



Council

Members of the council are hereby summoned to attend the meeting of council to be held in the council chamber, City Hall, St Peters Street, Norwich, NR2 1NH on

Wednesday, 01 December 2021

14:30

Members will be aware that only a minimum quorum of councillors, as nominated by Group Leaders on a politically balanced basis, are expected to attend this meeting.

Agenda

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1 Lord Mayor's announcements	
2 Public questions/petitions	
To receive questions / petitions from the public in line with the council's constitution.	
3 Declarations of interest	
(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting).	
4 Minutes	5 - 42
To approve the accuracy of the minutes of the meetings held on 28 and 29 September 2021.	
5 Questions to cabinet members / committee chairs	
(A printed copy of the questions and replies will be available at the meeting).	
6 Health Safety and Compliance in Council Homes	43 - 46

Purpose - To seek approval for capital funding to support delivery of the Compliance Improvement Plan.

7 Licensing Act 2003 - statement of licensing policy 47 - 132

Purpose - To consider the recommendation from the licensing committee to adopt the Statement of Licensing Policy under the Licensing Act 2003 attached at Appendix A as the council's formal policy.

8 Polling district and polling places review 2021 133 - 156

Purpose - To approve proposals for the interim polling districts and polling places review 2021.

9 Constitutional amendments 157 - 164

Purpose - To consider adopting the proposed changes to the council's constitution as outlined in the report.

10 All motions 165 - 174

To consider motions for which notice has been given in accordance with the council's constitution.



Annabel Scholes
Executive director of corporate and commercial services

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Information for members of the public

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Council

19:30 to 21:35

28 September 2021

Present: Councillors Maguire (Lord Mayor), Ackroyd, Bogelein, Brociek-Coulton, Carlo, Champion, Davis, Everett, Fulton-McAlister (E), Fulton-McAlister (M), Galvin, Giles, Grahame, Hampton, Harris, Haynes, Huntley, Jones, Kendrick, Lubbock, Maxwell, Oliver, Osborn, Packer, Peek, Price, Sands (M), Sands (S), Schmierer, Stonard, Stutely, Thomas (Va), Thomas (Vi), Waters and Wright

Apologies: Councillors Button, Driver, Manning and Youssef

1. Lord Mayor's Announcement

The Lord Mayor explained the procedures for this informal meeting of the council that was being held remotely on public health grounds. Members would discuss the items on the agenda and then a vote taken. The votes cast would be ratified and used to inform decisions made at an in person meeting of a quorum of members of the council to be held on 29 September 2021.

2. Declarations of interests

Councillor Bogelein declared a pecuniary interest in item 7a – motion on COP26 - below and would withdraw from the meeting for the discussion and vote on the item.

3. Public questions/petitions

The Lord Mayor announced that one public question and two petitions had been received.

The public question was from Mr Hugo Malik.

Mr Hugo Malik asked the cabinet member for health and wellbeing the following question:

“Norwich Market is a unique asset for the city and it is in the council’s and the city’s interests to ensure that it can prosper. Recently, a number of rival markets have been started that could pose a threat to trade for Norwich Market. When Norwich Market Traders have raised concerns about this, the council has referred to the need for a rival markets policy. Yet this policy has

not yet been written and seems to have been passed from department to department. Can the cabinet member confirm that a rival markets policy will be written and that Norwich Market Traders and the local community will be consulted, and provide a timescale for the policy?"

Councillor Packer, the cabinet member for health and wellbeing gave the following response:

"The council's rival markets policy is detailed on our website. The policy is currently being reviewed and we anticipate that that consultation with stakeholders – including traders – will begin in the first half of 2022."

The first petition was from Mr Steve Keyworth. Mr Keyworth presented the following petition:

"NR4 7 Residents petition demanding fair limits and legislation be set to reduce the development of student HMOs in this area.

We the undersigned residents of NR4-7 (being Salter Avenue, Jasmine Close, Primula Drive, Penryn Close and Morello Close) believe that the concentration of HMO student housing has reached a level where it is impacting negatively on long term residents, meeting at least 6 of the 8 negative impacts listed by the Planning Department when considering intervention.

Fair limits to HMO development need to be set swiftly to protect the integrity of the neighbourhood and prevent families and long term residents from being driven away. In addition there needs to be better, faster, and more connected reporting processes to handle any anti-social behaviour issues that arise with the existing mix of residences.

The council has a legal responsibility to protect the character of a neighbourhood and we ask:

1. Will the council:
 - a. Update and re-publish the evidence prepared in 2014 and published in 2016 in regard to the levels of HMOs across the city, in particular in the University Ward and the specific roads represented by signatories of this petition and,
 - b. On the basis of the evidence, introduce an Article 4 Direction in part or all of the city remove the permitted development right for the change of use from a residential dwelling (C3) to a HMO (C4), and consider and implement any associated policy review/update to introduce the necessary development management policies to assess submitted applications arising from the introduction of the Article 4 Direction?
2. Will the council consider the implementation of either voluntary accreditation or selective licensing for smaller HMOs to enable better control over the standards of housing in this sector?

3. Residents have reported specific anti-social behaviour using the appropriate avenues, and written to the council (as well as the university and the police), can the council explain why it has been so slow to take any significant action in this area?"

Councillor Stonard, cabinet member for inclusive and sustainable growth gave the following response:

"1a. The issue of HMOs is something that was discussed by councillors a few years ago at both Sustainable Development Panel (SDP) and cabinet. At its meeting in June 2016 [Sustainable Development Panel](#) resolved to approve the introduction of an article 4 direction based on a minimum threshold of 30% of houses being HMO accommodation (subject to Cabinet approval).

This was considered by [cabinet](#) in September 2016 which did not agree to take forward an article 4 direction at that time, but instead resolved to ask SDP to [reconsider the approach](#) to HMOs taking into particular account the extent of take up of the voluntary accreditation scheme for HMO properties, analysis of the impact of welfare reform on housing options for different sections of the community and implications for demand for HMOs, published plans for the growth of academic institutions and implications for student numbers and purpose build student accommodation, and any available information on number and quality of HMOs in the city.

Since then, there has been significant growth in development of purpose-built student accommodation (PBSA), reflecting increases in student numbers. To respond to this, the council in 2019 adopted a [PBSA best practice advice note](#) to provide guidance for developers of this form of student accommodation to ensure it meets housing needs, relevant policy requirements and is well managed, in order to inform planning decision making. The advice note doesn't specifically cover HMOs but acknowledges the role they play in providing student accommodation to meet the needs of the higher education institutions, and notes that the provision of significant levels of PBSA is likely to take some pressure off the private rented sector in the city. The note also proposes closer cooperation between the council and the universities and students' unions in order to encourage development of well managed PBSA and to reduce potential for conflict arising between students and their neighbours.

Whilst much of the PBSA is being built within the city centre it has and will continue to take away pressure from residential streets closer to the UEA. Much of this PBSA is being occupied by post graduate students who would otherwise need accommodation and whilst in the past students typically lived in hall of residents during their first year and then occupied houses near the university in later years of their courses this trend is changing with some students choosing to live in PBSA for all or several years of their courses. The PBSA schemes

developed to date are well occupied and without these developments these students will have required alternative accommodation.

It would be best to establish the extent of HMOs across the whole city, as a full update to the evidence produced in 2016, rather than specifically focusing on a single area, and this evidence base will prove useful for the development of both planning policy and consideration of licensing options (to be discussed later in this response).

1b. If the evidence produced provided sufficient justification for the introduction of an Article 4 Direction then this could be pursued by the Council. It should be noted however, that recent changes to the National Planning Policy Framework (NPPF) have made the introduction and use of Article 4 Directions much more difficult, requiring them to 'be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area', and 'in all cases, be based on robust evidence, and apply to the smallest geographical area possible' (NPPF para 53).

It cannot be guaranteed at this time that the evidence will support the introduction of an Article 4 Direction. If it does, the petitioner should note that the introduction of an Article 4 Direction is determined by central government.

2. The council introduced a scheme of voluntary accreditation for landlords of HMOs in 2016. This scheme was largely unsuccessful due to poor uptake from the trade and has since been discontinued. The Council will not reconsider the introduction of a voluntary accreditation scheme.

However, the council does have powers to introduce additional or selective licensing.

Additional licensing can be introduced where the local authority believes that a significant proportion of HMOs are poorly managed and giving rise to problems for residents or the general public. The use of additional licensing has to be consistent with the local authority's housing strategy and should be coordinated with the authority's approach on homelessness, empty properties and antisocial behaviour. The local authority must consult those who are likely to be affected. This includes people who live, work or operate businesses in adjoining local authority areas where they will be affected.

Decisions to designate an area as subject to additional licensing must be approved by the Secretary of State, unless they fall under general approval. A general approval was issued in 2010 to enable local authorities to make such designations without the Government's approval, provided there is a minimum 10-week consultation period. The 10-week period does not commence until the local authority produces a draft proposal identifying what is to be designated and its consequences.

Additional licensing can come into force no earlier than three months after the designation has been approved or it falls under the general approval. It lasts for as long as set out in the designation, up to a maximum of five years, and its operation must be reviewed from time to time. The local authority can revoke the designation at any time and must publish notice of this decision.

Further, a Local Authority can introduce Selective Licensing which applies to more than HMOs. In order for a local authority to introduce a selective licensing scheme it is requirement that the area has a high proportion of property in the private rented sector let under assured tenancies, including assured shorthold tenancies, and licences. The private rented sector does not include properties let by Private Registered Providers of Social Housing.

In addition, it also a requirement that one of the following conditions must be met. The local authority's area:

- is an area of low housing demand
- has a significant and persistent problem of antisocial behaviour
- has a significant number of privately-rented properties in a poor condition
- is experiencing an influx of migration. Migration refers to movement within the country or from overseas
- has high levels of deprivation
- suffers from a high level of crime

At this time, it is considered prudent to update the evidence base on HMOs to establish the type of accommodation across the city in order to inform the decision about the right route for any additional controls to be introduced.

(Due to the time limits imposed upon responses to petitions in the council's constitution, the following part of the response was not read aloud and was sent directly to the petitioner instead and published on the council's website).

3. The council has no evidence of the level of complaints it has received that there is a significant level of disturbance in this particular area. I will set out in a letter to you the routes by which all complaints must be raised if instances of disturbance persist to ensure that your complaints can be recorded and investigated."

The second petition was from Mr Stephen Robinson. Mr Robinson presented the following petition:

"We, the residents of Britannia Road, are in favour of a court injunction (Public Space Protection Order) to address the antisocial behaviour of boy racers on Britannia Road and in the Britannia Road car park."

Councillor Jones, cabinet member for safer, stronger neighbourhoods gave the following response:

“Thank you Mr Robinson for attending full council this evening and the excellent work you have achieved, working with fellow residents, to highlight this significant and recurrent problem.

Norwich City Council understands well how anti-social behaviour can blight the lives of people in their local communities, with those affected often feeling powerless to act.

I am particularly aware of the significant disturbance the problem of “boy racers” cause the community on Britannia Road, the noise, fear of damage to vehicles, rubbish left and sometimes intimidation faced by residents to have sought to repeatedly challenge this. It is utterly unacceptable that you should face this problem.

The city council has a key role to play in helping make local areas safe places to live, visit and work and tackling anti-social behaviour continues to be a high priority for the city council and our partners within the district.

The city council is aware of the ongoing allegations of anti-social behaviour related to vehicle use in the Britannia Road area. Officers of the Early intervention and community safety team are currently liaising with other agencies, including Norfolk Constabulary, in order to assess the nature of the issues and find appropriate and effective intervention solutions.

I know that Crome ward councillors have been working with local residents and the Police, including joining a police patrol, discussing the issue at local SNAP meetings, and securing SAM2 speed cameras from Norfolk County Council to deter future activity and collect vital intelligence for the police.

The Anti-social Behaviour, Crime and Policing Act 2014 introduced several new tools and powers for use by councils and their partners to address anti-social behaviour (ASB) in their local areas. These tools were brought in as part of a Government commitment to put victims at the centre of approaches to tackling ASB, focussing on the impact behaviour can have on both communities and individuals, particularly on the most vulnerable.

One of the tools within the 2014 Act is the use of Public Space Protection Orders (PSPO's). Orders can be introduced in a specific public area where the local authority is satisfied on reasonable grounds that certain conditions have been met. The first test concerns the nature of the anti-social behaviour, requiring that:

- activities that have taken place have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will take place and that they will have a detrimental effect.
- the effect or likely effect of these activities:
 - is, or is likely to be, persistent or continuing in nature
 - is, or is likely to be, unreasonable
 - justifies the restrictions being imposed

I am reminded from the legislation that, PSPO's must be used proportionately and in the right circumstances. PSPOs will not be suitable or effective in all circumstances, and it is important to consider carefully the right approach for identifying and addressing the problem behaviour.

Some issues may be adequately addressed using other tools. For instance, awareness raising campaigns about the impact of certain activities on others,

improved community engagement, or offering support to those exhibiting certain behaviours may be enough to address the ASB identified. Overall, in the case of Britannia Road, given the evidence provided, it is clear to me and your ward councillors that all these pre-emptive measures have been largely tried repeatedly, with little long-term success. Norwich City Council, in consultation with relevant stakeholders, will consider all the possible interventions required to tackle this issue. But the consideration of the introduction of a PSPO seems at present to me like a valuable and positive opportunity and one which could be pursued.

In summary, upon completion of the work with officers and the police, and their report, I will be in a final position to decide upon this but would like to also ensure the community is consulted too. Lastly, I would like to thank you again for the time taken, effort, energy and commitment shown to pursuing this problem and seeking a positive and hopeful longer-term solution for residents living locally. I will contact you personally again, in due course. ”

4. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 20 and 21 July 2021.

5. Questions to Cabinet Members/Committee Chairs

The Lord Mayor said that seventeen questions were received from members of the council to cabinet members/committee chairs for which notice had been given in accordance with the provisions of the council’s constitution.

The questions are summarised as follows:

- Question 1:** Councillor Huntley to the leader of the council on prisoner employment.
- Question 2:** Councillor Giles to the cabinet member for environmental services on the end of the ‘Everyone In’ scheme funding.
- Question 3:** Councillor Matthew Fulton-McAlister to the cabinet member for social inclusion on the Universal Credit cut.
- Question 4:** Councillor Peek to the cabinet member for resources on the introduction of voter ID.
- Question 5:** Councillor Everett to the deputy leader of the council and the cabinet member for social housing on building supported accommodation.
- Question 6:** Councillor Maxwell to the cabinet member for health and wellbeing on the Heigham Park tennis courts.

- Question 7:** Councillor Sue Sands to the cabinet member for climate change and digital inclusion on fuel poverty.
- Question 8:** Councillor Champion to the cabinet member for environmental services on a graffiti strategy.
- Question 9:** Councillor Galvin to the cabinet member for health and wellbeing on improving the carbon footprint of community centres.
- Question 10:** Councillor Youssef to the cabinet member for health and wellbeing on the Heigham Park tennis court start date.
- Question 11:** Councillor Osborn to the cabinet member for inclusive and sustainable growth on the airport expansion.
- Question 12:** Councillor Haynes to the deputy leader and cabinet member for social housing on grounds maintenance.
- Question 13:** Councillor Bogelein to the cabinet member for environmental services on the communal bins on Langley Walk.
- Question 14:** Councillor Price to the cabinet member for environmental services on commercial waste collections.
- Question 15:** Councillor Carlo to the cabinet member for health and wellbeing on the use of herbicides and insecticides..
- Question 16:** Councillor Lubbock to the cabinet member for environmental services on the waste collection withdrawal.

(A second question had been received from Councillor Osborn to the deputy leader and cabinet member for social housing on the use of petrol leaf blowers. As the time taken for question had exceeded thirty minutes, the question was not taken at the meeting. (Norwich City Council constitution, Part 3, paragraph 53)).

(Details of the questions and responses were available on the council's website prior to the meeting and attached to these minutes at Appendix A, together with a minute of any supplementary questions and responses.)

6. Treasury management full year review 2021-22

Councillor Kendrick moved and Councillor Stutely seconded the recommendations as set out in the report.

Following debate it was,

RESOLVED, unanimously, to note the report and the treasury activity for the year to 31 March 2021

7. Motions

(Notice of the following motions, 7(a) to 7(d), as set out on the agenda, had been received in accordance with the council's constitution.)

7 (a) Motion: COP26

(Councillor Bogelein was removed from the meeting for the debate and vote on this item having declared a pecuniary interest).

The following amendment was received from Councillor Osborn:-

Inserting the words "**and improve upon**" after "**continue to review**" in resolution (2).

Councillor Hampton indicated that she was willing to accept the amendment and as no other member objected, the amendment became part of the substantive motion.

Councillor Hampton moved and Councillor Stutely seconded the motion as amended.

(Councillor Schmierer left the meeting at this point).

Following debate it was:

RESOLVED, unanimously, that:

"This summer we have seen more evidence of the immediate impact of climate change, including rampant wildfires in America, hundreds of people killed by extreme floods in Germany and China and the Met Office issuing its first ever extreme heat warning in the UK. The Intergovernmental Panel on Climate Change's Sixth Report, published in August 2021, found that the global surface temperature will continue to rise until at least the middle of this century. Global warming of 1.5C and 2C will be exceeded this century unless deep cuts to carbon and other greenhouse gas emissions are made over the coming decades.

This council **RESOLVES** to:-

(1) Note; -

- a) The UK Government is the host of COP26, being held in Glasgow in November 2021. This is an opportunity for the UK Government to radically shape global action on climate change, and to use the opportunity to shape how climate change is tackled in the UK.
- b) Norwich City Council has declared a Climate Emergency and recognised that this is inextricably linked with social and economic emergencies which affect ordinary people globally and locally.
- c) Norwich City Council has already taken a number of actions to tackle climate change locally, including setting up a renewable energy company for Norwich and Norfolk, delivering award-winning Passivhaus developments, being the first

authority to run public auctions for domestic solar panels and the first city in the UK to run a collective switching programme.

- d) Local government has the ability, knowledge and tools to make an impact at a local level. However, councils have seen their funding from government cut by over 60p in every £1 since 2010, which has had a crippling effect on services and will severely impact the ability of councils to reach their full potential in tackling the causes of climate change.
- e) Ask the Leader to write to Alok Sharma MP, President of COP26, Kwasi Kwarteng MP, Secretary of State for Business, Energy and Industrial Strategy, and Robert Jenrick MP, Secretary of State for Housing, Communities and Local Government, to:
 - i. Make the case for local government having a stronger role in tackling climate change and to share examples of the work already done by Norwich City Council;
 - ii. Call for the UK Government to provide councils with the resource and powers necessary to take even more ambitious action to tackle climate change;
 - iii. State our support for substantial public investment in a green recovery that tackles the Climate Emergency, creates climate jobs and is underpinned by a fair deal for workers.

(2) continue to review and improve upon the progress made by Norwich City Council in meeting the goals and objectives set out in Norwich City Council's Climate Emergency declaration.

