOSPITALITY INDUSTRY IN NORWICH AND PROVIDE A PROFICIENT, EFFICIENT AND SAFE ENVIRONMENT FOR ITS CUSTOMERS AND THE PUBLIC AT LARGE.



- The DPS or other suitable representative will become members of the Norwich Licensing Forum and attend a minimum of 3 meetings per calendar year.
- Whilst in operation the store will access, and contribute to, any forthcoming network radio system to share information with other licensed premises.

In addition, due to the number of retail and social venues selling alcohol in the area we would ask for restrictions on any cut price drinking promotion which may deem the sale and consumption of excessive amounts of alcohol a danger.

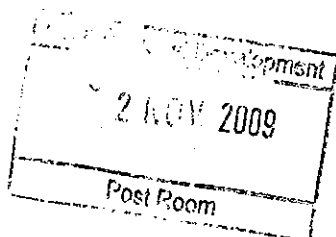
Should none of the above proposals be acceptable then please accept this letter as a formal objection to which the process must now proceed towards a committee hearing.

I trust you will find this to be in order.

Yours faithfully

Richard Attoe
Chairman

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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)	TERENCE & JEAN CRADY
Postal address	58, CATHEDRAL CLOSE NORWICH NR1 4EH
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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

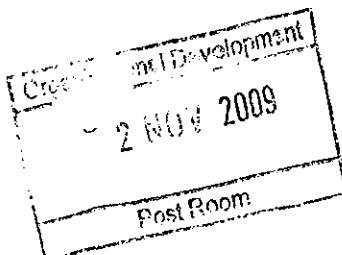
Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	Tesco will be encouraging young people to 'tank up' on cheap drinks before having the courage to face the clubs. I find it hard to believe that the Council and Tesco are serious about the
To protect children from harm	further degradation of Prince of Wales Rd. As it is it is a place to be avoided from this night onward. It can not be interested for any other reason than the bumped up sales of alcohol.

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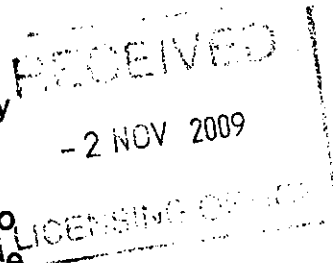
Signed:

Date:

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)	MIRIAM OVERINGTON
Postal address	43, THE CLOSE NORWICH NR1 4EQ
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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

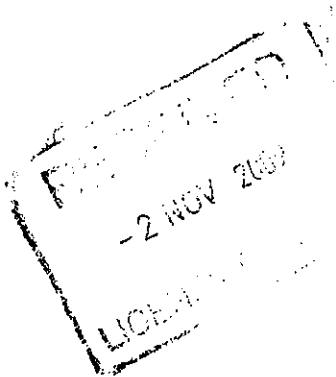
Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	This area suffers a lot for bad behaviour particularly in the evenings and at week-ends. It is no longer a place to walk down on your own and I feel if people can purchase alcohol in the evenings to drink outside and cheaply it will be worse.
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	No alcohol sold after 5.30pm.
--	-------------------------------

Signed:

Date: 29 Oct 2009

Please see notes on reverse



Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development
2 NOV 2009
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)	IAN DRUMMOND
Postal address	40 RIVERSIDE ROAD NORWICH NR1 1SR.
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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 ARE TIMES DURING THE DAY IN WHICH, WALKING ALONG THE RIVER BANK I DO NOT FEEL SAFE DUE TO ANTI-SOCIAL BEHAVIOUR TOWARDS THE PUBLIC FROM DRUNKS.
Public safety	THERE IS ALREADY A DEGREE OF DRUNKEN BEHAVIOUR ON PRINCE OF WALES ROAD AND ON THE RIVERBANK, DURING THE DAY, WHICH I FIND INTIMIDATING ie SWASTRING, BOGGING FOR MONEY.
To prevent public nuisance	THERE IS MORE THAN ENOUGH OUTLETS ON PRINCE OF WALES ROAD SELLING CHEAP ALCOHOL, ANOTHER OUTLET WOULD INCREASE THIS PROBLEM OF PEOPLE DRINKING OUTSIDE ESPECIALLY ON THE RIVERBANK.
To protect children from harm	EXPOSES CHILDREN TO AN ELEMENT OF DRUNKEN ANTI-SOCIAL BEHAVIOUR IN A PUBLIC PLACE.

Please suggest any conditions which would alleviate your concerns.	DO NOT GRANT TESCO A LICENCE TO SELL ALCOHOL ON PRINCE OF WALES ROAD.
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Signed:

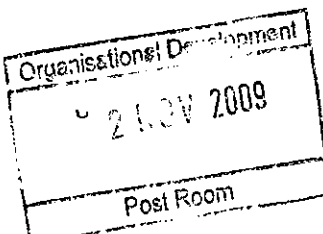
Date: 26/10/09

Please see notes on reverse

-2 NOV 2009

LICENSING OFFICE

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)	MARY CORBLUTH
Postal address	NR1 1SR
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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

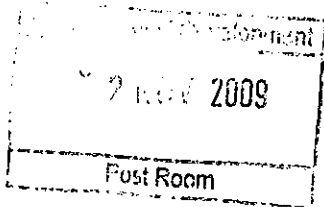
Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	In a notorious late night area (especially the wheelbarrow) with drunken from night clubs and other drinking places. The general public avoid this area which is a disgrace to the city and those of us who live on Riverside Rd. by the Museum, are disturbed continually every week on Saturdays/Sundays at night
Public safety	
To prevent public nuisance	
To protect children from harm of underage drinking and being drawn into the drunken disorder at Prince of Wales Road on weekends late night at night	

Please suggest any conditions which would alleviate your concerns.	Refuse the Premises licence for the sale of alcohol in Tesco on Prince of Wales Road
--	--

Signed:

Date: 28.10.09

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)	Mr and Mrs Nathan Horton
Postal address	30, The Close Norwich NR1 4DZ
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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 have seen a marked rise in frauds and vandalism inside and just outside of the Club since Budgens opened selling alcohol; Prince of Wales is already the most dangerous road in Norfolk
Public safety	As a 41 year old woman I feel very unsafe walking from the station home after dark especially Thurs, Fri or Sat down Prince of Wales Road. More dangerous as I not help. I have been yelled at, cat called and ignored - when the youngsters are drunk it is far worse.
To prevent public nuisance	People will congregate on Prince of Wales Road rather than inside the clubs and bars which are controlled. Out on the street there is no control of fighting and jobbish behaviour.
To protect children from harm	This could affect the children who buy cheap alcohol here or my children / others who have to walk for the gauntlet of P. of Wales Rd after dark Thurs - Sun.

Please suggest any conditions which would alleviate your concerns.	Sale of alcohol to stop when the clubs open AND sale of alcohol stopped before + after games at Carrow Road
--	---

Signed:

Date: 26.10.09

Please see notes on reverse

P.S. I think Tesco there is a great idea just NOT the alcohol...

Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development
30 OCT 2009
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)	PAUL EDMUND MCANULTY MAIDSTONE RD, RD ASSOC
Postal address	62, MAIDSTONE RD, NORWICH, NORFOLK, NR1 1SA
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	TESCO
Address of the premises you wish to support or object to.	45-53 PRINCE OF WALES RD, NORWICH NR1 1DL


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

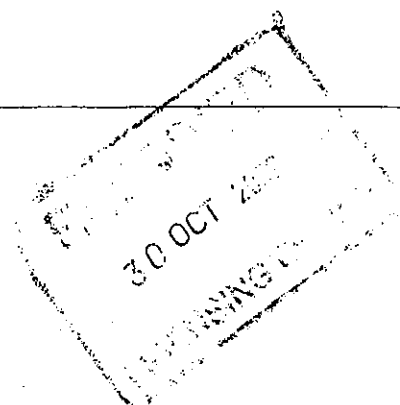
Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	ON OCCASION THE NIGHT CLUBS ON PRINCE OF WALES RD DO NOT CLOSE UNTIL 6AM SO I AM UNSURE OF THE VISION OF HAVING MORE ALCOHOL MADE READILY AT 6AM
Public safety	AVAILABLE FROM THE ABOVE TESCO. I ALSO THINK THAT TESCO STAFF SAFETY MAY BE COMPROMISED IF THIS ARE PUT INTO THE POSITION OF REFUSING TO SERVE ALCOHOL TO A PERSON BULKY UNDER THE INFLUENCE.
To prevent public nuisance	IT COULD ALSO INCREASE THE AMOUNT OF DEBRIS IN THE IMMEDIATE AREA IE BROKEN GLASS ON PAVEMENTS AND ILLEGALS. PERHAPS A 9AM LICENSE WOULD BE MORE SENSIBLE?
To protect children from harm	

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

Signed:

Date: 25/10/09

Please see  on reverse



Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development
29 OCT 2009
Post Form