(3) continue to work with employers in the city, including businesses, the third sector, charities and the public sector through the LEP, BID and Good Economy Commission, Norwich 2040 Partnership and Norwich Climate Commission to encourage them to take steps to reduce their carbon emissions and operate in a more sustainable way, and learn from any best practice that they've already put in place."

(Councillor Bogelein was readmitted to the meeting).

7(b) Motion: Climate change adaptation

The following amendment was received from Councillor Hampton:-

Inserting the words "**Continue to**" at the start of resolution (1) and (2)

Councillor Carlo indicated that she was willing to accept the amendment and as no other member objected, the amendment became part of the substantive motion.

Councillor Carlo moved and Councillor Osborn seconded the motion as amended.

Following debate it was:

RESOLVED, unanimously, that:

“The latest report by the Intergovernmental Panel on Climate Change provides a stark warning. The world must drastically cut greenhouse gases this decade if we are to stay within 1.5 degrees C or else face dire consequences. Extreme weather is becoming the norm under 1.1 C and yet we are headed towards 3C. The poorest communities are least responsible for these crises and are invariably the worst affected. The Climate Change Committee has repeatedly warned of the need for adaptation to climate change, saying the risks to all aspects of life in the UK have increased over the last five years. We must now adapt to the effects of future climate change, not merely the current consequences.”

Council **RESOLVES** to ask cabinet to:

- (1) Continue to work with partners to share and implement climate change adaptation strategies to increase the climate resilience of the city and its citizens.
- (2) Continue to develop and implement a climate change adaptation strategy which covers all areas of the City Council’s work, including work carried out by wholly-owned companies and contractors.
- (3) Continue working with partners such as the LGA to make the case to government for additional resources for local authorities for climate change mitigation and adaptation.

(Two hours having passed the Lord Mayor moved that the following items be taken as unopposed business.)

7(c) Motion: Glasgow food and climate declaration

(Proposer Councillor Davis, seconder Councillor Osborn. Unopposed business)

RESOLVED that:

“Over the last decade food poverty in Norwich has significantly increased, a symptom of the increasing effects of wider climate change on aspects of our food system and society. Earlier this year Norwich City Council signed the Glasgow Food and Climate Declaration, joining other local authorities in speaking with a unified voice to renew their commitments to develop sustainable food policies, promote mechanisms for joined-up action and call on national governments to put sustainable food and farming at the heart of the global response to the climate emergency.

Council **RESOLVES** :

- 1) To note;

- a) Its concern that the COVID-19 crisis has exposed the fragility of our food systems, the vulnerabilities of large parts of urban and rural populations and the critical need for preparedness and resilience in the face of shocks;
- b) that food systems currently account for 21-37% of total greenhouse gas emissions (GHGs), and are at the heart of many of the world's major challenges today including biodiversity loss, enduring hunger and malnutrition, and an escalating public health crisis;
- c) that unsustainable dynamics pervade the whole food chain, primarily stemming from industrial food and farming systems which exploit all aspects of agriculture to maximise profits; this should be addressed through the involvement of all food system stakeholders in decision-making for a sustainable and just transition – including food and farm workers, civil society groups, researchers, indigenous communities, women, and especially youth whose future are the most at risk from the effects of climate change and biodiversity loss;
- d) systemic inequality is pervasive throughout the food system, and disproportionately affects communities ranging from people living in poverty, people experiencing racism, people displaced due to climate change or conflict, people with precarious legal status, and many others; and many of these same groups are exploited for their labour globally;
- e) that only Sustainable Development Goals can identify effective intervention points to accelerate climate action while delivering many complementary benefits, including the promotion of biodiversity, ecosystem regeneration and resilience, circularity, equity, access to healthy and sustainable diets for all, and the creation of resilient livelihoods for farm and food workers;
- f) that cities and regions are leading the way in pioneering integrated food policies and strategies at the local level to reduce their environmental footprint, drive sustainable food system development and ensure greater resilience to shocks;
- g) the number of commitments on sustainable urban and regional food policies already made by cities, local and regional governments over the last two decades, in particular the 2014 World Urban Forum Medellin, the 2015 Milan Urban Food Policy Pact (MUFPP), the 2015 Seoul Declaration, the 2016 New Urban Agenda, and the 2019 C40 Good Food Cities Declaration;
- h) that actions must be aligned horizontally (across policy areas) and vertically (between different levels of governance) to accelerate the transition to sustainable food systems;
- i) that cross-sectoral, multi-level, and multi-actor governance of food systems is required in order for sustainable and just food systems to take root, and that this requires national governments to take a

proactive and enabling role;

- j) that without accompanying regulatory and legislative reforms at the national level, the impact of such partnerships and policies will be limited;
- 2) That we, the undersigned elected leaders of subnational governments, in anticipation of the 26th Conference of Parties of the UNFCCC in Glasgow, commit to accelerate climate action by building and facilitating sustainable food systems transformation, by:
- a) Continuing the work with appropriate partners within existing budgets to develop and implement, where relevant, integrated food policies and strategies as key tools in the fight against climate change; and ensuring that these instruments adopt a food systems approach that involves actors across all parts of the food chain; continue to support local food producers especially community gardens and allotments; include metrics to assess GHG emissions reduction targets from food systems, as well as opportunities for cooperation and best practice sharing between subnational governments.
 - b) Reducing greenhouse gas (GHG) emissions from urban and regional food systems in accordance with the Paris Agreement and the Sustainable Development Goals and building sustainable food systems that are able to rebuild ecosystems and deliver safe, healthy, accessible, affordable, and sustainable diets for all.
 - c) Calling on government to establish supportive and enabling policy frameworks and multi-level and multi-actor governance mechanisms, allowing coordinated decision-making on food systems. These mechanisms will support the drafting of inclusive national food policies to be included into the revisions of the Nationally Determined Contributions (NDCs)."

7(d) Motion: Lift the ban coalition

(Proposer Councillor Ackroyd, seconder Councillor Wright. Unopposed business)

RESOLVED that:

“As of the end of June 2021, in Norwich, there are 117 people seeking asylum in receipt of Section 95 support, and global events over the summer may well see this figure increase.

Since 2002, people seeking asylum have only able to apply for the right to work after they have been waiting for a decision on their asylum claim for over a year, and only if they can be employed into one of the narrow, highly-skilled professions included on the Government’s Shortage Occupation List but currently people seeking asylum are left to live on £5.66 per day, struggling to support themselves and their families, and left vulnerable to destitution, isolation, and exploitation.

71% of people polled agreed with the statement: “when people come to the UK seeking asylum it is important they integrate, learn English and get to know people. It would help integration if asylum-seekers were allowed to work if their claim takes more than six months to process”.

The potential foregone economic gain for the UK economy of allowing people to work is estimated to be £42.4million via increased taxable income and reduced payments of accommodation/subsistence support.

Council **RESOLVES** to

- 1) Recognise that:
 - a. people seeking asylum want to be able to work so that they can use their skills and make the most of their potential, integrate into their communities, and provide for themselves and their families.
 - b. restrictions on right to work can lead to extremely poor mental health outcomes, and a waste of potentially invaluable talents and skills both for the economy of Norwich and the UK.
 - c. allowing people seeking asylum the right to work would therefore lead to positive outcomes for those seeking asylum in Norwich and for the local and national economy.
- 2) Applaud the efforts of several MPs (Christine Jardine – Lib Dem, Carol Monaghan – SNP and Chris Stephens – SNP) who have introduced Private Members’ Bills to grant asylum seekers the right to work.
- 3) Join the Lift the Ban Coalition, which is campaigning to restore the right to work for everyone waiting for more than 6 months for a decision on their asylum claim; and
- 4) Ask group leaders to write to the appropriate minister calling on the UK Government to give people seeking asylum the right to work unconstrained by the shortage occupation list after they have waited six months for a decision on their initial asylum claim or further submission.”

As there was no objection, the meeting was closed.

LORD MAYOR



NORWICH
City Council

Council
28 September 2021
Questions to cabinet members or chairs of committees

Question 1

Councillor Huntley to ask the leader of the council the following question:

“Having experience of teaching within prison and seeing the limited opportunities for education and employment, I read with interest that food manufacturers have called on ministers to alleviate labour shortages by allowing them to employ prisoners. This comes as other firms, from hauliers to supermarkets, are also finding themselves short of workers for reasons relating to the governments bungled Brexit, the pandemic, and the failure to increase wages. I believe, in certain circumstances, that prisoners could indeed help, if they are given the opportunity to do real work for a real wage. However, they must not be exploited as cheap labour to take on the roles for which companies do not want to raise wages. Prisoners must not be used to undercut or undermine working conditions. If this sticking plaster current idea develops any further, will the leader contact the prison governor to make him aware of such concerns?”

Councillor Waters, the leader’s response:

“A timely question. Labour shortages, resulting from the pandemic and Brexit, are a growing problem for the U.K. I share you concerns. The Howard League for Penal Reform have put it very well:

‘If prisoners are to be employed to work for private companies, then they should have workers’ rights, be paid the same rate for the job as anyone else and pay tax and national insurance. They must not be exploited as cheap labour to take on the roles for which companies do not want to raise wages. Public acceptance of such endeavours will depend on prisoners competing fairly with people in the community and not being used to undercut or undermine working conditions.’

I know the prison work hard to prepare prisoners with employable skills for when they finish their sentences. I will write to the governor to make the views of the council known.”

(Councillor Huntley did not have a supplementary question).

Question 2

Councillor Giles to ask the cabinet member for environmental services the following question:

“I read with interest that according to homelessness charity Shelter fewer than one in four homeless people housed by the government's ‘Everyone In’ scheme have moved into permanent accommodation. Shelter's chief executive, Polly Neate, said "We're gravely concerned that with funding for Everyone In running out, and councils returning to 'business as usual', we will see people forced out onto the streets. It would be a travesty if we allowed rough sleeping to slide back to pre-pandemic levels". The charity has called on the government to provide ongoing, dedicated funding to local authorities to ensure its commitment to end rough sleeping can be met, along with more rough sleeping support and a "new generation" of social homes. Will the cabinet member for environmental services agree with this and comment on the successes of our Norwich scheme which has achieved so much in tackling rough sleeping?”

Councillor Oliver, the cabinet member for environmental services' response:

“I wholeheartedly agree with the comments by the chief executive of Shelter. Our work during the early days of the pandemic on the Everyone In initiative was hugely successful. We not only managed to succeed in providing self-contained accommodation for everyone sleeping on the streets of Norwich but in many cases successfully found new homes for them. Our housing first work coupled with the excellent work of our Pathways initiative continues to ensure that accommodation with support is available for people who have nowhere to stay both in the immediate and longer term. We are proud of our work in this area and will continue to work with our partners to achieve sustained success. The council has already committed to building a new generation of council housing. Continued and sustained government funding and support will be critical to ensure that people have somewhere secure to live.”

Supplementary question

(By way of a supplementary question, Councillor Giles asked whether the cabinet member for environmental services would join him in condemning the government for ‘kicking the abolition of Section 21 eviction notices into the long grass’. Councillor Oliver said that one of the most basic needs in life was for safe and secure accommodation so she would support Councillor Giles in his statement.)

Question 3

Councillor Matthew Fulton-McAlister to ask the cabinet member for social inclusion the following question:

“Representing a ward badly affected by poverty with many constituents, both in work and unemployed in receipt of Universal Credit, the prospect of losing the £20 weekly uplift has been met with horror. It will not only affect the 15,048 people in the Norwich City Council area but will push an estimated 500,000 people into poverty. This will be imposing the biggest overnight cut to the basic rate of social security since World War II and pile unnecessary financial pressure on around 5.5 million families, both in and out of work. Will the cabinet member for social inclusion comment on the impact of this cut upon our city and ongoing work our city council will provide to deliver social inclusion, as part of our wider anti-poverty strategy?”

Councillor Davis, the cabinet member for social inclusion’s response:

“The council is strongly opposed to the proposed cut in income for many of our residents and is lobbying government on this.

A recent council needs analysis highlighted the financial hardship many residents are already experiencing, which has been exacerbated by Covid and would be made worse by the proposed UC cut.

The council has a longstanding approach to reducing inequality, which seeks to mitigate wherever possible the negative impacts of welfare changes:

- Commissioning and directly providing financial inclusion advice and support
- Supporting those on the lowest incomes through our Council Tax Reduction Scheme
- Ongoing commitment to provision of social housing, including by building new properties for social rent
- Supporting individuals with complex needs and those at risk of homelessness through our specialist support team, Early Help Hub and commissioned Pathways programme
- Digital inclusion support to help residents get online
- Developing a preventative approach to reducing inequalities in targeted neighbourhoods.”

(In response to Councillor Matthew Fulton-McAlister’s supplementary question, Councillor Davis said that the government should be taxing wealth and not low paid workers who would be dealing with rising energy and food costs. If all full-time workers earned a real living wage, there would be no need to for government to top up wages.)

Question 4

Councillor Peek to ask the cabinet member for resources the following question:

“The cabinet office has stated “Any voter who does not have an approved form of identification will be able to apply for a free, local Voter Card from their local authority’. However, there is no detail or clarity about how these free ID cards can be applied for or collected. The Association of Electoral Administrators (AEA) raised serious concerns about the huge administrative burden that will be placed on already overstretched local authorities to deliver on such a technical administrative task. LAs will be expected to deliver photo ID cards alongside the added burden of registering millions of new overseas electors on top of the boundary changes. Given the repressive nature of this bill, which has been discussed before in this chamber, will the cabinet member for resources condemn it once again and write to local MPs to seek clarification on the above confusion?”

Councillor Kendrick, the cabinet member for resources’ response:

“We await the exact details of how local councils are to provide photographic ID and how this would be paid for. Despite the extremely tight timescales for implementation, government in typical fashion, has so far failed to provide any of the clarity or re-assurance around what will be yet another burden upon local government. Overall, the message on these reforms remains very clear. Firstly, the Government’s Voter ID plans will lock millions of people out of democracy - in particular the elderly, low income, and Black, Asian, and ethnic minority voters. The Conservatives are reversing decades of democratic progress and urgently need to rethink this pointless policy. Second, Voter ID is a total waste of taxpayers’ money. The policy is set to cost millions of pounds at every election. Lastly voting is safe and secure in Britain. I will make these points again to our local MPs.”

(Councillor Peek asked whether the cabinet member would push this issue on behalf of the local authority. Councillor Kendrick replied that there would be strong campaigns against those proposals which aimed to reduce voting rights of ordinary people.)

Question 5

Councillor Everett to ask the deputy leader and cabinet member for social housing the following question:

“I have long been proud of the very positive work this council has undertaken to provide accommodation and support to homeless people in our city. The partnership approach, over many years, has enhanced our capacity to deliver this vital service. I was particularly impressed by the recent work of the housing development team, working with Broadland Housing to build new supported accommodation for people who have experienced homelessness or rough sleeping at Webster Court on Lakenfields. With building work underway, can the cabinet member for social housing comment on the positive difference this scheme can provide?”

Councillor Harris, the deputy leader and cabinet member for social housing’s response:

“Thank you for your comments. You should indeed be proud of the work this council does to help people and families who are in housing need. The work we do in this area has been recognised nationally and includes our Pathways initiative, and our day-to-day work in preventing, and reducing homelessness and meeting housing need. The project at Webster Court is a follow-on from the initial work at the beginning of the pandemic and is part of the ground-breaking housing first initiative which seeks to provide secure accommodation for those previously living on our streets. The best way to end homelessness is to provide homes for people. That’s why we are building new homes and why we are supporting people to live in existing council homes and new homes that we can enable with our partners at Broadland Housing and other organisations.”

(Councillor Everett did not have a supplementary question).

Question 6

Councillor Maxwell to ask the cabinet member for health and wellbeing the following question:

“Earlier this month the Evening News reported a rocketing interest in tennis following the sensational win by the U.K.’s Emma Raducanu earlier this month. For avoidance of doubt, can the cabinet member for health and wellbeing explain once again how the new all-weather tennis courts at Heigham Park will assist the city in further developing the tennis stars of tomorrow?”

Councillor Packer, the cabinet member for health and wellbeing’s response:

“Alas, I cannot give any assurances that the all-weather tennis courts at Heigham Park will assist in developing a future US open winner. However, the council’s capital investment in three new all-weather courts at Heigham Park and two at Lakenham Recreation Ground, will ensure more residents from across the city can enjoy the benefits of Norwich Parks Tennis. The original objectives behind parks tennis, which started at Eaton Park, are still based upon wanting people, of all ages and ability, to get into tennis and be active through the provision of good value, high quality, accessible, all-weather courts for all year round. A household membership fee of £35 enables all members of a household to play for free if floodlights are not required. The model has been developed on a financially sustainable basis with all maintenance costs being funded by parks tennis income.”

(Councillor Maxwell asked as a supplementary question, if the cabinet member could provide details of how the courts would be accessible for the city’s residents.

Councillor Packer replied that making facilities accessible to all is something all councils should strive for. The price of £35 per household for a years membership meant that the courts were affordable and would be part of a network of courts across the city which fed into a citywide approach to accessibility to sports facilities.

There had been misinformation about the courts and it was clarified that they would take up 35% of the space of the grass courts. The money for the courts was coming from Community Infrastructure Levy funds which cannot be used for general fund services such as staff, council tax reduction policy or the Pathways homelessness project.

The project made the courts affordable and financially stable without requiring additional funding from the council.)

Question 7

Councillor Sue Sands to ask the cabinet member for climate change and digital inclusion the following question:

“Representing a ward where many of my constituent’s experience fuel poverty, I am concerned that the toxic mix of social security cuts, the end of furlough and rapidly rising energy prices will lead to ever increased hardship for many residents. It should be remembered that in the U.K., 4m households were unable to afford to adequately heat their homes even before the latest energy price crisis. Some 10,000 deaths a year are linked to living in a cold home, according to the charity National Energy Action. Can the cabinet member for climate change and digital inclusion comment on the positive difference our council run energy provider Roar Power has offered and the savings achieved by our ground beating Big Switch and Save initiatives?”

Councillor Hampton, the cabinet member for climate change and digital inclusion’s response:

“Sadly, many homes in Norwich will likely struggle to keep warm this winter with wholesale energy prices currently at a ten year high. Already several smaller suppliers have sadly failed.

The developing energy crisis is concerning. We are keeping track of developments but are reassured that Octopus Energy is a responsible, well-backed company, and are proud to work with them to deliver renewable and reliable energy through Roar Power.

As a council we are committed to reducing fuel poverty in the city, and helping our residents access the best energy deals, while providing advice to help them maximise their incomes. Our switching service has, over its lifetime, saved residents of Norwich over £650,000, and, like Roar Power, only offers 100% renewable electricity.

As we move into the winter, we hope those in need will take advantage of these services and be assured they are at no risk of losing supply.”

(Councillor Sue Sands did not have a supplementary question).