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

Your name/organisation name/name of body you represent (see note 1)	KEITH & ROSALIND MONTAGUE
Postal address	14 LOVELSTAIRS NORWICH NR1 1LW
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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	DRUNKEN BEHAVIOUR IS A BIG PROBLEM IN PRINCE OF WALES ROAD AND FURTHER OPPORTUNITIES TO PURCHASE ALCOHOL WOULD MAKE THE SITUATION WORSE.
Public safety	OVER DRINKING IS THE CAUSE OF MANY FIGHTS, VIOLENCE AND ANTI SOCIAL BEHAVIOUR.
To prevent public nuisance	THERE ARE ALREADY FAR TOO MANY OUTLETS SELLING ALCOHOL ON PRINCE OF WALES ROAD
To protect children from harm	THIS WOULD INCREASE THE NUMBER OF CHILDREN AT RISK FROM HARM RELATED TO DRINK

Please suggest any conditions which would alleviate your concerns.	PREFER THE LICENCE TO BE REFUSED BUT SALE OF ALCOHOL TO 6 PM ONLY WOULD HELP
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Signed:

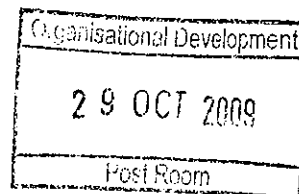
Date: 27.10.09

Please see notes on reverse

27.10.09

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)	Jill & John Irving
Postal address	15, Lovelstaithe Norwich, NR1 1LW
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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	Number of serious crimes, including murder, have taken place in P.O.W. road, mostly fueled by drink sold from nearby licensed premises. Another alcohol outlet is <u>not</u> required.
Public safety	Members of the public will be further at risk from drink fueled incidents caused by bottles purchased from this unnecessary outlet.
To prevent public nuisance	Drunken behaviour, underage drinking, petty crime and other public nuisances are all proved to be associated with the easy accessibility of alcohol. Additional off-sales in P.O.W. will add significantly to this risk.
To protect children from harm	What is the point of encouraging, and funding the Open Centre to provide a drink and drug free venue at the top of P.O.W. road when Tesco's have asked for yet another potential venue to encourage underage drinking less than 200yds away?

Please suggest any conditions which would alleviate your concerns.	Consider banning <u>all</u> off sales in <u>all</u> P.O.W. shops after 7pm on any day of the week.
--	--

Signed:

Date:

27/10/09.

Please see notes on reverse

28 OCT 2009

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)	DEAN OF NORWICH DEAN & CHAPTER OF NORWICH CATHEDRAL
Postal address	THE DEANERY, THE CLOSE, NORWICH NR1 4EG
Email address	
Contact telephone number	

Name of the premises you wish to support object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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	Readily accessible, cheap alcohol directed to crowds assembling in public places will inevitably lead to increased crime and disorder.
Public safety	Drunkenness will be a threat to public safety on pavements and on the highway
To prevent public nuisance	Drunkenness and its consequences will erode public confidence and city pride.
To protect children from harm	Excessive drinking in public places is clearly not in the public interest

Please suggest any conditions which would alleviate your concerns.	I object to the granting of a premises licence
--	---

Signed:

Date: 26th October 2009

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)	MR. C. A. HILLSDEN.
Postal address	75, MAIDSTONE ROAD, NORWICH NORFOLK. NR1 1EA.
Email address	/ / /
Contact telephone number	/ / /

Name of the premises you wish to support or object to	'TESCO' 45-53 PRINCE OF WALES RD NORWICH. NR1 1BL.
Address of the premises you wish to support or object to.	'TESCO' 45-53 PRINCE OF WALES RD NORWICH. NR1 1BL.

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	CRIME PREVENTION IS SOMETHING I HOPE WE ALL STRIVE FOR!
Public safety	IF SMOKING BY 'TESCO' EMPLOYEES IN/AROUND THE BACK OF SAID PREMISES DOES NOT EFFECT ME AND THE RESIDENTS OF/IN/AROUND MAIDSTONE ROAD AREA THEN THAT WOULD BE GREAT.
To prevent public nuisance	AS ABOVE. AND IF THE LOADING AND UNLOADING OF LORRIES TO/ FROM TESCO'S FOR SUPPLY OF GOODS IS CARRIED OUT AT REASONABLE TIMES, I.E. NOT DURING LATE EVENING AND TOO EARLY MORNING I HAVE NO OBJECTIONS. LATE AND EARLY TIMES MEANING: @ BETWEEN 11 PM - 1.30 AM
To protect children from harm	AS ABOVE. NON SMOKING AND NO LATE OR EARLY LOADING, OR UNLOADING OF LORRIES AS THE MAIDSTONE RD, NR1 1EA AREA OF NORWICH ALREADY HAS NOISE ISSUES!