Question 8

Councillor Champion to ask the cabinet member for environmental services the following question:

“Several councils, such as Brighton and Hove and various London boroughs, have comprehensive written graffiti strategies. Despite a rise in graffiti in Norwich, especially affecting historic buildings, Norwich has no such strategy. It is good to know that Norwich City Council will explore and include best practice within its approach to graffiti, but can the cabinet member confirm whether a graffiti strategy will be produced in writing in order to allow residents, councillors and other stakeholders to examine this best practice and input into it?”

Councillor Oliver, the cabinet member for environmental services’ response:

“The council provides a graffiti removal service on council property, removing offensive graffiti within 24 hours and all other graffiti within two weeks. There has been an increase in graffiti since the first lockdown. To address this we have worked with the Norwich BID team to identify hot-spots and allocated some of the Government’s ‘Opening-up’ fund to target graffiti in the city centre. To date there have been an additional twenty days of graffiti cleaning this Summer.

We do recognise the requirement for a joined-up approach and are examining the options for prevention, cleaning and enforcement in order to develop an effective long-term response to graffiti. Officers will be benchmarking performance at other councils, researching best-practice and working with NCSL to find the most efficient application of our resources in order to manage and reduce graffiti city-wide.”

(As a supplementary question, Councillor Champion asked whether given that tagging was costing residents and businesses, would the cabinet member commit to putting the necessary resources into the issue, including fast tracking implementation within 6 months. Councillor Oliver replied that there was a need for a joined up approach and benchmarking work would continue. Work was being undertaken with NCSL to enhance the service even further. She would consult with officers on timescales for the work)

Question 9

Councillor Galvin to ask the cabinet member for health and wellbeing the following question:

“The Marlpit Community Centre has Silver Carbon Charter status. This is partly thanks to its solar panels, paid for and installed by its community association, which give a 700%+ financial saving as well as cutting carbon. At cabinet this month, a report stated that the council had no current intentions to upgrade the EPC E rating of a number of community centres. The Marlpit Community Centre has demonstrated that there is a way to reduce emissions with no cost to the council. This is an opportunity that the council could take advantage of for every centre and generate significant savings as well as cutting carbon. Will the council work with other community centres to insulate them, and install panels or other renewable generation measures?”

Councillor Packer, the cabinet member for health and wellbeing’s response:

“Legislation requires a minimum E EPC rating to enable a move to lease agreements for community centres. Moving centres onto leases will help VCSE tenants take advantage of funding which is unavailable to the council for improvements that benefit them financially and improve environmental impact. As such, the plans set out in the report referenced are a first step, but not the final step in encouraging centres to be environmentally and financially sustainable. While Marlpit Community Association were in the fortunate position of having savings to fund their panels, not all charities are in the same position

The council remains committed to supporting community centres, and other groups within the city, to improve their positive impact on climate change. However, currently it is beyond the scope of the capital programme to be able to fund large scale improvements with the financial challenges faced by Norwich City Council and local government.”

(As a supplementary question, Councillor Galvin asked whether Councillor Packer would work with the cabinet member for climate change and digital inclusion to see how the council could work with other community centres in the same way. Councillor Packer said that he would work with cabinet colleague to support community centres wherever possible.)

Question 10

Councillor Youssef to ask the cabinet member for health and wellbeing the following question:

“Work started on hard surfacing, fencing and floodlighting Heigham Park tennis courts on 6 September, the first day of the new school year. No local residents were forewarned, even those neighbouring the site. Ward councillors were promised, and in line with protocols, expected, advance warning of work starting which we did not get. We were subsequently told this was because officers themselves were not aware of when contractors would start until the day before. If this is true, can you explain how this is adequate and safe contractor management?”

Councillor Packer, the cabinet member for health and wellbeing’s response:

“It is a positive thing that work has now started on the delivery of Heigham Park tennis courts which will provide a new and valuable facility for residents. Council officers and staff at NPSN were in regular contact with the contractor in the run up to the start of the works and confirmed that all regulatory consents and risks assessments were in place. The start date was confirmed with the contractor sometime prior to the commencement of works but there remained a risk of disruption and delay. The council had concerns of disruption to work after vandalism was caused to the Heras fencing, locks and metal sheeting protecting the site. Local members were informed once there was certainty there would be no further risks to the commencement.”

(Councillor Youssef had sent apologies so there was no supplementary question.)

Question 11

Councillor Osborn to ask the cabinet member for inclusive and sustainable growth the following question:

“In 2019, the cabinet member for inclusive and sustainable growth recommended that the city council approve Norwich Airport's plan for expansion, with the objective of tripling its capacity. In the wake of the IPCC report that warned of a "code red" for humanity, many councils came in for criticism for supporting policies that would increase carbon emissions, including airport expansion. Can the cabinet member confirm whether he still supports the airport's plan for expansion?”

Councillor Stonard, the cabinet member for inclusive and sustainable growth's response:

“The Airport's masterplan was endorsed by cabinet in October 2019 following a lengthy process of preparation which included the council seeking and getting amendments to greater recognise the challenge of climate change, a commitment to preparing a surface access strategy, and ensure that land at the airport is safeguarded for associated high value employment activity. The masterplan contained a projection of future passenger numbers although there was no physical expansion of the airport required to deliver it.

Clearly since the masterplan was endorsed covid has hit and passenger numbers have significant reduced and may take a long time to recover. However, the airport is still pushing forward with the development of employment land and with bringing forward its surface access strategy. This is not the appropriate time to consider the council's stance on the airport's masterplan. This would create unnecessary uncertainty for an important local business.”

(By way of a supplementary question, Councillor Osborn said that the council had acknowledged the climate emergency and asked when the appropriate time would be to oppose expansion of the airport. Councillor Stonard replied that the post-Covid landscape had changed significantly with reduced airport use. The airport had been asked to build in measures to reduce its carbon footprint and the needed to be encouraged whilst acknowledging the importance of the airport to the local economy. There was a need to take a balanced approach.)

Question 12

Councillor Haynes to ask the deputy leader and cabinet member for social housing the following question:

“Other councillors and I have recently received a standard message in response to complaints about grounds maintenance not being carried out. The message states that the programme is being reprioritised and that there will be disruption for up to 12 months. I understand that changes have to be made, but this is not the non-disruptive change that was promised when the council took services back in house. A standard message also does not clarify how residents’ concerns will be addressed and I am not comfortable with fobbing them off with a generic apology. Can you please ensure that residents receive specific responses to queries that they send in as a result of the disruption to services caused by reprioritisation of the grounds maintenance programme?”

Councillor Harris, the deputy leader and cabinet member for social housing’s response:

“Following the creation of NCSL there’s an ongoing, wholesale review of resources, practices and schedules. This review is exactly the reason why NCC took control of these services in April – so that the council can better organise and allocate the company resources to effectively meet the needs and demands of the city and our residents. This has impacted on the timing of responses to non-Health and Safety issues.

It is necessary to inform people that this review is happening so that they’re aware we are developing and improving the NCSL services long-term. However, I agree that the standard message being used is not as helpful as it should be. I have asked it to be reworded to make it clear that the council does deal with all requests and complaints as they arise. We will engage with individuals, letting them know when grounds maintenance issues will be dealt with.

(Councillor Haynes asked as a supplementary question whether Councillor Harris thought that the revised answer was addressing resident’s concerns about when issues would be resolved. Councillor Harris said that she would always want residents to have an answer which took their issues seriously. She would discuss this with the relevant executive director and fellow cabinet members.

Question 13

Councillor Bogelein to ask the cabinet member for environmental services the following question:

“Some months ago, residents of Langley Walk endured weeks of communal black bins not being collected. The debris spilled everywhere, and rats were attracted. It was not clear why the bins had not been collected and Biffa did not seem to have informed anyone. After contact with several officers and weeks passing, the bin problem was finally solved, only for the same problem to appear again with the same bins in the same location. This is just one of the ongoing issues with communal bins on Langley Walk as a result of fly-tipping, problems with bin collection and under provision of black bins, Langley Walk residents constantly have to live with an area littered with waste. These problems are regularly reported to the council, but a comprehensive approach, not simply reactive measures, is needed for the area. Will the council review the situation at Langley Walk and address these problems?”

Councillor Oliver, the cabinet member for environmental services’ response:

“Unfortunately, there are times when Biffa are unable to safely make collections due to fly-tipping at communal sites such as Langley Walk. On such occasions NCSL are contacted to remove the fly-tipped waste and Biffa will then re-schedule the collection. Communications and notification systems between Biffa and NCSL have now been reviewed and improved.

You are correct that such reactive measures are not always the solution here. Environment services, housing and communications teams work together to provide effective advice and support to residents so that they can safely and properly dispose of their waste and thereby help reduce fly-tipping in communal areas.”

(As a supplementary question, Councillor Bogelein asked that the cabinet member personally saw that Langley Walk residents had a solution to their communal waste bins not being collected. Councillor Oliver said that she would visit Langley Walk to look at the situation).

Question 14

Councillor Price to ask the cabinet member for environmental services the following question:

“Over the past year, I've been contacted by residents concerned by a large increase in the rat population around Prince of Wales Road, Tombland, and surrounding areas. I've been informed that city centre restaurants place waste out for collection on the public highway at the end of the day for collection first thing the following day. Clearly this is not an adequate solution. Apart from being unsightly, it is highly likely that leaving food waste out overnight has contributed to an increase in the rat population in the city centre. This is not the image of Norwich we want early morning visitors to see. Can the cabinet member tell me what long-term solutions will be developed to address the problem of waste left out overnight in the city centre to help reduce the ever-increasing rat population?”

Councillor Oliver, the cabinet member for environmental services' response:

“The majority of businesses in the Prince of Wales Road area are in historic premises many of which lack the facilities or space to store waste bins. In such circumstances they will be reliant on daily bagged collections and dependent on the punctuality and reliability of their collection contractor.

We proactively engage with business throughout the city to advise and support them and to ensure that they dispose of their waste safely and in compliance with all legislation. This engagement will be increased in the coming months.

Enforcement against commercial waste breaches is possible using Section 34 of the Environmental Protection Act if businesses are failing in their “duty of care” and their waste is escaping their control. However, we are acutely aware of the challenges facing businesses at this time and will always seek a managed solution before considering any enforcement action.”

(By way of a supplementary question, Councillor Price asked whether the cabinet member would sit down with ward councillors and the relevant director to discuss options for commercial businesses to improve the issues. Councillor Oliver said that she would be happy to discuss the issue. The council could take enforcement action against commercial waste breaches but preferred to take an education approach which recognised the pressure that businesses had been put under during the pandemic.)

Question 15

Councillor Carlo to ask the cabinet member for health and wellbeing the following question:

“In March, the cabinet member for health and wellbeing tabled a motion on a strategy for promoting pollinating insects. Subsequently, a resident reported seeing city council contractors spraying wildflowers on council land which killed them off. Use of herbicides was confirmed by the council. I asked the cabinet member what action the council was taking to stop herbicides use and the reply came that he would speak to officers, but I have heard nothing further. In Spring, a former Sewell ward city councillor started a petition asking Norfolk County Council to ban the use of glyphosate herbicides and pesticides on our streets and council owned farms and other facilities. I would like to see a strategy produced by the council for promoting pollinating insects. Will the cabinet member commit Norwich City Council to stop using all herbicides and pesticides on council land?”

Councillor Packer, the cabinet member for health and wellbeing’s response:

“In June’s council meeting I confirmed that the council will continue working with the Pesticide Action Network (PAN) to ultimately lead Norwich to becoming pesticide and herbicide free. This requires a cautious approach while we evaluate the costs and effectiveness of alternatives. PAN recommends that councils should expect an effective pesticide-free strategy to take three years to full implementation.

The council is working alongside NCSL to consider the non-chemical alternatives available and designing a programme for trials to be held during the next growing season. Assuming that 2022 is not excessively wet, and the trials can therefore be effectively managed and assessed, reports will be prepared next Autumn evaluating the effectiveness and cost of these options. At present many non-chemical processes are less effective, therefore introduction of such processes needs to be carefully considered.”

(Councillor Carlo asked as a supplementary question what confidence there could be in the next year’s trials. Councillor Packer said that there could be full confidence as work was being undertaken with the PAN network.)

Question 16

Councillor Lubbock to ask the cabinet member for environmental services the following question:

“A letter was sent to the Clare School dated 18 August, during the summer break, informing them of the decision of this council to withdraw the subsidised clinical waste collection which had been under review for some time (stated in the letter). The start of the term was 01 September.

Why was there not sufficient notice given to the withdrawal of clinical waste services from the Clare School for them to make an alternative collection possible following the last collection on 9 September?”

Councillor Oliver, the cabinet member for environmental services; response:

“We recognise that in this instance we got things wrong and the notice we gave the school was insufficient to arrange an alternative supplier. The issue should have been discussed with the school much earlier.

We have apologised to the school for our error and reinstated their collection for the time being. Officers are due to meet the school in October to discuss how we can assist them in identifying appropriate alternate collection arrangement in due course.”

(As a supplementary question, Councillor Lubbock said that the head of the Clare School had asked what consideration was made prior to the decision around the specific needs and vulnerabilities of pupils of the Claire School. Councillor Oliver said that she would look into the decision and reiterated apologies for and inconvenience and upset caused. The council was working with the school to achieve a suitable outcome.)

Please note that the following questions are second questions from members and will only be taken if the time taken by questions has not exceeded thirty minutes. This is in line with paragraph 53 of Part 3 of the council's constitution.

Question 17

Councillor Osborn to ask the deputy leader and cabinet member for social housing the following question:

“The city council's estates team use petrol leaf blowers, including in areas that are semi-enclosed such as Barnards Yard. As a result, fumes from the leaf blowers hang around in the estate and may enter residents' flats. Research suggests that petrol leaf blowers create more air pollution than an average car, and this is exacerbated by the fact that they are used in close proximity to residents' flats. Of course, this may also put the health of staff using the equipment at risk. This is in addition to the noise pollution caused by leaf blowers, especially when they are used in very close proximity to people's flats. Can the cabinet member confirm whether the council will end the use of petrol leaf blowers and invest in safer, cleaner alternatives?”

Councillor Harris, the deputy leader and cabinet member for social housing's response:

“We are aware of the issues that can be created by the use of petrol leaf blowers they are not used in enclosed areas. In semi-enclosed areas like Barnards Yard, due to the number of trees in the area, petrol leaf blowers have continued to be used.

The housing service are engaged with residents to mitigate any issues arising for their use and are also engaged with NCSL to learn from them and investigate whether electric hand tools may be a suitable alternative. NCSL have recently updated their risk assessments concerning the use of petrol leaf blowers, are using two electric leaf blowers and will continue to increase their use where appropriate.”



Council

14:00 to 14:10

29 September 2021

Present: Councillors Maguire (Lord Mayor), Ackroyd, Bogelein, Davis, Harris, Kendrick, Maxwell, Oliver, Stonard, Thomas (Va), Thomas (Vi) and Waters

Apologies: Councillors Button, Brociek-Coulton, Champion, Carlo, Driver, Everett, Fulton-McAlister (M) , Fulton-McAlister (E), Galvin, Giles, Grahame, Hampton, Haynes, Huntley, Jones, Lubbock, Manning, Packer, Peek, Price, Sands (M), Sands (S), Schmierer, Stutely, Wright and Youssef.

1. Lord Mayor's Announcement

The Lord Mayor explained the procedures for this formal meeting of the council, convened to confirm the votes cast at the informal meeting of the council on 28 September 2021; and confirmed that the meeting was quorate.

2. Public questions / petitions

Public questions and petitions had been heard at the informal meeting on 29 September 2021.

3. Declarations of interests

Councillor Bogelein declared a pecuniary interest in item 6a (below) – Motion – COP26 – and would leave the meeting for the discussion and vote on the item.

4. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 20 and 21 July 2021.

5. Treasury management full year review 2021-22

RESOLVED, unanimously, to note the report and the treasury activity for the year to 31 March 2021

6. Motions

(Notice of the following motions, 6(a) to 6(d), below, as set out on the agenda, had been received in accordance with the council's constitution.)

6 (a) Motion: COP26

(Councillor Bogelein left the meeting for the duration of this item having declared a pecuniary interest).

The following amendment was received from Councillor Osborn:-

Inserting the words "**and improve upon**" after "**continue to review**" in resolution (2).

Councillor Hampton had indicated that she was willing to accept the amendment and as no other member objected, the amendment became part of the substantive motion.

RESOLVED, unanimously, that:

"This summer we have seen more evidence of the immediate impact of climate change, including rampant wildfires in America, hundreds of people killed by extreme floods in Germany and China and the Met Office issuing its first ever extreme heat warning in the UK. The Intergovernmental Panel on Climate Change's Sixth Report, published in August 2021, found that the global surface temperature will continue to rise until at least the middle of this century. Global warming of 1.5C and 2C will be exceeded this century unless deep cuts to carbon and other greenhouse gas emissions are made over the coming decades.

This council **RESOLVES** to:-

(1) Note; -

- a) The UK Government is the host of COP26, being held in Glasgow in November 2021. This is an opportunity for the UK Government to radically shape global action on climate change, and to use the opportunity to shape how climate change is tackled in the UK.
- b) Norwich City Council has declared a Climate Emergency and recognised that this is inextricably linked with social and economic emergencies which affect ordinary people globally and locally.
- c) Norwich City Council has already taken a number of actions to tackle climate change locally, including setting up a renewable energy company for Norwich and Norfolk, delivering award-winning Passivhaus developments, being the first authority to run public auctions for domestic solar panels and the first city in the UK to run a collective switching programme.

- d) Local government has the ability, knowledge and tools to make an impact at a local level. However, councils have seen their funding from government cut by over 60p in every £1 since 2010, which has had a crippling effect on services and will severely impact the ability of councils to reach their full potential in tackling the causes of climate change.
- e) Ask the Leader to write to Alok Sharma MP, President of COP26, Kwasi Kwarteng MP, Secretary of State for Business, Energy and Industrial Strategy, and Robert Jenrick MP, Secretary of State for Housing, Communities and Local Government, to:
 - i. Make the case for local government having a stronger role in tackling climate change and to share examples of the work already done by Norwich City Council;
 - ii. Call for the UK Government to provide councils with the resource and powers necessary to take even more ambitious action to tackle climate change;
 - iii. State our support for substantial public investment in a green recovery that tackles the Climate Emergency, creates climate jobs and is underpinned by a fair deal for workers.

(2) continue to review and improve upon the progress made by Norwich City Council in meeting the goals and objectives set out in Norwich City Council's Climate Emergency declaration.

(3) continue to work with employers in the city, including businesses, the third sector, charities and the public sector through the LEP, BID and Good Economy Commission, Norwich 2040 Partnership and Norwich Climate Commission to encourage them to take steps to reduce their carbon emissions and operate in a more sustainable way, and learn from any best practice that they've already put in place."

(Councillor Bogelein was readmitted to the meeting).