Please suggest any conditions which would alleviate your concerns.	JUST AN APPRECIATION OF THE FACT THAT THE MAIDSTONE RD NR1 1EA AREA OF NORWICH IS, AN HIGHLY POPULATED AREA THAT DESERVES, AND, HAS THE RIGHT, FOR PEACE AND QUIET...!
--	--

Signed:

Date: 26 OCTOBER 2009.

Please see notes on reverse

Norwich City Council Licensing Authority
Licensing Act 2003

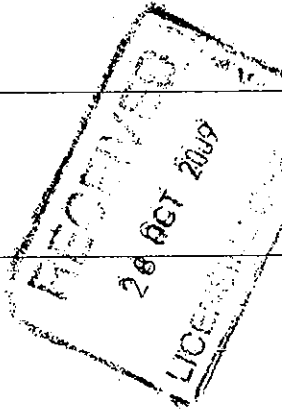
Organisational Development
28 OCT 2009
Post Room

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

Your name/organisation name/name of body you represent (see note 1)	JUDITH SAYER
Postal address	53 RIVERSIDE ROAD NORWICH NR1 1SR
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Tesco
Address of the premises you wish to support or object to.	Britannia House, 45-53 Prince of Wales Road, Norwich, NR1 1BL

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>Please see attached sheet.</i></p> 
Public safety	
To prevent public nuisance	
To protect children from harm	

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

Signed:

Date: 26.10.09

Please see notes on reverse

Statement of Objection to an application for a Premises Licence

New Tesco proposed on Prince of Wales Road

I find your four criteria somewhat confusing in that I don't see how you can separate preventing crime and disorder from the requirement for public safety - and public nuisance would undoubtedly be a threat to children, as would the other two categories, so will put my points as follows:

I would object to further opportunities for the purchase of alcohol in the vicinity of my home. Residents in Riverside Road already have to put up with drunks gathering amongst their bottles and cans on the riverbank outside our homes, and the accompanying unwanted attentions as we pass by. In the morning we are often greeted by them sleeping it off along what is supposed to be a pleasant riverside walk.

It must also be very off-putting for the people moored up in pleasure craft, especially when they have children, which they generally do. Not a good advert for the tourist industry that Norwich is so keen to promote, and which provides a considerable source of employment and income for the city..

All this, despite the promise made by the police, when the Doss House on Gas Hill was foisted on us, that the area around our homes would be designated an alcohol-free zone - something that has never been adequately enforced, and which has resulted in the residents having the considerable expense of gating off the back access entrances to prevent falling over drunks using our properties as a dormitory! Needless to say, we received no financial assistance from the council, who had blown their alleygate budget on protecting their so-called Golden Triangle, despite the very real danger of our tripping over a drunk/addict in the dark, asking them to leave, and being on the receiving end of their unpredictable and potentially dangerous retaliation.

In common with many of my neighbours, I am in my 60s and live alone, so we definitely do not need any more drink-fuelled worsening of this already distressing situation.

APPENDIX B1

CENTRAL NORWICH CITIZENS' FORUM

19th October 2009

The Senior Licensing Officer
Licensing Team
Legal & Democratic Services
Norwich City Council
Via e-mail

Dear Mr Streeter

Re: APPLICATION FOR PREMISES LICENCE
TESCO, 45-53 PRINCE OF WALES ROAD

We have considered the application submitted by Tesco for this site and, in principle, have no objection to it. We are familiar with the well established policies and procedures put in place by the company to meet the licensing objectives and are impressed by its training practices so we are confident that staff at the branch, if it be awarded a licence, will be familiar with them and will appreciate the need to check that only those of legal age to purchase alcohol are permitted to do so. This is particularly important in the sensitive location the company has chosen to operate in which is at the heart of the designated leisure and entertainment area of the city and will be surrounded by bars, pubs and clubs all selling alcohol for consumption on the premises and it would be desirable (although we recognise that, under EU competition laws, it is not possible to enforce a minimum price restriction) not to indulge in aggressive discounting in this location which would be regarded as highly irresponsible and arguably contravening at least two of the licensing objectives.

For these reasons we recommend that conditions be attached to the licence to require the positioning of CCTV both in the area of licensable activities and outside the store, that SIA registered door supervisors be made available after 9pm to control the area inside and immediately outside the premises, that the DPSs be on hand at all times to supervise the sale of alcohol only to those deemed fit to purchase it and that a manager of the branch is required to join and regularly attend meetings of the Norwich City Licensing Forum. In our view it should also be a requirement set out in the conditions that the store participate in the SIRCS scheme operated by community-empowerment.org in Norwich in order that it may share information with other licensed premises in the vicinity.