6(b) Motion: Climate change adaptation

The following amendment was received from Councillor Hampton:-

Inserting the words "**Continue to**" at the start of resolution (1) and (2)

Councillor Carlo indicated that she was willing to accept the amendment and as no other member objected, the amendment became part of the substantive motion.

RESOLVED, unanimously, that:

"The latest report by the Intergovernmental Panel on Climate Change provides a stark warning. The world must drastically cut greenhouse gases this decade if we are to stay within 1.5 degrees C or else face dire consequences. Extreme weather is becoming the norm under 1.1 C and yet we are headed towards 3C. The poorest communities are least responsible for these crises and are invariably the worst affected. The Climate Change Committee has repeatedly warned of the need for adaptation to climate change, saying the risks to all aspects of life in the UK have

increased over the last five years. We must now adapt to the effects of future climate change, not merely the current consequences.”

Council **RESOLVES** to ask cabinet to:

- (1) Continue to work with partners to share and implement climate change adaptation strategies to increase the climate resilience of the city and its citizens.
- (2) Continue to develop and implement a climate change adaptation strategy which covers all areas of the City Council’s work, including work carried out by wholly-owned companies and contractors.
- (3) Continue working with partners such as the LGA to make the case to government for additional resources for local authorities for climate change mitigation and adaptation.

(The following items had been taken as unopposed business.)

6(c) Motion: Glasgow food and climate declaration

(Proposer Councillor Davis, seconder Councillor Osborn. Unopposed business)

RESOLVED that:

“Over the last decade food poverty in Norwich has significantly increased, a symptom of the increasing effects of wider climate change on aspects of our food system and society. Earlier this year Norwich City Council signed the Glasgow Food and Climate Declaration, joining other local authorities in speaking with a unified voice to renew their commitments to develop sustainable food policies, promote mechanisms for joined-up action and call on national governments to put sustainable food and farming at the heart of the global response to the climate emergency.

Council **RESOLVES** :

- 1) To note;
 - a) Its concern that the COVID-19 crisis has exposed the fragility of our food systems, the vulnerabilities of large parts of urban and rural populations and the critical need for preparedness and resilience in the face of shocks;
 - b) that food systems currently account for 21-37% of total greenhouse gas emissions (GHGs), and are at the heart of many of the world’s major challenges today including biodiversity loss, enduring hunger and malnutrition, and an escalating public health crisis;
 - c) that unsustainable dynamics pervade the whole food chain, primarily stemming from industrial food and farming systems which exploit all

aspects of agriculture to maximise profits; this should be addressed through the involvement of all food system stakeholders in decision-making for a sustainable and just transition – including food and farm workers, civil society groups, researchers, indigenous communities, women, and especially youth whose future are the most at risk from the effects of climate change and biodiversity loss;

- d) systemic inequality is pervasive throughout the food system, and disproportionately affects communities ranging from people living in poverty, people experiencing racism, people displaced due to climate change or conflict, people with precarious legal status, and many others; and many of these same groups are exploited for their labour globally;
 - e) that only Sustainable Development Goals can identify effective intervention points to accelerate climate action while delivering many complementary benefits, including the promotion of biodiversity, ecosystem regeneration and resilience, circularity, equity, access to healthy and sustainable diets for all, and the creation of resilient livelihoods for farm and food workers;
 - f) that cities and regions are leading the way in pioneering integrated food policies and strategies at the local level to reduce their environmental footprint, drive sustainable food system development and ensure greater resilience to shocks;
 - g) the number of commitments on sustainable urban and regional food policies already made by cities, local and regional governments over the last two decades, in particular the 2014 World Urban Forum Medellin, the 2015 Milan Urban Food Policy Pact (MUFPP), the 2015 Seoul Declaration, the 2016 New Urban Agenda, and the 2019 C40 Good Food Cities Declaration;
 - h) that actions must be aligned horizontally (across policy areas) and vertically (between different levels of governance) to accelerate the transition to sustainable food systems;
 - i) that cross-sectoral, multi-level, and multi-actor governance of food systems is required in order for sustainable and just food systems to take root, and that this requires national governments to take a proactive and enabling role;
 - j) that without accompanying regulatory and legislative reforms at the national level, the impact of such partnerships and policies will be limited;
- 2) That we, the undersigned elected leaders of subnational governments, in anticipation of the 26th Conference of Parties of the UNFCCC in Glasgow, commit to accelerate climate action by building and facilitating sustainable food systems transformation, by:

- a) Continuing the work with appropriate partners within existing budgets to develop and implement, where relevant, integrated food policies and strategies as key tools in the fight against climate change; and ensuring that these instruments adopt a food systems approach that involves actors across all parts of the food chain; continue to support local food producers especially community gardens and allotments; include metrics to assess GHG emissions reduction targets from food systems, as well as opportunities for cooperation and best practice sharing between subnational governments.
- b) Reducing greenhouse gas (GHG) emissions from urban and regional food systems in accordance with the Paris Agreement and the Sustainable Development Goals and building sustainable food systems that are able to rebuild ecosystems and deliver safe, healthy, accessible, affordable, and sustainable diets for all.
- c) Calling on government to establish supportive and enabling policy frameworks and multi-level and multi-actor governance mechanisms, allowing coordinated decision-making on food systems. These mechanisms will support the drafting of inclusive national food policies to be included into the revisions of the Nationally Determined Contributions (NDCs)."

6(d) Motion: Lift the ban coalition

(Proposer Councillor Ackroyd, seconder Councillor Wright. Unopposed business)

RESOLVED that:

"As of the end of June 2021, in Norwich, there are 117 people seeking asylum in receipt of Section 95 support, and global events over the summer may well see this figure increase.

Since 2002, people seeking asylum have only able to apply for the right to work after they have been waiting for a decision on their asylum claim for over a year, and only if they can be employed into one of the narrow, highly-skilled professions included on the Government's Shortage Occupation List but currently people seeking asylum are left to live on £5.66 per day, struggling to support themselves and their families, and left vulnerable to destitution, isolation, and exploitation.

71% of people polled agreed with the statement: "when people come to the UK seeking asylum it is important they integrate, learn English and get to know people. It would help integration if asylum-seekers were allowed to work if their claim takes more than six months to process".

The potential foregone economic gain for the UK economy of allowing people to work is estimated to be £42.4million via increased taxable income and reduced payments of accommodation/subsistence support.

Council **RESOLVES** to

- 1) Recognise that:

- a. people seeking asylum want to be able to work so that they can use their skills and make the most of their potential, integrate into their communities, and provide for themselves and their families.
 - b. restrictions on right to work can lead to extremely poor mental health outcomes, and a waste of potentially invaluable talents and skills both for the economy of Norwich and the UK.
 - c. allowing people seeking asylum the right to work would therefore lead to positive outcomes for those seeking asylum in Norwich and for the local and national economy.
- 2) Applaud the efforts of several MPs (Christine Jardine – Lib Dem, Carol Monaghan – SNP and Chris Stephens – SNP) who have introduced Private Members' Bills to grant asylum seekers the right to work.
 - 3) Join the Lift the Ban Coalition, which is campaigning to restore the right to work for everyone waiting for more than 6 months for a decision on their asylum claim; and
 - 4) Ask group leaders to write to the appropriate minister calling on the UK Government to give people seeking asylum the right to work unconstrained by the shortage occupation list after they have waited six months for a decision on their initial asylum claim or further submission.”

LORD MAYOR



Committee Name: Council

Committee Date: 30/11/2021

Report Title: Health, Safety and Compliance in Council Homes

Portfolio:	Councillor Harris, Deputy leader and cabinet member for social housing
Report from:	Executive director of community services
Wards:	All Wards
Report OPEN PUBLIC ITEM	

Purpose

To seek approval for capital funding to support delivery of the Compliance Improvement Plan.

Recommendation:

1. Approve that the HRA capital programme is adjusted by £1m in 2021/22 and £1m in 2022/23 to support delivery of capital upgrade works relating to the Compliance Improvement Plan as set out in paragraph 48 of the 12th November cabinet report.
2. Members note that quarterly progress reports against the Compliance Improvement Plan will be presented to Cabinet.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report addresses the following strategic actions in the Corporate Plan:

- People living well and great neighbourhoods, housing and environment.

The Council's Housing Strategy '*Fit for the Future*' A Council Housing Strategy for Norwich sets priorities for the Council's homes and estates for the period 2020 to 2026. It identifies four primary goals, these are:

- Meeting Housing need – delivering new homes.
- Maintaining and improving condition of existing housing
- Improving the use and management of our existing housing stock
- Improving our neighbourhoods

Report Context

1. On the 12th November 2021 Cabinet approved a number of recommendations in the report Health, Safety and Compliance in council homes.
2. A copy of the Cabinet report is attached [here](#).
3. Following Cabinet recommendation to Council, this report seeks approval for an adjustment in the HRA capital programme 2021/22 to support delivery of the capital works required to return the Council to full compliance.

Report Detail

4. In October, following an internal high-level review of health, safety and compliance management and self-referral to the Regulator of Social Housing (RSH), the RSH has found Norwich City Council (NCC) in breach of the Homes Standard and has published a Regulatory Notice.
5. The RSH has not felt it necessary to take any enforcement action against NCC. This is because the RSH has confidence in NCC's plans to improve services and return to full compliance. The RSH will work closely with NCC to monitor progress against a Compliance Improvement Plan.
6. A Compliance Improvement Plan (CIP) and new governance arrangements have been developed. The CIP is a 'live' document which will be continually updated in response to emerging information, completed actions, ongoing checks and inspections. The CIP is routinely monitored by the Health & Safety Compliance Board and will be reviewed against agreed milestones.
7. The final CIP will be agreed with the RSH. Projects and activities will be prioritised and scheduled for delivery. It is anticipated that the programme will take 12 months to deliver and a further 6 to 12 months to embed processes and procedures and return NCC to full compliance.
8. There are approximately 40 projects being developed. The CIP is being further developed to reflect work required in preparation for the Building Safety Act.

9. Temporary resources are required to provide the required skills and expertise to return NCC homes to full compliance within the timescales expected. Recruitment to key roles has been completed within existing HRA contingency budgets and delegations.

10. In addition to securing sufficient internal resources, it is necessary to increase contractor capacity. Discussions are underway with contractors to identify support for the compliance improvement programme. Appointment of appropriate contractors will be undertaken as swiftly as possible to meet the needs of the CIP whilst meeting all required procurement processes.

Implications

Financial and Resources

11. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.

12. Capital works relating to compliance are included in various project budgets within the HRA capital programme.

13. Budgeting assumptions for delivery of the CIP have been made to secure funding to commence work immediately. Further work to assess costs more accurately against the CIP, will be undertaken.

14. To commence delivery of the CIP and meet the timescales set out, dedicated capital funding is required as detailed in the following paragraphs.

15. It is estimated that a capital provision of £2million will be required to provide capacity for capital works arising from inspections, checks and risk assessments. It is proposed that this is funded from existing budgets that are forecast to underspend within the 2021/22 HRA Capital Programme. Although the value of the HRA capital programme will not change, the proposed virement does represent a change to the purpose for which the budget was originally approved, Cabinet was therefore asked to recommend to Council the approval of the following virement and re-profiling of capital budgets:

Area	Approved 21/22 Budget (£)	Proposed Virement (£)	Proposed 21/22 Budget (£)	Proposed 22/23 Budget (£)
HRA Major Compliance Upgrades	0	2,000,000	1,000,000	1,000,000
HRA Upgrades - Communal Boilers	5,064,000	(1,400,000)		
HRA Upgrades - Windows	2,900,000	(600,000)		
Total	7,964,000	0	1,000,000	1,000,000

16. Capital budget approval will be sought for any 2021/22 underspend to be carried forward through the usual capital carry-forward process for utilisation in 2022/22

Legal

The legal implications associated with this decision are as set out in the Cabinet report of 12 November, as referenced above.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	No direct implications.
Health, Social and Economic Impact	The breach is the standards could cause serious detriment to tenants' health but in some cases this has already been rectified. The remaining breaches will be mitigated by the proposals set out in the report and the CIP.
Crime and Disorder	No direct implications.
Children and Adults Safeguarding	All persons involved in the remedial works must adhere to the councils Safeguarding Policy statement
Environmental Impact	The proposals set out in the report and the CIP will mitigate against any direct environmental impacts which could occur as a result of the breach of standards.

Other Options Considered

17. Not applicable

Reasons for the decision/recommendation

18. The Cabinet report of 12 November set out the plans in place to return the council's homes to full compliance with the housing standards. This report is required as only the Council has authority to make significant adjustments to the capital budget as set out in this report.

Background papers: None

Appendices: Cabinet Report Health Safety and Compliance in Council Homes

Contact Officer:

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Committee Name: Council

Committee Date: 30/11/2021

Report Title: Licensing Act 2003 - statement of licensing policy

Portfolio:	Councillor Jones - Safer, stronger neighbourhoods
Report from:	Executive director of development and city services
Wards:	All Wards
OPEN PUBLIC ITEM	

Purpose

That Council consider the recommendation from Licensing Committee to adopt the Statement of Licensing Policy under the Licensing Act 2003 attached at Appendix A, as the council's formal policy

Recommendation:

That Council adopt the Statement of Licensing Policy attached at Appendix A as the council's formal policy.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the People living well and Inclusive economy corporate priorities.

This report addresses the Feeling safe, Vibrant city centre and Diverse, thriving businesses strategic actions in the Corporate Plan.

Report Details

1. The Licensing Act 2003 regulates sales of alcohol, entertainment and late-night refreshment. The licensing policy sets out how the licensing functions will be delivered in Norwich, ensuring a safe environment for users of licensed premises, operators and the local community.
2. The Licensing Act 2003 requires each licensing authority to carry out its various licensing functions to promote the following four licensing objectives:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
3. To achieve these objectives, the authority is required to publish a statement of licensing policy, setting out how the authority will generally promote the licensing objectives when making decisions on applications made under the Licensing Act 2003. That policy must be kept under review on an ongoing basis, and in any case every five years. The most recent policy was adopted by Council in June 2015. The legislation requires that where revisions are made, the licensing authority must publish a statement of the revisions or the revised licensing policy. The most recently published Licensing Policy can be found [here](#).
4. A new draft policy was prepared, reviewed by Licensing Committee and authorised for public consultation. Following public consultation, the responses were reviewed and content of the draft licensing policy was agreed by the Licensing committee on 8 July 2021. The committee resolved to refer the policy to Council for formal adoption. The report and minutes of that meeting can be found [here](#). The document has since been formatted and is attached as Appendix A to this report.
5. The policy is broadly similar to that previously adopted and applied since 2015. The substantive alteration is driven by legislative changes to cumulative impact areas which requires the removal of the special policy on cumulative impact.
6. Prior to April 2018 local authorities had been able to include within their Licensing Policy a special policy on cumulative impact. Norwich adopted such a policy in the last review of the Licensing Policy in 2015. The special cumulative impact policy was in place as the high concentration of premises licensed to sell alcohol and/or provide late night refreshment between the hours of 2100 and 0600 within the police's late night economy public order policing zone was deemed to be producing a detrimental impact upon the licensing objectives. This area included part of the city centre, Prince of Wales Road, Tombland and Riverside areas.
7. However, the coming into force of section 5A of the Policing and Crime Act 2017 in April 2018 via the Policing and Crime Act 2017 (Commencement No.8) Regulations 2018, altered the standing of cumulative impact, changing

it from being something that previously could be included within the Licensing Policy, to a standalone consideration, known as a Cumulative Impact Assessment (CIA). Therefore, we are unable to continue to include the cumulative impact section within the most recent policy as this would have no proper legal standing and could leave the policy open to challenge.

8. A CIA may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. Although, if undertaken, a CIA is separate to the Licensing Policy, the policy must have regard to any CIA published by the authority. Where an authority publishes a CIA, this must be reviewed every 3 years.
9. The Covid-19 pandemic and the subsequent business closure regulations have had a significant impact on all hospitality and entertainment venues, in particular those in the late-night economy area that is identified within the most recently published Licensing Policy's cumulative impact section. Many premises have had to close for an extended period of time, and it is not considered possible within the current climate to properly assess the long term impacts of the pandemic, and subsequently not possible to assess cumulative impact of the number or density of licensed premises and any potential for undermining of the licensing objectives. Consideration of a CIA can be undertaken at any time, and the draft policy commits to reviewing the matter after six months from adoption of the new Licensing Policy and thereafter as needed, but in any event every 3 years.

Consultation

10. The Licensing Act 2003 requires that consultation must take place with the police, fire service, public health, representatives of licence holders, representatives of businesses in the area and representatives of residents in the area.
11. The draft policy document formed the basis for a consultation which ran from 8 February to 2 May 2021 and in addition to the statutory requirements, we also consulted with the other responsible authorities, trade associations, forums, advisory groups, members of parliament, agents / legal advisors, neighbouring local authorities, resident groups, community groups and all ward councillors. The consultation was completed electronically via email, electronic bulletin and placed on the council's website. This sent notification of the consultation to anyone who had signed up to receive alerts in relation to consultations and licensed premises.
12. The policy returned to the Licensing Committee for consideration of the responses received in the consultation. Responses included the welcoming of the removal of the cumulative impact policy, suggestions for wording for parts of the policy and updated contact details for an organisation.

13. Amendments have been applied to the policy in line with the responses, and the committee have approved the licensing policy for referral to full Council for formal adoption.
14. Following formal adoption by full Council, the published policy will remain in force for a five-year period after which it must be reviewed and formally adopted for a further five-year period and so on. During each five-year period, the licensing authority can make such revisions to their policy, at such times as considered appropriate, following a further consultation exercise.

Risks

15. Failure to adopt and publish a Statement of Licensing Policy means that the authority would not be complying with the Licensing Act 2003 and may leave any decisions made by the Licensing Authority open to a risk of challenge along with the potential of damage to its reputation.

Implications

Financial and Resources

Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.

16. There are no proposals in this report that would reduce or increase resources. The fees charged for licensing licensable activities are set under the Licensing Act 2003 so there is no scope for alteration of these. The draft policy states the intention is to perform a cumulative impact assessment at an appropriate time. With advice from officers, Licensing Committee will consider whether it is appropriate to start the CIA at a six-month interval from the formal adoption of this policy. This will form part of the standard licensing committee meeting cycle and won't require additional resources. If a decision is subsequently made to undertake an assessment or introduce a cumulative impact policy, financial and resource implications will be considered as part of that decision making process.