Yours sincerely

Julian F Foster

CHAIRMAN

Central Norwich Citizens' Forum is a company limited by guarantee and registered in England No 4855745 and a charity registered with the Charity Commission for England and Wales No 1106226.

Registered office:
Tel:

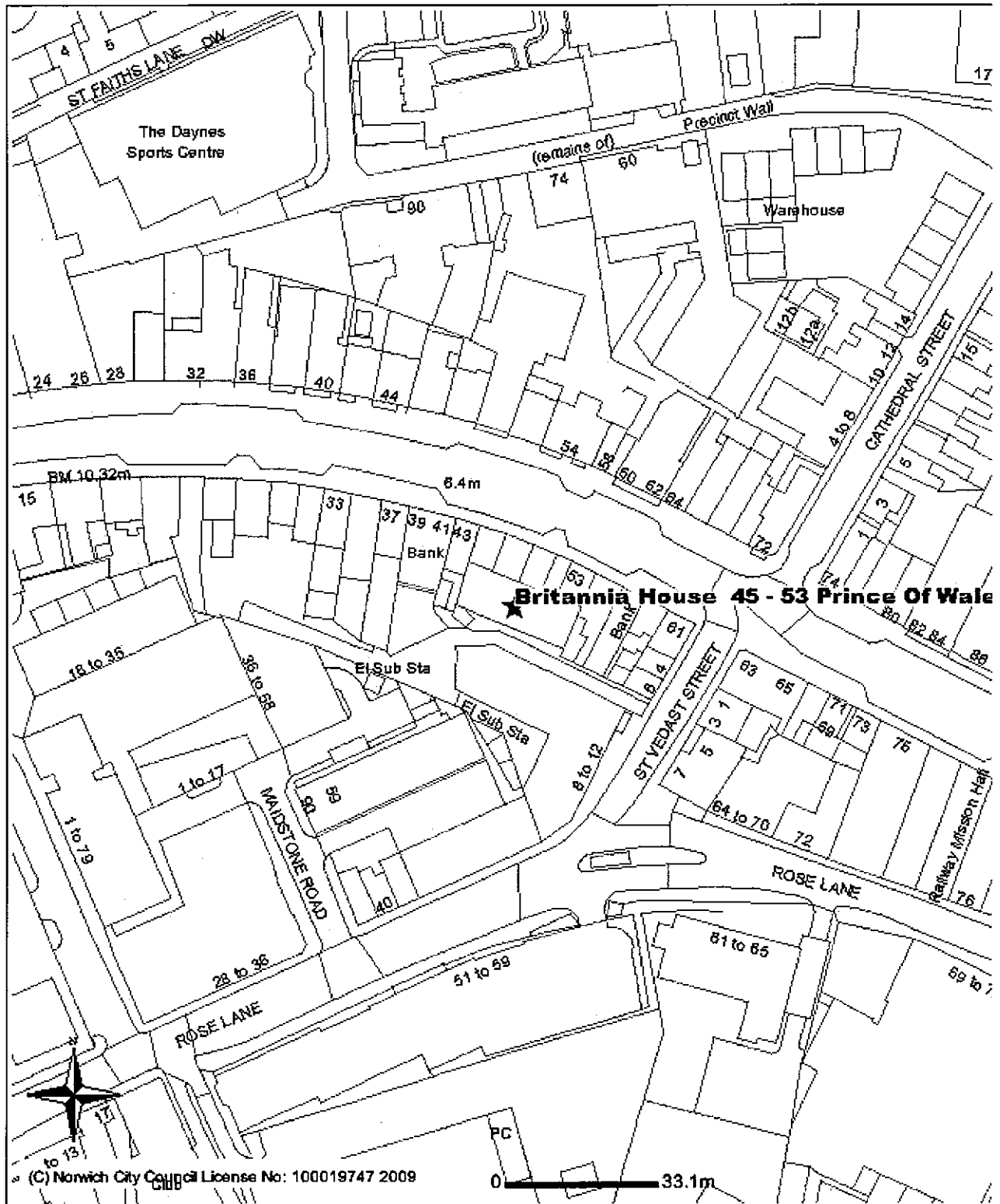
APPENDIX C



NORWICH
City Council

Norwich City Council
City Hall Norwich
NR2 1NH
Tel: 01603 212212
info@norwich.gov.uk

Tescos Stores Ltd Britannia House 45-53 Prince of Wales Road



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Scale: 1:1250

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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.

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 E

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

Where representations are made

- 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 individuals 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."

Hours of trading

- 10.21 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. For example, a limitation may be appropriate following police representations in the case of some shops known to be a focus of disorder and disturbance because youths gather there.

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."