Legal

17. There is a statutory requirement under the Licensing Act 2003 for Norwich City Council to produce, consult upon and adopt a statement of licensing policy every 5 years. The previous policy was published in June 2015 and so the introduction of a new policy is overdue. There will be legal risks with not adopting a policy, as this makes compliance with the general duties of a licensing authority difficult – a licensing authority must have regard to its licensing statement when carrying out its licensing functions. Whilst the current situation is not desirable there are no current licensing matters where the lack of a local licensing policy has been raised as a concern and the licensing authority has and will ensure that decisions continue to give full attention to the national statutory guidance. The review was delayed due to the Covid-19 pandemic and is now overdue. The review was due in June 2020 at which time officers were working at home with restricted IT

access and it was felt that business as usual was a greater priority than policy review and consultation, understanding that the risks were low due to many premises not being open at that time.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	There are no issues specific to the licensing policy. The policy has been produced in compliance with legislation and national guidance which was subject to an Equalities Impact assessment. The Strategy Officer confirmed no Equality Impact Assessment is required for the policy.
Health, Social and Economic Impact	The principles of the public safety licensing objective are to be upheld in any decision made by the licensing authority. Consultation has taken place with Norfolk Fire and Rescue, Environmental Health and Public Health as the relevant responsible authorities. Model conditions are suggested for this area to mitigate negative effects of licensed activities on the licensing objective of public safety.
Crime and Disorder	The principles of the prevention of crime and disorder licensing objective are to be upheld in any decision made by the licensing authority. Consultation has taken place with Norfolk Constabulary as the relevant responsible authority. Model conditions are suggested for this area to mitigate negative effects of licensed activities on the licensing objective of the prevention of crime and disorder.
Children and Adults Safeguarding	The principles of the protection of children from harm licensing objective are to be upheld in any decision made by the licensing authority. Consultation has taken place with Norfolk County Council Safeguarding Children Board and Trading Standards as the relevant responsible authorities. Model conditions are suggested for this area to mitigate negative effects of licensed activities on the licensing objective of the protection of children from harm.
Environmental Impact	The principles of the prevention of public nuisance licensing objective are to be upheld in any decision made by the licensing authority. Consultation has taken place with Public Protection as the relevant responsible authority. Model conditions are suggested for this area to mitigate negative

	effects of licensed activities on the licensing objective of the prevention of public nuisance.
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Risk Management

Risk	Consequence	Controls Required
Legal and reputational risks to the council of having no adequate policy in place.	Non-compliance with statutory requirement and risk of legal challenge.	Agree new policy

Other Options Considered

18. No other reasonably viable options.

Reasons for the decision/recommendation

19. To fulfil a statutory requirement.

Background papers:

Most recent policy (link to website):

www.norwich.gov.uk/downloads/file/2258/licensing_policy

[July 2021 Licensing Committee papers and decision](#)

Appendices:

Appendix A – draft statement of licensing policy

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November 2021

Licensing policy

approved by Norwich City Council

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Section A – premises licences

1. Introduction

1.1 Norwich City Council is the licensing authority under the Licensing Act 2003 and is responsible for granting premises licences, club premises certificates, temporary events notices and personal licences in the city in respect of licensable activities, which are:

- the supply of alcohol by retail
- the supply of alcohol to club members and their guests
- the provision of regulated entertainment
- the provision of late night refreshment

Regulated entertainment is defined (subject to certain exemptions) as any of the following which takes place in the presence of an audience for the entertainment of that audience and are provided for members of the public or a section of the public or exclusively for the members of a qualifying club and/or their guests or for consideration and with a view to profit:

- a) a performance of a play
- b) an exhibition of a film
- c) an indoor sporting event
- d) boxing or wrestling
- e) a performance of live music
- f) playing of recorded music
- g) a performance of dance
- h) entertainment of a similar description to performance of live music, playing of recorded music or a performance of dance
- i) the provision of late night refreshment.

Late night refreshment is defined as the supply of hot food or drink to the public or a section of the public on or from any premises whether for consumption on or off the premises (mobile units included) between the hours of 11pm and 5am.

- 1.2 Section 177 of the 2003 Act details circumstances where conditions relating to dancing may not have effect. This relates to smaller premises that have capacity of 200 persons or less. In this context, the capacity must be where the Fire and Rescue authority has made a recommendation on the capacity of the premises under the Fire Safety Order. For any premises without an existing permitted capacity, where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the Fire and Rescue authority, which will consider it and then decide what the permitted capacity of those premises should be.
- 1.3 Morris dancing and other dancing of a similar nature or a performance of unamplified, live music, as an integral part of such a performance is exempt from any licensing requirements.
- 1.4 The 2003 Act requires the council to carry out its various licensing functions 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.
- 1.6 This statement of licensing policy has been prepared in accordance with the provisions of the 2003 Act and having regard to the guidance issued under Section 182 of the act by the Secretary of State. This policy takes effect on *** and will remain in force for a period of no more than five years. It will be subject to regular review and further consultation prior to ***.
- 1.7 This policy covers a wide variety of activities and premises including public houses, theatres, cinemas, restaurants, nightclubs, private members clubs, sports clubs and community centres, as well as off-licences and food premises selling hot food or hot drink after 11pm. The policy cannot provide for every eventuality, but sets out the factors and the council’s policies that will influence the achievement of the licensing objectives.

1.8 The licensing function cannot be used for the general control of the antisocial behaviour of individuals once they are beyond the direct control of the managers of the premises. However, licensees and certificate holders should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example on the pavement, in a beer garden, or in a smoking shelter, where and to the extent that these matters are within their control. Other mechanisms may also be used, where appropriate, to tackle unruly or unlawful behaviour of consumers when beyond the control of the individual, club or business holding the licence, certificate or authorisation concerned. These include:

- planning controls
- positive measures to create a safe and clean city environment in partnership with local businesses, transport operators and other departments of the local authority
- the provision of CCTV surveillance in city centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols
- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly following a warning
- police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices
- the confiscation of alcohol from children and adults in designated areas
- the exercise of police powers to close premises or temporary event instantly for 24 hours on the grounds of disorder or likely disorder or noise nuisance
- the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk
- the power of the police or other responsible authorities or a local resident or a business to seek a review of the licence or certificate in question

1.9 This policy does not seek to undermine the right of any individual to apply under the terms of the act for a variety of permissions and to have such an application considered on its individual merits. It does not seek to override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the act.

2. Consultation and links to other policies and strategies

2.1 The council will seek to work with the police, local transport authority and providers, to find ways in which the public can be dispersed from licensed premises and events to minimise disturbance, crime and disorder.

2.2 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for the council to act in a way that is incompatible with a convention right. Particular regard will be given to the following relevant provisions of the European Convention on Human Rights in respect of its licensing responsibilities:

- Article 6 that in determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law
- Article 8 that everyone has the right to respect for their home and private life, and
 - Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of their possessions, including for example the possession of a licence.

2.3 In addition to the requirements of the council to promote the licensing objectives, there is a statutory duty under the Equality Act 2010 to:

- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between different communities.
- Eliminate discrimination, harassment and victimisation, which are all prohibited conduct in the Equality Act 2010.

2.4 Organisations providing access to goods, facilities and services, are subject to disability discrimination laws simplified in the Equality Act 2010. This is a statutory obligation for all prospective applicants providing goods and

services to the public, who should therefore be able to demonstrate compliance with the following:

- it is unlawful to put a disabled person at a substantial disadvantage in comparison with a non-disabled peer.
- Reasonable adjustments should be made for disabled people, such as providing help to access services (like menus in Braille for example), or making changes to the service so that it is more accessible.
- Reasonable adjustments should be made to the physical features of premises open to the public (like installing ramped access for example).

2.5 The Health Act 2006 has been introduced to protect employees and the public from the harmful effects of second hand smoke. It is against the law to smoke in virtually all enclosed public places, workplaces and public and work vehicles in England. There are very few exemptions from the law. Managers of smoke free premises have a legal responsibility to prevent people from smoking. The law requires no smoking signs to be displayed in all smoke free premises and vehicles. The law applies to anything that can be smoked; this includes cigarettes, pipes (including water pipes such as shisha and hookah pipes), cigars and herbal cigarettes. Failure to comply with this law is a criminal offence.

For downloads and guidance visit www.smokefreeengland.co.uk

2.6 So far as possible, the council will avoid duplication with other regulatory regimes, and will not use its powers under the Licensing Act 2003 to achieve outcomes that can be achieved by other legislation and other enforcement agencies. As an example, the council will not seek to impose fire safety conditions that may duplicate any requirements or prohibitions that could be imposed under the Regulatory Reform (Fire Safety) Order 2005.

2.7 In particular, the council's licensing functions will be discharged separately from its functions as the local planning authority.

2.8 The council's planning, building control and licensing regimes will be properly separated to avoid duplication and inefficiency. Applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission has been sought or granted by the planning authority. It should be

noted that licensing committees are not bound by decisions made by a planning committee, and vice versa.

- 2.9 The granting by the licensing committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control where appropriate. Where, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes, and these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.
- 2.10 If other statutory requirements apply to the provision of any regulated activities at a premise, the licence holder is responsible for complying with these. For example, if the activity involves the preparation and or sale of food the applicant needs to ensure all appropriate food safety legal requirements are met. It is not a requirement of any licence decision to address these matters. However, it is necessary for the responsible licensee to conform with all relevant legislation.

3. Applications for licences

- 3.1 The legislation specifies the persons and organisations who can apply for a club registration certificate or a premises licence. In respect of a premises licence this includes a person who carries on or who proposes to carry on a business involving the use of the premises for the licensable activities to which the application relates. If any other permission to use the premises were needed, in respect of planning permission or property owner's consent for example, this would be dealt with elsewhere.
- 3.2 To assess applications for premises licences, the council must be satisfied that the measures proposed in the applicant's operating schedule aim to achieve the four licensing objectives. Bold type refers to matters that the council expects to see addressed in the applicant's operating schedule, where appropriate. Passages of text that are not in bold type are provided to assist applicants to understand what the council is seeking to achieve, the factors that influence the achievement of that outcome and the control measures that could be implemented by the applicant to achieve that outcome. Guidance notes for applicants will be available.
- 3.3 Applicants should 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 is expected to demonstrate how the premises will be 'good neighbours' both to residents and to other venues and businesses consistent with the council's licensing objectives.
- 3.4 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.
- 3.5 If the council itself makes an application for premises licences the licensing committee and its officers will consider the matter from an entirely neutral standpoint. If relevant representations are made, such representations will be given full and equitable consideration by the committee. Those who make representations, but who are aggrieved by a decision in favour of a council application, are entitled to appeal to the magistrates' court to have the decision reviewed.
- 3.6 The council may refuse any application that fails to satisfy the requirements of the act or the regulations. Incomplete applications will be returned with an

explanation of why it is incomplete. It is recommended that applicants seek their own independent legal advice.

3.7 Right to Work

From 6 April 2017, licensing authorities must be satisfied that an individual who applies for a premises licence is entitled to work in the UK. This is to prevent illegal working in licensed premises. All applications for personal licences and applications for premises licences made by individuals require the applicant to demonstrate that they are eligible to work in the UK. Licences cannot be granted to those without entitlement to work in the UK. If a licence holder's immigration status in the UK is time limited, their licence will lapse when their immigration permission and their entitlement to work in licensable activities ends. Home Office Immigration Enforcement are a responsible authority so can comment on applications and make representations.

Variations

3.8 A premises licence holder wishing to amend their licence will, in most cases, be able to apply for a variation rather than requiring an application for a new premises licence. Simplified processes are in place for the following:

- the change of the name or address of someone named in the licence
- to specify a new individual as the designated premises supervisor
- a request to be removed as the designated supervisor
- in respect of community premises, an application to disapply the requirements for a designated premises supervisor
- an application for a minor variation

3.9 Minor variations will generally fall into four categories - minor changes to the structure or layout of a premises; small adjustments to licensing hours; the removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions; and the addition of certain licensable activities. In all cases, the overall test is whether the proposed variation could impact adversely on any of the four licensing objectives.

3.10 Variations to extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 11pm and 7am or to increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises are excluded from the minor variations process and must be treated as full variations.

4. Representations

- 4.1 Responsible authorities (see Appendix 7) will be asked to consider all applications and to make representations to the council, if they relate to the promotion of the four licensing objectives and particularly in respect of applications that might be regarded as contentious. Representations must be evidentially based and the organisation should attend any hearing when the application is being considered. Representations can be made in opposition to, or in support of, an application.
- 4.2 The council will consider all valid representations (see Appendix 7), which should be evidentially based and supported by attendance at any hearing at which the application is being considered.
- 4.3 A representation will only be accepted by the council if it is relevant i.e. it must relate to the likely effect of granting the licence on the promotion of at least one of the four licensing objectives. Representations that are regarded as being frivolous or vexatious will not be considered, and in the case of a review of a licence, any representation that is regarded as repetitious, will not be considered. An officer of the council will make a decision as to whether a representation is frivolous, vexatious or repetitive.
- 4.4 In some exceptional and isolated circumstances people may be reluctant to make representations because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant. In these circumstances, people may be advised to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.
- 4.5 The council may also decide to withhold some or all personal details from the applicant, giving only enough details (such as street name or general location within a street) which would allow an applicant to be satisfied that the interested person is within the vicinity of the premises. However, withholding such detail should only be considered where the circumstances justify such action and the licensing authority is satisfied that the complaints are not frivolous or vexatious.
- 4.6 Where the Licensing Authority acts as a responsible authority, appropriate steps will be taken to ensure separation of the roles and that transparency in the decision making process is clear.

5. Conditions attaching to licences

- 5.1 Where relevant representations are made, the council will make objective judgements 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, conditions will only be imposed where they are appropriate for the promotion of the licensing objectives.
- 5.3 Applicants may offer conditions, which from their own risk assessment, they consider are necessary to achieve the four licensing objectives. To assist applicants, and for consistency, a series of model conditions have been prepared which may be used with or without modification. These model conditions may be used to impose conditions where appropriate and proportional (model conditions are attached at appendices 2, 3, 4 and 5).
- 5.4 If an applicant volunteers a prohibition or restriction in their operating schedule because their own risk assessment has determined such prohibition or restriction to be appropriate, such volunteered prohibitions or restrictions will become conditions attached to the licence, or certificate and will be enforceable as such.

6. Delegation of the licensing functions

- 6.1 The council will provide a speedy, efficient and cost effective service to all parties involved in the licensing process, while at the same time properly publicising all applications with responsible bodies and interested persons giving sufficient notice and time to make representations.
- 6.2 A table setting out how applications for licences will be determined is set out in Appendix 6.
- 6.3 Unless there are compelling reasons to the contrary, the licensing committee or any of its sub-committees will meet in public, although members can retire into private session to be advised by legal advisors to consider their decision.

7. Need for licensed premises

- 7.1 The council acknowledges that need, in the sense of the commercial demand for further licensed premises, is not a licensing policy matter. Therefore, licensing decisions will not take these issues into account.

8. The impact of licensed premises

- 8.1 When considering whether any licensed activity should be permitted, and a relevant representation has been received, the likelihood of it causing unacceptable adverse impact will be assessed by taking into account relevant matters including:
- the type of use, the number of customers likely to attend the premises and the type of customers at the time of the application
 - the proposed hours of operation
 - the level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that will be used by the customers
 - the means of access to the premises including the location of customer entrances and exits
 - the provision of toilet facilities
 - the frequency of the licensable activity.

8.2 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.

9. Cumulative impact of a concentration of licensed premises

9.1 Cumulative impact means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises being concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that the council can consider in its licensing policy.

9.2 There is currently no special policy relating to cumulative impact in force in the Norwich City Council area. The council will be prepared to consider the adoption of a cumulative impact special policy for areas of the city, provided there is evidential basis that such a policy is necessary in those areas. For more information please see Section D of this policy.

10. Advice and guidance

- 10.1 Where possible the licensing team will provide advice and guidance to applicants and will liaise with applicants and/or mediate between applicants and others who may make representations, to achieve a satisfactory outcome for all involved. Where an applicant considers that mediation and liaison may be likely or probable, they should discuss their proposal with the licensing team and those from whom they think representations are likely, prior to submitting their application. Once an application has been lodged, there are statutory timescales imposed upon the application and determination process, which restrict the opportunity for such discussions, liaison and mediation.

11. Reviews of licences and certificates

- 11.1 A licence or certificate will be reviewed if the council receives a valid review application. Where practicable, the council will mediate between applicants, relevant statutory agencies and occupiers of nearby premises, local residents' groups, community or interested groups where significant issues have arisen relating to a premises licence. Where possible, the council will mediate by:

- identifying potential issues for other relevant statutory agencies particularly regarding the safety and amenity of local residents negotiating, if possible, potential conditions to reflect resolutions of this mediation.

This process will not override the right of any interested person to ask that the council consider their valid objections or for any licence holder to decline to participate in a mediation meeting.

Where mediation is not practicable or fails, the council will advise the parties of the provisions of the act concerning a formal review of the licence.

- 11.2 Should responsible authorities give early notice to licence holders of any concerns about problems identified at premises and in need of improvement, requests for a review by the licensing authority of any licence will only be sought if such notice has failed to resolve the matter or problem.

- 11.3 The council expects that any responsible authority or interested person will provide an evidentiary basis to support their application for a review of a premises licence.

12. Enforcement

- 12.1 The council will investigate allegations of unlicensed activities to ensure that licence conditions are complied with.
- 12.2 The council can undertake a programme of enforcement activity. Enforcement will be targeted to high-risk premises and activities, while providing a lighter touch in respect of low risk premises that are well operated. An intelligence led approach will also be adopted. The council will take firm action where the licensing objectives are found to be undermined.

Failure to comply with any conditions attached to a licence is a criminal offence, which, on conviction, would be punishable by an unlimited fine or up to six months imprisonment or both.

- 12.3 The council has its own enforcement agreement designed to ensure effective and efficient public protection services. Specifically, the council is committed to accord with the principles of good enforcement practice by carrying out its regulatory functions in a fair, open and consistent manner.

Enforcement also includes advice, education and training, information, promotion of good practice and behaviour.

- 12.4 The council will work with the police and share information about licensees and licensed premises. The council and the police will collaborate when enforcement action may be required.
- 12.5 In relation to the protection of children from harm, the council will work closely with the police and trading standards authority to ensure appropriate enforcement, especially relating to the sale and supply of alcohol products to children.
- 12.6 Where a successful prosecution is instigated by a responsible authority, that authority should make an application to the council to review the premises licence.

13. Management of licensed premises

- 13.1 Within the operating schedule for premises from which alcohol will be sold, with the exception of qualifying community premises, a premises supervisor must be designated (designated premises supervisor) and such person must be in possession of a current personal licence. The licensing authority will normally expect the designated premises supervisor [DPS] to have been given the day-to-day responsibility for running the premises by the premises licence holder and, as such, would normally be present on the licensed premises on a regular basis. In addition to the DPS holding a personal licence, the licensing authority would strongly encourage the DPS to undergo additional training and to have experience commensurate with the nature and style of entertainment provided and the capacity of the premises.
- 13.2 The act does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises at all times and have a duty to comply with the terms of the licensing act and any conditions, including the matters set out in the premises' operating schedule, in order to promote the licensing objectives. To that end, the licensing authority will be mindful of the guidance issued by the secretary of state, which recommends that a personal licence holder/DPS gives specific written authorisations to those individuals they are authorising to retail alcohol. Although written authorisation is not a requirement of the act and the designated premises supervisor/ personal licence holder remain ultimately responsible for ensuring compliance with the act and licensing conditions, this action could assist in demonstrating due diligence should any issues arise with regard to enforcement.

The licensing authority will therefore expect that where the personal licence holder/DPS does not have the premises under their immediate day-to-day control, written authorisations will be issued to staff acting on their behalf, such authorisations being made available for inspection by a responsible officer of the licensing authority or the police upon request.

14. Live music, dancing and theatre

- 14.1 In its role of implementing local authority cultural strategies, the council recognises the need to encourage and promote live music, dance and theatre for the wider cultural benefit of the community, particularly for children.

- 14.2 When considering applications for such events and the imposition of conditions on licences or certificates, the council will carefully balance the cultural needs with the necessity of promoting the licensing objectives.
- 14.3 Consideration will be given to the particular characteristics of any event, including the type, scale and duration of the proposed entertainment, especially where limited disturbance only may be caused.
- 14.5 The council has obtained premises licences for public spaces and streets within the community in its own name. Performers and entertainers who wish to give a performance in these places may not need to obtain a licence or give a temporary event notice. Permission would however, be required from the council as the premises licence holder for any regulated entertainment that it was proposed should take place in these areas. If permission were withheld then a separate licence or TEN would be required.
- 14.6 The policy recognises that the requirements for outdoor events may differ to those held within built premises. It is possible, therefore that not all aspects of the policy will apply to those licensable events held outdoors.

15. Temporary event notices (TENs)

- 15.1 Temporary event notices authorise one-off licensable activities on a premise. There are certain restrictions relating to temporary event notices set out in the act, the most pertinent of which are set out here. The same premises cannot hold more than 15 temporary events per calendar year for permitted temporary activities and there are limits on the number of applications that persons can make in a calendar year. Events that will be attended by 500 people or more, including staff and performers, cannot be authorised by a temporary event notice. Where such events are planned, an application must be made for a short-term premises licence.
- 15.2 Applications for temporary event notices must be made using the prescribed form. Applications must be given to the licensing authority and the police in duplicate no later than 10 clear working days before the first day on which the event begins. The 10 working days do not include the day the notice was given, the first day of the event, weekends or bank holidays. Applicants are however encouraged to give as much notice as possible. Late temporary event notices can be given from nine to five clear working days before the date of the event. Other limits and requirements apply.
- 15.3 Depending on the nature and location of such events, these can have serious crime and disorder and / or public nuisance implications. Organisers of these

events are encouraged to discuss their proposals with the police and public protection officers at the council as soon as reasonably practicable, and before submitting formal notification. This will enable the police and the council to work with them to identify and reduce the risk of problems. If agreement on these issues cannot be reached, and a temporary event notice (together with notification to the police and public protection) is still given by the applicant to the council, the council will expect the police and / or public protection to object to the notice thereby invoking the procedure as required by section 105 of the act.

Special events

15.4 Much larger crowds may be attracted to large-scale temporary events and the risks to public safety and to crime and disorder as well as public nuisance may be considerable. The council should be given early notice of such major events to discuss operating schedules with the organiser prior to a formal application being submitted. It will be required that public safety, crime and disorder as well as public nuisance are fully considered, and it is for that reason that organisers may find it helpful to refer to the following documents:

- The event safety guide – a guide to health, safety and welfare at music and similar events (HSE 1999) (The Purple Book) ISBN 0 7176 2453 9
- Managing Crowds Safely (HSE 2000) ISBN 07176 1834 7
- Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804 (**see also** www.hse.gov.uk/risk/index.htm
The Guide to Safety at Sports Grounds (The Stationery Office, 1997) (The Green Guide) ISBN 0 11 300095 2
- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the Independent Street Arts Network, copies of which may be obtained via www.streetartnetwork.org/pages/publications.

16. Sexual entertainment

- 16.1 Where the activities specified in an operating schedule include striptease, or any other kind of nudity (e.g. lap dancing, table dancing, pole dancing or topless waitresses) the council will take into consideration any increased risk to the promotion of the licensing objectives. In particular, the council will expect the applicant to have considered the promotion of the licensing objectives in relation to the protection of children and the prevention of crime and disorder.
- 16.2 Where applications for premises licences or club premises certificates include striptease or any other kind of nudity in the licensable activities, the council will have particular regard to the location of the premises in relation to places of religious worship, schools, youth clubs or other premises where significant numbers of children are likely to attend.
- 16.3 In order to promote the licensing objectives, where the council is asked to grant premises licences which include striptease or any other kind of nudity in their licensable activities, applicants will be expected to give consideration to the following issues:
- the location within the premises where the activity takes place
 - the absence of advertising the activities outside the premises
 - the measures to ensure that no person under 18 years of age enters the premises
 - the measures to ensure that the activities inside the premises cannot be seen from outside the premises
 - the position of the performers' dressing rooms in relation to the area in which they perform
 - physical contact between performers and customers.

Sexual entertainment venues

- 16.4 Section 27 of The Policing and Crime Act 2009 allows local authorities to regulate lap dancing clubs and similar venues under the 2009 act. Norwich City Council has adopted these provisions and a separate policy is in place for these premises.

17. Takeaway premises

- 17.1 Operators of premises where food or drink is provided in disposable containers for consumption elsewhere than on the premises, are expected to consider the cumulative effects of litter in the vicinity of their premises.
- 17.2 Where the council consider it appropriate it may impose conditions on licences to require the operators of premises serving customers with takeaway food or drink after 11pm to provide litterbins near the premises. This is to prevent the accumulation of litter from its customers, provided that the land where the bins would be placed is under the control of the licence holder.
- 17.3 Operators may wish to choose their opening hours after considering the closing times of pubs/bars/clubs in the locality in order to avoid the disturbance associated with large concentrations of people who have been drinking.

18. Eating and drinking outside premises

- 18.1 When applicants are preparing operating schedules and it is proposed to provide seating, tables or other facilities, within the curtilage of their premises, in any outdoor area (whether covered or not) applicants will need to show that the use of such areas will not cause disturbance or nuisance to the occupiers of other premises in the vicinity.
- 18.2 Where outdoor areas are permitted, the licensee must apply effective management controls and/or other measures (e.g. removal of the seating/tables) to ensure that licensable activities and the use of such areas by patrons or any other persons ceases at an appropriate time. They must also take measures to ensure that customers move away from outside premises when sales cease; take measures to collect drinking vessels, crockery, cutlery and litter on a regular basis, all of which may be prescribed as a condition on the licence.

(Please refer to suggested control measures at 21.4; 23.5; 25.8; 27.9).

- 18.3 Applicants should be aware that the provision of facilities (including tables, chairs barriers etc.) on the public highway require a separate permission in accordance with the Highways Act 1980 or any other relevant legislation that might be in force at the time.

Section B – licensing objectives

19. Overview

19.1 The following sub sections set out the council’s policy relating specifically to the four licensing objectives:

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

19.2 In each section relating to the objectives, the council has defined its intended outcome (in bold type). Each section then lists the influencing factors on the achievement of that objective but, because of the wide variety of premises and activities to which this policy applies, the measures provided are not exhaustive. Applicants should know their premises best and will be expected to address all aspects relevant to the individual style and characteristics of their premises and the licensable activities for which they are seeking a licence.

19.3 In each sub section, a list of possible control measures is provided to be of assistance to applicants, but again is not intended to be an exhaustive list. Many control measures achieve more than one objective but have not necessarily been listed under each objective. Similarly, applicants will not be required to mention a control measure more than once in their operating schedule.

19.4 In addition, the council has prepared a series of draft model conditions in respect of each of the licensing objectives. Applicants are advised that these conditions should be read in conjunction with the latest version of the statutory guidance and should note the following:

- a) The conditions must not be regarded as standard conditions that are to be automatically imposed in all cases. They are designed to provide a range of possible conditions that may need to be attached to premises licences depending upon differing situations. The wording of the conditions may need to be modified to suit particular premises and situations.
- b) This is not an exhaustive or exclusive list of conditions. Additional conditions may be drafted and attached to premises licences to meet individual circumstances.

- c) Applicants preparing operating schedules are at liberty to use these conditions, or volunteer any other measures(s) to promote the licensing objectives.

When incorporated into a premises licence or club registration certificate any condition becomes enforceable under the law and a breach of such a condition could give rise to prosecution.

- 19.5 The selection of control measures can be based upon a risk assessment of the premises, events, activities and the customers expected to attend (e.g. their age, number, etc.). While the council cannot require such risk assessments to be documented, (other than where required by other legislation), such documentation is good practice and a useful tool in the instruction and training of staff, as well as a sound basis for review by the licence holder, in the event of requiring to make application for variation or in response to changing circumstances/conditions at the premises.
- 19.6 Additional measures may be necessary on an occasional or specific basis such as when a special event (e.g. popular live band) or promotion (e.g. during major sporting occasions) is planned, which is intended to, or likely to attract larger audiences and/or audiences of a different nature, and which can have a significant impact on the achievement of the licensing objectives. Reference must be made in an applicant's operating schedule, where applicable, to such occasions and the additional measures that are planned in order to achieve the licensing objectives.
- 19.7 Effective and responsible management of the premises, instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of all the licensing objectives. For this reason, these elements should be specifically considered and addressed within an applicant's operating schedule.

20. Objective – prevention of crime and disorder

- 20.1 Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on the city council, and others, to consider crime and disorder reduction in the exercise of all their duties. The Licensing Act 2003 reinforces this duty for local authorities.
- 20.2 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and near their premises, relevant to the individual style and characteristics of their premises and the licensable activities at those premises.
- 20.3 When addressing the issue of crime and disorder, the applicant should demonstrate that all those factors that impact upon 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 antisocial 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

- protecting people from the risk of harassment and abuse, including sexual harassment, and protecting vulnerable adults from harm

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

- effective and responsible management of premises
- training and supervision of staff
- employ sufficient numbers of staff to keep numbers down of people awaiting service
- provide sufficient seating for customers
- patrols of staff around the premises
- ensure sufficient lighting and visibility, removing obstructions if necessary, to discourage illegal activity
- introduce an entry policy – making people aware of it – and apply it consistently and fairly
- implement a search policy to prevent drugs, offensive weapons etc. being brought onto the premises
- implement effective management of entrance queues – incorporating barriers if necessary (separate permission under the Highways Act 1980 may be required)
- 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
- adoption of Challenge 21 or Challenge 25 schemes and the acceptance of accredited proof of age cards e.g. Portman proof of age cards,

Citizenscard, Connexions Card and/or new type driving licences with photographs, or passports as required by the relevant mandatory condition.

- 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 ongoing 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. drug and weapon amnesty safes
- 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
- attendance at the meetings of the Late-Night Norwich Forum
- responsible advertising
- distribution of promotional leaflets, posters etc.
- member of a recognised 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 to 3 hours before licensable activities finish

- Providing information to customers and staff (including contact telephone numbers) regarding safer options available for travelling home late at night – including night buses, licensed taxis and private hire (mini-cabs).
- Providing support, information and contact points for reporting harassment and abuse including sexual harassment, and protecting vulnerable adults from harm

20.5 Home Office Immigration Enforcement are a responsible authority so can comment on applications and make representations on the licensing objective of the prevention of crime and disorder as they are concerned with the prevention of illegal working and broader immigration offences.

21. Model conditions (crime and disorder)

21.1 Draft model licence conditions relating to crime and disorder are attached at Appendix 2. Refer also to section A, paragraph 5.

22. Objective – public safety

22.1 The safety of any person visiting or working in licensed premises must not be compromised. Applicants are expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and the licensable activities for which the licence is being sought.

22.2 Applicants must ensure that they carry out their responsibilities under the Regulatory Reform (Fire Safety) Order 2005 and liaise with the Norfolk Fire and Rescue Service where necessary. Further information is available from <https://www.norfolk.gov.uk/safety/norfolk-fire-and-rescue-service/safety-in-your-business/business-regulations-fire/fire-safety-risk-assessment-guidance>

22.3 Also when addressing the issue of public safety, an applicant must demonstrate that they have considered other public safety issues. These include:

- the age, design and layout of the premises
- the nature of the licensable activities to be provided, in particular the sale or supply of alcohol and/or the provision of music and dancing and

including whether those activities are of a temporary or permanent nature

- the hours of operation (differentiating the hours of opening from the hours when licensable activities are provided, if different)
- customer profile (e.g. age, disability)
- the use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.
- the safety of electrically powered equipment brought onto their premises
- having public liability insurance.

22.4 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 activities:

- suitable and sufficient risk assessments
- effective and responsible management of premises
- provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- effective management of number of patrons within different parts of the premises
- determine sensible occupancy limits according to the nature of the premises and activities being carried out
- impose occupancy limits rigorously, employing registered door staff as necessary. In order to manage occupancy
- effectively, consider automated systems like electronic door counters appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons
- adoption of best practice guidance (e.g. Guide to Fire Precautions in Existing Places of Entertainment and Like Premises (further

- advice can be obtained from the Norfolk Fire Service on 01603 810351 www.norfolkfireservice.gov.uk The Event Safety Guide, Safety in Pubs published by the BBPA)
- provision of effective CCTV in and around premises
- provision of toughened or plastic drinking vessels
- implementation of crowd management measures
- the provision of suitable electrical cutouts for use with electrical appliances which are brought onto the premises (such as amplifiers, microphones etc.). Such cut-outs should be of a residual current device with a rated tripping current of 30ma in 30 milliseconds (applicants should have regard to HSE Publication INDG 24 7 Electrical safety for entertainers)
- proof of regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety.

23. Model conditions (public safety)

- 23.1 Model licence conditions relating to public safety are attached at Appendix 3. Refer also to section A, paragraph 5.

24. Objective – prevention of public nuisance

- 24.1 Licensed premises can potentially have a significantly adverse impact on communities through public nuisances that arise from their operation. The amenity of residents and occupiers of other businesses should be maintained and protected from the potential consequence of the operation of licensed premises, whilst recognising the valuable cultural, social and business importance that such premises provide.
- 24.2 Public nuisance will be interpreted in its widest sense, and will take it to include such issues as noise, light, odour, litter and antisocial behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.
- 24.3 Applicants should be aware that stricter conditions, including controls on licensing hours for all or some licensable activities will be applied, where licensed premises are in residential areas or where their activities may affect residents or other business premises, and where relevant representations have been received. Conversely, premises for which it can be demonstrated have effective measures to prevent public nuisance, may be suitable for longer opening hours.
- 24.4 The council will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons such as disturbance or disorder attributable to the location and/or the premises, and relevant representations have been made.
- 24.5 The council believe that the impact a licensed premise can have on a neighbourhood is significantly influenced by the times when those licensed premises are open, and the times when licensable activities are taking place. Consequently, the council has adopted a policy on hours of trading, (section E) and in so doing, has considered the secretary of state's guidance on hours of trading.
- 24.6 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events. For example, the increasing

business requirement for licence holders to provide live or recorded music in premises where this has not previously been the case is especially pertinent, and should be fully assessed on the application.

24.7 When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include:

- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices, care homes and places of worship
- the hours of opening, particularly between 11pm and 7am
- the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises
- the design and layout of premises and in particular the presence of noise limiting features
- the occupancy capacity of the premises
- the availability of public transport
- wind down period between the end of the licensable activities and closure of the premises
- last admission time
- preventing litter and refuse becoming an eyesore
- consideration of local residents that they are not upset by loud or persistent noise or by excessive light
- preventing cars attending an event or premises from causing a noise nuisance and congestion, and from taking up local people's parking spaces
- avoid early morning or late-night refuse collections
- avoiding emptying bins into skips, especially if they contain glass, either late at night or early in the morning

- customers eating, drinking or smoking in open-air areas (for example beer gardens/forecourts and other open areas adjacent to the premises).

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

- Effective and responsible management of premises.
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance, 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 to 3 hours before licensable activities finish.

24.9 To address issues arising from customers smoking, eating and drinking in outdoor areas and on the highway outside the premises could include signage asking customers to keep noise to a minimum when using outdoor areas; restrictions on the numbers of customers permitted in certain outside areas and/or at certain times; and use of door-staff and employees to monitor possible public nuisance issues.

25. Model conditions (public nuisance)

25.1 Model licence conditions relating to the prevention of public nuisance are attached at Appendix 4. Refer also to section A, paragraph 5.

26. Objective – protection of children from harm

- 26.1 The council will consult with the appropriate local child protection body for consideration of all applications for licences.
- 26.2 With a view to the promotion of the licensing objective relating to the protection of children from harm the council will work closely with the police and trading standards authority to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol products to children More information can be found at: www.businesscompanion.info/en/quick-guides/underage-sales
- 26.3 Applicants should be aware that the protection of children from harm includes the protection of children from moral, psychological and physical harm and this includes the protection of children from exposure to strong language, sexual expletives and gambling. In certain circumstances, children are more vulnerable, and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, the unpredictability of their age and their lack of understanding of danger.
- 26.4 There should be no presumption of giving children access nor any presumption of preventing their access to licensed premises. Where no licensing restriction is necessary, the admission of children will remain entirely a matter for the discretion of the individual licensee or club, or person who has given a temporary event notice.
- 26.5 Applicants must ensure that children will not be allowed access into premises when licensable activities involving the following are taking place - topless female bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language. The council has given particular consideration to the types of entertainment referred to above, and has included within this policy their expectations of applicants in section A, paragraph 16.

- 26.6 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and the licensable activities for which a licence is being sought.
- 26.7 While children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration and no policy can anticipate every situation. When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that may particularly impact on harm to children have been considered. These include:
- where entertainment or services of an adult or sexual nature are commonly or regularly provided
 - where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
 - where there has been a known association with drug taking or dealing
 - where there is a strong element of gambling on the premises
 - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises
 - where children are employed in the premises
- 26.8 The council commends the Portman Group code of practice on the naming, packaging and promotion of alcoholic drinks. The code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years or older. The council will expect all licensees to agree not to replenish their stocks following notification of a retailer alert bulletin by the Portman Group in relation to any product that is in breach of that code. Commitment to that code should be included in operating schedules.
- 26.9 The following examples of control measures are given to assist applicants and are considered to be amongst the most essential that applicants should take account of in their operating schedule, having regard to their particular type of premises and/or activities:
- Effective and responsible management of premises.

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

These examples can be adopted in any combination.

- 26.10 In the case of film exhibitions, licence and certificate holders and those who have given notice of a temporary event within the terms of the 2003 Act should implement measures that restrict children from viewing restricted films classified according to the recommendations of the British Board of Film Classification or the council.
- 26.11 In premises where there may be children unaccompanied by adults, any supervisors must have undergone appropriate checks through the Disclosure and Barring Service.

27. Model conditions (protection of children)

- 27.1 Model licence conditions relating to the protection of children are attached at Appendix 5 refer also to section A, paragraph 5.

Section C – personal licences

- 28.1 Any individual may seek a personal licence whether or not they have current employment or business interests associated with the use of the licence. Applications should be made to the licensing authority for the area in which the applicant is ordinarily resident.
- 28.2 The council will grant a personal licence if it is satisfied that the applicant:
- is over 18
 - possesses a relevant licensing qualification
 - has not forfeited a personal licence in the previous five years beginning with the day the application was made
 - has not been convicted of any relevant offence.
- 28.3 In order to substantiate whether or not an applicant has a conviction for an unspent relevant offence, applicants will be required to produce a basic disclosure certificate (www.gov.uk/request-copy-criminal-record)
- 28.4 The certificate must not be more than one month old at the date of application.
- 28.5 The council will liaise with Norfolk Constabulary when an applicant has an unspent conviction for a relevant offence defined in the act. When the police object to the application, a licensing

subcommittee will deal with the application. At that hearing, the subcommittee will consider carefully whether the grant of the licence will be in the interests of the crime prevention objective. It will consider the seriousness and relevance of any conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances, but refusal of the application will be the normal course unless there are, in the opinion of the sub-committee, exceptional and compelling circumstances that justify granting the application.

28.6 Personal licences have no expiry but holders of personal licences are reminded of the duty to notify the licensing authority who granted the licence of:

- any change in his/her name and/or address
- any conviction of a relevant offence or foreign offence.

Section D – cumulative impact

29.1 Cumulative impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area e.g. the potential impact on crime and disorder or public nuisance.

29.2 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that the licensing authority can take into account. This should not, however, be confused with 'need' which concerns the commercial demand for a particular type of premises e.g., a pub, restaurant or hotel. The issue of 'need' is therefore primarily a matter for the market to decide and does not form part of this licensing policy statement. (see paragraph 7 of Section A).

29.3 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. However, there are other mechanisms, both within and outside the licensing regime, that are available for addressing such issues. For example:

- planning controls
- positive measures to create a safe and clean environment in partnership with local businesses, transport operators and others

- the provision of CCTV
- powers to designate parts of the city as places where alcohol may not be consumed publicly (Public Spaces Protection Orders)
- confiscation of alcohol from adults and children in designated areas
- police enforcement of the law regarding disorder and antisocial behaviour, including the issuing of fixed penalty notices
- Community Protection Notices
- enforcement action against those selling alcohol to people who are drunk
- police powers to close some premises for up to 24 hours on the grounds of disorder, the likelihood of disorder or excessive noise; and
- the power of police, local businesses or residents to seek a review of the licence or certificate.

29.4 Cumulative impact assessments (CIA) were introduced to the Licensing Act 2003 by the Policing and Crime Act 2017 with effect from 6th April 2018. A CIA may be published by a licensing authority to help limit the number or types of licence applications in areas where there is evidence of a cumulative impact from licensed premises. Section 5A of the Licensing Act 2003 sets out what a licensing authority needs to do to publish a CIA, which includes setting out the evidential basis. The s182 Guidance gives examples of sources to examine for evidence. The decision to publish a CIA is one for the licensing committee and subject to the consultation and approval process.

29.5 An area of Norwich was previously subject to a cumulative impact special policy (the precursor of the cumulative impact assessment in place before the legislative change) but this now has no legal basis. The licensing authority, having regard to the evidence currently available and being aware of other means available to the police and the local authority to address problems, consider that there is not currently evidence of a particular location causing a cumulative impact on any of the licensing objectives at the time of writing.

29.6 Due to the current Covid-19 pandemic and the changing restrictions on licensed premises, it is not possible to carry out an appropriate cumulative impact assessment at this time. It is the intention of this authority to perform a cumulative impact

assessment at an appropriate time. The Licensing Committee will review the possible introduction at a six month interval from the introduction of this policy and thereafter as needed.

- 29.7 The licensing authority should only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area are causing a cumulative impact on one or more of the licensing objectives.

Section E – hours of trading

- 30.1 This section primarily relates to premises where alcohol is sold/supplied, with or without any other licensable activity (e.g. provision of regulated entertainment). That is not to say that hours of trading at other types of licensed premises is of lesser importance, and all applicants for all types of licensed premises should consider hours of trading, as an important issue, when preparing their operating schedules.
- 30.2 In determining its policy on the hours of trading, the council has considered those parts of the secretary of state's guidance to the act that relate to hours of trading. These are covered in paragraphs 10.13 – 10.15 of the guidance, as replicated below.

10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

10.14 Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.

10.15 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.

- 30.3 While consideration will be given to the individual merits of each application in respect of hours of trading it may be necessary to consider limiting hours of trading where it would assist in promoting the objectives of the licensing act.
- 30.4 Applicants should give particular consideration to the hours when it is proposed to provide licensable activities, especially the provision of entertainment and the sale and supply of alcohol, in the preparation of their operating schedules. Applicants will also be expected to address and give due consideration to the impact their patrons may have after leaving their premises, in conjunction with patrons likely to be leaving other licensed premises in the vicinity.
- 30.5 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:
- The council will consider restricting the hours if it believes, based on representations made, that not doing so would lead to or exacerbate problems of crime, disorder or public nuisance.
 - Where no relevant representations are received from either a responsible body or an interested person, the application will be granted in accordance with the terms of the operating schedule.
 - Where relevant representations are received from either a responsible body or an interested person, 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 appropriate 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.

- 30.6 Applicants should consider having winding down periods at the end of the night. By gradually winding down entertainment such as loud music before ending the sale of alcohol and the end of trading hours, and then allowing patrons to leave of their own volition, those patrons may behave less boisterously after they have left licensed premises.
- 30.7 Consideration will always be given to an applicant's individual case and if the matter of trading hours has been raised in a representation, the council will take into account any proposals the applicant has to minimise the risk of nuisance or disorder being caused or exacerbated by customers departing from the premises. It is however, unlikely that statements such as the premises being well managed, or that the applicant is of good character or that the style of the premises is intended and likely to attract a discerning clientele, will alone be sufficient to demonstrate that restrictions on hours of trading should not be applied.

Section F – toilet facilities

- 31.1 The applicant should provide an appropriate number of suitably designed and maintained toilet facilities together with hand-washing facilities to be provided separately for use by male and female patrons at all licensed premises where patrons will be consuming food or drink on the premises, or where regulated entertainment is being provided. Generally, where there are three toilets within premises, one should be indicated as being gender neutral. This is to improve accessibility, comfort and the public safety of individuals who prefer not to use gendered toilets. Generally, these facilities shall be separate to those provided for use by staff, though an exception may be considered in respect of small premises (capacity less than 50 persons including staff). The criteria are attached at Appendix 1.
- 31.2 For other licensed premises where regulated entertainment is the only licensable activity provided, the council will expect the number of toilet facilities to be based on the criteria contained within BS6465; Part 1; 2006.
- 31.3 In buildings, the design, layout and installation of toilet facilities shall generally be undertaken in accordance with BS6465; parts 1; 2 and 3; 2006.
- 31.4 In determining the appropriate number of facilities, applicants should have particular regard to the capacity of the premises or number of persons expected to attend a venue for a special event.
- 31.5 For large outdoor events the number of toilet facilities shall be calculated in accordance with the criteria contained in The Event Safety Guide – A guide to health, safety and welfare at music and similar events (HSE1999)(The Purple Book) ISBN 0 7176 2453 6.

Appendices

Appendix 1

Provision of toilet facilities in relevant places
Local Government (Miscellaneous Provisions) Act 1976

When food and/or drink are intended to be consumed in a relevant place
(see definition):

Local Government (Miscellaneous Provisions) Act 1976 – Section 20(9)) it is the policy of this council, under the provisions of Section 20 of The Local Government (Miscellaneous Provisions) Act 1976, to require the provision of toilet facilities for the public. The following information is designed to assist in assessing the level of provision necessary. This information is general and is not exhaustive, and further advice is available from the Food and safety team on 0344 980 3333

1. Separate provision is required for the exclusive use of staff unless it can be shown that staff will not be delayed by the public use of the facilities and food hygiene will not be compromised.
2. Capacities of premises, unless specified by the fire officer, are calculated from criteria extracted from the building regulations.
 - In public houses, nightclubs etc. capacities are calculated at two persons per square metre.
 - In restaurants, coffee shops etc. capacities are calculated at one person per square metre or confirmed number of covers.
3. All toilet facilities are to be provided within a reasonable distance of the public areas. Facilities must be accessible from within the premises and be under the control of the management of the business. Public access through food preparation, storage or service areas will not be allowed.
4. Rooms containing toilets must not open into a room used to store, prepare or serve food. This provision may be waived in the case of accessible toilets, accessible from public areas but adequate extract ventilation must be provided and maintained.

5. Capacities should be based on a 50/50 split, male to female, unless it can be shown that a different ratio should be used.
6. The authority may use its discretion when applying these standards to existing premises.

These tables are based on BS6465 Part 1: 2006

Restaurants, cafes, coffee bars, canteens and fast food outlets
(with seating/table facilities intended for use by customers consuming food or drink on the premises)

Sanitary appliance	For male customers	For female customers
WC	Two for up to 150 males. Plus one for every additional 250 males or part thereof. Two for up to 50 males if urinals are not provided.	Two for up to 30 females. Plus one for every additional 30 females up to 120, plus one for every additional 60 females or part thereof.
Urinal	One per 60 males or part thereof up to 120 males. Plus one for every additional 100 males or part thereof.	
Washbasin	One per WC plus one per five urinals or part thereof.	One per WC.

Establishments with up to 25 seats should provide as a minimum one wheelchair accessible unisex toilet, which may be used by both staff and customers.

Public house and licensed bars

Sanitary appliance	For male customers	For female customers
WC	Two for up to 150 males. Plus one for every additional 200 males or part thereof. Two for up to 40 males if urinals are not provided.	Two for up to 25 females. Plus one for every additional 25 females up to 200, plus one for every additional 35 females or part thereof.
Urinal	One per 50 males or part thereof up to 200 males. Plus one for every additional 70 males or part thereof.	
Washbasin	One per WC plus one per five urinals or part thereof.	One plus one per two WCs or part thereof.

Appendix 2

Draft pool of model conditions relating to the prevention of crime and disorder

1. The licensee, that is the person in whose name the premises licence is issued, shall ensure that at all times when the premises are open for any licensable activity, there are sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.
(Note. staffing requirements may vary dependent upon the size and nature of the premises and the licensable activities taking place and specified in the operating schedule).
2. There shall be provided at the premises radio communication equipment to be operated in conjunction and in liaison with the local police service.
3. Any radio communication system provided under the provisions of condition 2.1. shall:
 - be capable of sending and receiving messages to and from the local Police, and other licensees, designated premises supervisors, door supervisors, managers and club operators, incorporated into any joint and mutually beneficial scheme operating in the area
 - be maintained in good working order at all times when the premises are being used for a licensable activity
 - be activated, made available to, and monitored by the designated premises supervisor or a responsible member of staff at all times when the premises are being used for a licensable activity.
4. The licensee, designated premises supervisor or other person having responsibility for monitoring radio communication system provided under the provisions of condition 2.1 shall comply with any instructions or directions received through the system from the police.
5. The licensee, designated premises supervisor or other responsible person shall use the text and/or pager system provided under the

provisions of condition 2.1 to notify and report any incident of crime and disorder to the police as soon as practically possible, in accordance with agreed protocols.

6. The licensee and designated premises supervisor shall ensure that: *(either)*
- at all times the premises are open for any licensable activity
- (or)*
- between and on (days) when the premises are open for a licensable activity.

There are employed at the premises: *(either)*

- *an appropriate number*
- (or)*
- 'X' number of door supervisors (as defined in the private security industry act 2001).
7. Door supervisors should be stationed in such numbers and in such positions as detailed on the attached schedule and approved plan of the premises.
8. The licensee shall ensure that where physical searching of patrons is to be undertaken, that there are a sufficient number of appropriately trained staff to carry out such searches regardless of patrons gender. Searches should be by person of gender choice with consideration of safety of all involved.
9. Door supervisors will be provided with two-way radios or similar systems capable of ensuring continuous communication between each other at all times that the premises are open for a licensable activity.
10. Door supervisors will wear clothing of the same style, type and colour, which may be appropriate to the nature of the venue, but which will ensure they are clearly distinguishable and identifiable as door supervisors having regard to the events and activities taking place at the licensed premises.

11. The licensee will ensure that on each day that door supervisors are engaged for duty at the premises, their details (names and licence numbers) are recorded in an appropriate book kept at the premises. In conjunction with this record book, the licensee shall also keep an incident book. This record book and incident book must be available for inspection by the police or authorised officer at all times when the premises are open.
12. Glass bottles containing beverages of any kind shall not be left in the possession of any patrons after service and following the discharge of the contents into an appropriate glass or drinking vessel (see exemption).

Exemption

Glass bottles containing wine may be sold for consumption with a meal taken at a table, by customers who are seated in an area set aside exclusively for patrons taking table meals.

13. No persons carrying open or sealed glass bottles shall be admitted to the premises at any time that the premises are open for any licensable activity.
14. One pint and half pint capacity drinking glassware, and highball (tumbler) drinking glassware, in which drinks are served, shall be of strengthened glass material (tempered glassware) whereby in the event of breakage, the glass will fragment with no sharp edges being left. Alternatively, drinks may be served in non-glassware reusable drinking vessels (e.g. some types of plastic, polystyrene, waxed paper).
(Note – weights and measures legislation requires the use of stamped glasses where meter-measuring equipment is not in use).
15. No glass drinking vessels or glass bottles shall be permitted (in the areas described in the attached schedule and delineated on the approved plan).
16. No alcoholic drinks may be consumed in, or brought into, the (areas described in the attached schedule) following areas and delineated on the approved plan.
17. No patrons will be allowed to leave the premises while in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage. This condition will not apply to patrons who have purchased beverages for consumption off the

premises (within the curtilage of the premises licensed area or in the area designated under a licence to place tables and chairs on the highway) with the express consent of the licensee, designated premises supervisor or responsible person.

18. There will be no off sales of alcoholic drinks except for consumption in an area that is covered by a licence to place tables and chairs on the highway.
19. No alcoholic drinks will be sold or supplied for consumption off the premises *or* alcoholic drinks will be only be sold or supplied for consumption on the premises, (and there shall be no off sales).
20. There will be no sales of alcoholic drinks for consumption off the premises on any day(s) when an event is taking place, subject to notice in writing having been given to the licensee from the licensing authority (in conjunction with Norfolk police) at least seven days prior to the respective day(s). (Note. examples of when such a notice may be given might be if a major outdoor event (sporting or otherwise) or a parade is scheduled to take place in an area of the local authority, and where it is considered that alcohol off-sales in that area might give rise to or add to potential crime and disorder problems).
21. The maximum number of persons permitted on the premises at any one time shall not exceed persons.
22. The maximum number of persons permitted in each of the following areas at any one time shall not exceed:
 - (a)
 - (b)
 - (c) etc.

but at no time shall the total number of persons on the premises as a whole exceed persons.

23. The licensee and designated premises supervisor shall ensure that there are effective management arrangements in place to enable them to know how many persons there are in the premises at all times when the premises are open for a licensable activity.
24. The maximum number of persons permitted on the licensed premises, or relevant part of the licensed premises shall be indicated by a fixed notice bearing the words maximum occupancy

with letters and number not less than 20mm high, conspicuously sited at each relevant part of the premises and at the reception point.

25. Seating for no less than persons shall be provided in the premises at all times the premises are open for a licensable activity.
26. Seating must be provided for all customers and alcohol must only be served to those customers who are seated at tables by way of waiter or waitress service only.
27. Except in the area identified and delineated (e.g. hatched, coloured green) on the deposited plan. Alcohol drinks shall only be sold or supplied to, and consumed by persons seated at a table, by way of waiter or waitress service, save that:
 - (a) no more than (number) persons may stand in the area identified and delineated (e.g. coloured blue) at any one time
 - (b) a person may take a drink from the area marked (e.g. coloured green) and sit in the area marked (e.g. coloured blue).
28. All members of staff at the premises including door supervisors shall seek credible photographic proof of age evidence from any person who appears to be under the age of 21 years and who is seeking access to the premises or is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Portman Proof of Age card, Citizen Card, Connexions Card or PASS scheme card or any replacement scheme of a similar effect.
29. A suitably worded sign of sufficient size and clarity must be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.
30. The licensee shall not advertise, promote, sell or supply alcoholic drinks in such a way that is intended or likely to encourage persons to consume alcohol to an excessive extent.

31. The licensee shall not sell or supply alcoholic drinks at a reduced price during any limited period on any day.

Reduced price means:

- (i) at no cost to the customer
 - (ii) by way of exchange for any ticket or voucher
 - (iii) by inclusion of the price for an alcoholic drink in some other charge or payment for a product, goods or services such as with a mixer, food or an entrance/cloakroom charge
 - (iv) at a price less than that being charged either during an earlier or later period of the same day
 - (v) in such a way whereby types, brands, and mixtures of drinks are sold either singly or in multiples, at a price for greater measures or quantities than those same drinks being sold for the same price but in smaller measures and quantities during an earlier or later period of the same day.
32. A conspicuous notice must be displayed on or immediately outside the premises adjacent to the entrance to the premises that gives details of times when the premises are permitted to be open for any licensable activity.
33. A conspicuous notice must be displayed on or immediately outside the premises, or which is immediately adjacent to the premises, which gives details of any restrictions relating to the admission of children to the premises.
34. Suitably phrased, clear and conspicuous notices shall be displayed near the entrance to the premises and in other appropriate locations such as sanitary conveniences advising patrons
- (i) of any risk of theft or possibility of other criminal activity and/or
 - (ii) to exercise care with their personal possessions to prevent theft and/or
 - (iii) how to report any incidents of theft or other criminal activity.
35. All signs required under these conditions shall comply with those conditions, shall be placed in accordance with those conditions and be illuminated or positioned in well-lighted locations.
36. A CCTV system shall be designed, installed and maintained in

proper working order, to the satisfaction of the licensing authority and in consultation with Norfolk police. Such a system will:

- (i) be operated by properly trained staff
- (ii) be in operation at all times that the premises are being used for a licensable activity
- (ii) ensure coverage of all entrances and exits to the licensed premises internally and externally
- (iii) ensure coverage of such other areas as may be required by the licensing authority and Norfolk police
- (iv) provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained (on tape or otherwise) for a period of two months and shall be supplied to the licensing authority or a police officer on request.

37. Alcohol delivery services will:

- not supply alcohol to a public place – an address must be provided
- Take names, addresses and contact numbers of customers before delivery and retain these details for a period of 28 days and be available on request by a police officer or an authorised officer of the licensing authority
- Refuse to supply alcohol to anyone who appears to be under the influence of alcohol or drugs;
- Require photographic ID from anyone who appears to be under 21 years of age before a supply of alcohol takes place.

Appendix 3

Draft pool of model conditions relating to public safety

1. When disabled people are present, adequate arrangements must exist to enable their safe evacuation in the event of an emergency. Staff must be aware of disabilities and react according to a pre-determined plan.
2. Disabled people on the premises must be made aware of the arrangements in place to enable their safe evacuation in the event of an emergency.
3. All escape routes and exits must be kept unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
4. All exit doors whenever the premises are occupied, must be able to be easily opened in the case of an emergency, without the use of a key, card, code or similar means.
5. All exit doors must be regularly checked to ensure that they function satisfactorily, and a record of the check kept.
6. Any removable security fastenings must be removed whenever the premises are open to the public or occupied by staff.
7. All fire doors must be maintained effectively self-closing and must not be held open other than by approved devices.
8. Fire resisting doors to ducts, service shafts, and cupboards must be kept locked shut to prevent unauthorised access and integrity.
9. The edge of the treads of steps and stairways to be maintained and be conspicuous. All staircases shall be provided with suitable and sufficient handrails.
10. Safety checks must be carried out before the admission of the public. These must correspond with the risk assessment and the conditions of the licence.
11. Details of all safety checks must be kept in a logbook.

12. All licensed premises must have a means of giving warning to persons in the event of an outbreak of fire or other emergency. Where determined by the risk assessment that a mains electrical fire alarm is required, this must be designed to and installed in accordance with British standard 5838 current edition. Activation of the fire alarm must operate an electronically linked automatic cut off switch to silence any amplified music, this device must not infringe compliance of the system with the appropriate British standard.
13. Curtains, hangings and temporary decorations must be arranged so as not to obstruct exits, fire safety signs or firefighting equipment.
14. Prior advice must be sought from the licensing authority before temporary decorations are used, and the risk assessment amended accordingly.
15. Arrangements must be made to ensure that any capacity limit imposed under the premises licence or club premises certificate are not exceeded.
16. The capacity limit imposed under the premises licence or club premises certificate must be displayed conspicuously on the premises.
17. The capacity limit imposed under the premises licence or club premises certificate must be displayed at the entrance to each licensed room/area.
18. The licence holder, a club official, manager or designated premises supervisor must be aware of the number of people on the premises at any time and must provide this information to any authorised person on request.
19. Notices detailing the actions to be taken in the event of fire or other emergency, including how to summon the fire brigade must be prominently displayed and protected from damage and deterioration.
20. The responsible person where there is an outbreak of fire, however slight, must raise the alarm, evacuate the building, and call the fire brigade. Following the incident, the responsible person

must ensure that the details are recorded in a fire logbook. Any remedial work necessary to restore fire precautions to their original standard must be completed with systems fully functional prior to re-admittance of the public.

21. Access to the premises for emergency vehicles must be kept clear and free from obstruction.
22. Adequate and appropriate equipment and materials must be provided for enabling first aid to be rendered to members of the public if they are injured or become ill whilst at the licensed premises.
23. At least one suitably trained first aider per 500 people must be on duty at all times when public are present up to the first 3,000 and then one per 1,000 for the remainder.
24. If, having regard to the nature of the premises, the number of persons visiting it and the location of the premises, it would be adequate and appropriate to do so, then instead of a person for rendering first aid there must be a person appointed to take charge of the situation relating to an injured or ill member of the public and the first aid equipment and facilities.
25. In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests must be fully in operation when they are present.
26. Emergency lighting must be provided in accordance with BS5266 (current edition) or an equivalent standard approved by the licensing authority.
27. Emergency lighting must not be altered without prior consent of the licensing authority.
28. The emergency lighting system must be checked to ensure it is operating correctly before the admission of the public, members or guests.
29. In the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements must be in place to ensure that the public, members or guests leave the premises immediately. Where the emergency lighting battery has

a capacity greater than one hour the public, members or guests may remain in the premises for the duration of the system less one hour.

Note

- In addition, an investigation into any failure of the system must be carried out to ascertain whether it is safe for persons to remain in the premises when only the emergency lighting is operating.
 - Emergency lighting installations must comply with BS 5266 or equivalent standard.
30. Temporary electrical wiring and distribution systems must not be provided without notification to the licensing authority at least ten days before commencement of the work and prior inspection by a suitable qualified electrician. Premises must not be opened to the public until the work is deemed satisfactory by the above parties.
31. Where it is not possible to give ten days notification to the licensing authority of provision of temporary electrical wiring and distribution systems, the work must be undertaken by competent, qualified persons.
32. Temporary electrical wiring and distribution systems must comply with the recommendations of BS7671 or where applicable BS7909.
33. All temporary electrical wiring and distribution systems must be inspected and certified by a competent person before they are put to use.
- 34.1 All electrical socket outlets provided for entertainers' portable equipment including instruments, lighting, video and sound amplification equipment must be protected by a residual current device (RCD) which is part of the fixed wiring.
- 34.2 The RCD must have a rated residual operating current not exceeding 30 milliamps and a maximum operating time of 30 milliseconds.
- 34.3 The normal and emergency lighting circuits must not be affected by the operation of any RCDs used to protect entertainers.

- 34.4 Before RCDs are used for an entertainment, the licence holder, a club official, manager or designated premises supervisor, must operate the test button, and where a fault is found, the affected socket(s) must not be used until the fault has been repaired.
35. An appropriately qualified medical practitioner must be present throughout a sports entertainment involving boxing, wrestling, judo and karate or similar.
36. Where a ring is involved, it must be constructed by a competent person, supported by any necessary documentation, and inspected by a competent authority. Any material used to form the skirt around the ring must be flame retardant.
37. At any wrestling or other entertainment of a similar nature, members of the public must not occupy any seat within 2.5 metres of the ring.
38. Sporting events involving any public contest, exhibition or display of total fighting are not permitted under the terms of this licence. The term total fighting includes any full contact martial arts involving the combined codes of judo, karate and ju-jitsu, judo, sombo and Olympic wrestling or any other mixed martial arts.
39. Any licensee wishing to hold a total fighting event on the licensed premises must first apply to the council for a variation of this licence and in the event that such application is granted, must comply with any additional conditions that may be imposed.
40. At water sports entertainments, staff adequately trained in rescue and life safety procedures must be stationed and remain within the vicinity of the water at all material times.
41. No alterations must be made to the premises that make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence proposing the deletion of the condition in question. The applicant will need to propose a new operating schedule reflecting the proposed alteration to the premises and how he or she intends to take alternative steps to promote the public safety objective and amend the risk assessment accordingly.
42. Where special effects are intended for use, including:

- dry ice machines and cryogenic fog
- smoke machines and fog generators
- pyrotechnics, including fireworks
- real flame
- firearms
- motor vehicles
- strobe lighting
- lasers
- explosives and highly flammable substances.

The responsible person must notify the licensing authority and submit a relevant risk assessment at least ten days prior to the event.

43. The number of attendants on each floor in a closely seated auditorium must be as set out on the table below:

Number of members of the audience present on a floor	Minimum number of attendants required to be present on that floor
One to 100	One
101 to 250	Two
251 to 500	Three
501 to 750	Four
751 to 1,000	Five
And one additional attendant for each additional 250 persons (or part thereof)	

44. Attendants must not be engaged in any duties that would hinder the prompt discharge for their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.

45. All attendants must be readily identifiable to the audience (but this need not entail the wearing of a uniform).
46. The premises must not be used for a closely seated audience except in accordance with seating plan(s), a copy of which is available at the premises and must be shown to any authorised person on request.
47. No article must be attached to the back of any seat that would reduce the clear width of seats or cause a tripping hazard or obstruction.
48. A copy of any certificate relating to the design, construction and loading of any temporary seating must be kept available at the premises and must be shown to any authorised person on request.
49. Sitting on floors must not be permitted except where authorised in the premises licence or club premises certificate.
50. Waiting or standing must not be permitted except in areas designated in the premises licence or club premises certificate.
51. In no circumstances must anyone be permitted to:
 - sit in any gangway
 - stand or sit in front of any exit
 - stand or sit on any staircase including any landings.
52. Except as authorised by the premises licence or club premises certificate, no drinks must be sold to or be consumed by a closely seated audience except in plastic and paper containers.
53. Clothing or other objects must not be placed over balcony rails or upon balcony fronts.
54. Any special effects or mechanical installation must be arranged and stored to minimise any risk to the safety of the audience, the performers and staff.
55. All special effects must be tested before the performance in respect of audience safety and to ensure that there is sufficient ventilation and extraction to prevent initiation of fire protection equipment.

Special effects include:

- dry ice machines and cryogenic fog
- smoke machines and fog generators
- pyrotechnics, including fireworks
- real flame
- firearms
- motor vehicles
- strobe lighting

- lasers (see HSE Guide The Radiation Safety of lasers used for display purposes [HS(G)95] and BS EN 60825: Safety of laser products)

- explosives and highly flammable substances.

In the case of any other special effects with safety implications prior notification must be given in writing by the responsible licensing authority at least 10 days before the event with details as to their use to enable the authority to consider if further inspection by the fire authority is necessary. It may be required that staff trained in fire prevention and extinction be present during any such performance.

56. Any scenery must be maintained flame-retardant.
57. Where a safety curtain is provided, it must be arranged to protect the audience from the effects of a fire or smoke on stage for sufficient time to enable the safe evacuation of the auditorium.
58. Where a risk assessment requires a sprinkler or drencher all safety curtains incorporating a drencher, all smoke ventilators and sprinklers (where fitted) must be maintained unobstructed and in good working order.

59. Where a stage with a proscenium arch is not equipped with a safety curtain, any curtains provided between the stage and the auditorium must be heavyweight and be made of non-combustible material or inherently or durably treated flame-retarded fabric.
60. All ceilings in those parts of the premises to which the audience are admitted must be inspected by a suitably qualified person who will decide when a further inspection would be necessary and a certificate concerning the condition of the ceilings forwarded to the licensing authority.
61. Where the potential audience exceeds 250 all seats in the auditorium must, except in boxes accommodating not more than eight persons, be either securely fixed to the floor or battened together in lengths of not fewer than four or more than twelve.
62. Where premises used for film exhibitions are not equipped with a staff alerting system the number of attendants present must be as set out in the table below:

Number of members of the audience premises on the premises	Minimum number of attendants required to be on duty
One to 250	Two
And one additional attendant for each additional 250 members of the audience present (or part thereof).	
Where there are more than 150 members of an audience in any auditorium or on any floor.	At least one attendant must be present in any auditorium or on any floor.

63. Where premises used for film exhibitions are equipped with a staff alerting system the number of attendants present must be as set out in the table below:

Number of members of the audience present on the premises.	Minimum number of attendants required to be on duty.	Minimum number of other staff on the premises who are available to assist in the event of an emergency.
One to 500	Two	One
501 to 1000	Three	Two
1001 to 1500	Four	Four
1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises.	Five plus one for every 500 (or part thereof) persons over 2000 on the premises.

64. Staff must not be considered as being available to assist in the event of an emergency if they are:
- the holder of the premises licence or the manager on duty at the premises
 - a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his response in an emergency situation
 - a member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation.
65. Attendants must as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.
66. The staff alerting system must be maintained in working order and be in operation at all times the premises are in use.
67. The level of lighting in the auditorium must be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of

films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007 (maintained lighting for cinemas).

68. No flammable films must be allowed on the premises without the prior notification of the licensing authority/fire authority.

Appendix 4

Draft pool of model conditions relating to public nuisance

1. All doors and windows at the premises must be kept closed when the licensable activities are taking place other than when doors are used for ingress or egress from the premises.
2. Noise generated by amplified music must be controlled by a noise limiting device set at a level determined by the local authority environmental health officer, such level being confirmed in writing to the licensee.
3. Noise limiting devices, once set, cannot be reset or adjusted without consultation with the local authority environmental health officer.
4. The lobby doors at the premises must be kept closed except for access and egress. Door staff must supervise to ensure that the doors are maintained closed as far as possible when public entertainment is taking place.
5. The use of fireworks and pyrotechnics is restricted to the hours of to
6. Internal and external lighting provided for the purpose of customer and staff safety and for the security of the premises must be so positioned to not cause nuisance to neighbouring or adjoining properties.
7. Lighting associated with activities of entertainment must be positioned so as not to cause nuisance to neighbouring or adjoining properties.
8. Lighting provided externally to promote advertising of the premises or activities associated with the premises must be of an intensity such as not to cause nuisance to neighbouring or adjoining properties.
9. Suitable ventilation and extraction systems must be provided to eliminate noxious odours. Such systems must be maintained on a regular basis.

10. Premises must remove their waste and refuse in a timely manner to a licensed waste disposal facility.
11. Premises must enter into a waste removal agreement with a licensed waste disposal contractor and keep documented evidence of the agreement.
12. Empty bottles must be stored in a lidded skip within the curtilage of the premises prior to collection. Operationally bottles must be removed from the public area on a frequent basis and transferred to the skip. Transfer to an external skip must not be undertaken after 11pm to minimise noise disturbance to adjoining properties.
13. Provide clear and legible notices displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting and slamming car doors. The sounding of car horns must also be discouraged.
14. The premises licence holder, designated premises supervisor and any door supervisors must monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
15. Take away packaging must include the name and address of the premises.

Appendix 5

Draft pool of model conditions relating to the protection of children from harm

1. Children under 18 years will not be allowed access to those premises.
2. Where the public are admitted to premises not serving alcohol for consumption on the premises, children under 12 unaccompanied by an adult over 18 must not be admitted after 11 pm.
3. Where the licensing authority classifies films for the admission of children under 18 years:
 - any film must be submitted to the Licensing Authority at least 28 days before it is shown for classification
 - the premises licence holder or club premises certificate holder must adhere to the age restriction imposed.
4. Only films that have been classified by the British Board of Film Classification as U, PG, 12A, 15 or 18 or as classified by any other body designated under section 4 of the Video Recordings Act 1984 or as otherwise classified by the licensing authority may be exhibited on the premises. The premises licence holder or club premises certificate holder must adhere to the age restriction in accordance with the following classification:
 - Universal (U) means films suitable for audiences aged 4 years and over
 - Parental Guidance (PG) means films where some scenes that may be unsuitable for young children
 - 12A means films passed only for viewing by persons aged 12 years or older or persons under 12 years when accompanied by an adult
 - 15 means films passed only for viewing by persons aged 15 years and over
 - 18 means films passed only for viewing by persons aged 18 years and over.
5. Immediately before the exhibition of a film there must be exhibited on screen for at least five seconds a representation or written statement of the film's classification in such a manner as can be

easily read by all persons attending the entertainment and also in the case of a trailer advertising any film.

6. Where a film is to be shown that has been classified as 12A, 15 or 18 the licence holder must cause a notice to be displayed, in a conspicuous position, at the entrance to the premises or room in which the film is to be shown reading:

PERSONS UNDER THE AGE OF [insert as appropriate] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

This notice must refer to the oldest age restriction where films of different categories are included in one programme.

7. No children under the age of 18 years must be allowed access to premises during any time when an activity or entertainment of a sexual nature is being provided. For the purposes of this condition, entertainment of a sexual nature includes but is not limited to striptease (sometimes referred to as exotic dancing), lap dancing, pole dancing or any other entertainment of a similar nature.
8. No children under 18 must be admitted to any entertainment of an adult nature. For the purposes of this condition, entertainment is regarded as being adult entertainment if it includes foul or abusive language, nudity or violence or which is likely to offend against good taste or decency.
9. Where entertainment is provided wholly or mainly for unaccompanied children:
 - there must be at least one attendant per 50 children or part thereof who must be on duty in the area(s) occupied by the children and stationed in the vicinity of each exit and at the head of each stairway
 - attendants must wear distinctive clothing or suitable armbands
 - attendants must be present throughout the entertainment and while the audience is entering and leaving the building.
10. The performance of children in shows is regulated by the Children (Performances) Regulations 1968. The show venue must be large enough to safely accommodate the children backstage. All chaperones and production crew must receive the fire instruction procedures applicable to the venue prior to the arrival of the

children. You must consider the adverse effects of special effects upon the health and safety of children. Children must be supervised by an adult at all times.

11. Compliance with the Portman Group's retailer alert bulletins is required.
12. Proof of age evidence must be viewed before admission to the premises and underage persons must not be admitted. The age must be * over 16 years or 18 years (*delete as necessary).

Appendix 6

Table of delegations of licensing functions

Matter to be dealt with	Subcommittee	Officers
Application for personal licence	If a police objection made	If no objection made
Application for personal licence, with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection made	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection made	All other cases
Application for Interim Authority Notice	If a police objection made	All other cases
Application to review premises licence/club premises certificate	All cases	

Decision on whether a representation is irrelevant, frivolous, vexatious, etc.		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection made	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases with discretion to refer to sub-committee

Appendix 7

Glossary of terminology

Club premises certificate	Means a certificate granted to a qualifying club under the act in respect of premises occupied, and habitually used for the purposes of a club. Alcohol must not be supplied other than to members by or on behalf of the club.
Entertainment facilities	Defined as facilities for enabling persons to take part in entertainment of a description falling within those mentioned above for the purpose, or for purposes, which include the purpose, of being entertained. The descriptions of entertainment are making music, dancing, and entertainment of a similar description to that falling within those mentioned above. This definition is subject to Part 3 of Schedule 1 to the Licensing Act 2003 (interpretation).
Hot food or hot drink	Food or drink supplied on or from any premises is hot for the purposes of Schedule 2 to the act if the food or drink, or any part of it: (i) before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and, at the time of supply, is above that temperature (ii) after it is supplied, may be heated on the premises for enabling it to be consumed at a temperature above the ambient air temperature.

<p>Licensable activities and qualifying club activities</p>	<p>Defined in the licensing act as:</p> <ul style="list-style-type: none"> (i) the sale by retail of alcohol (ii) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (iii) the provision of regulated entertainment (iv) the provision of late night refreshment - for those purposes the following licensable activities are also qualifying club activities <ul style="list-style-type: none"> (i) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption on the premises where the supply takes place (ii) the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place (iii) the provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of the club and their guests.
<p>Operating schedule</p>	<p>Means a document that must be prepared by or on behalf of an applicant for a premises licence or club premises certificate containing a statement including the following matters:</p> <ul style="list-style-type: none"> - The relevant licensable activities - The times at which licensable activities are to take place and any other times the premises are to be open to the public - Information about the designated premises supervisor - Whether any alcohol sales are on and/or off sales - The steps being taken to promote the licensing objectives.
<p>Personal licence</p>	<p>Authorises an individual to supply or authorise the supply of alcohol in accordance with a premises licence.</p>
<p>Premises licence</p>	<p>Authorises the premises to be used for one or more licensable activity.</p>

<p>Provision of late night refreshment</p>	<p>Defined as the provision of hot food or hot drink to members of the public, or a section of the public on or from any premises, whether for consumption on or off the premises between 11pm and 5am or</p> <p>At any time between those hours when members of the public, or a section of the public, are admitted to any premises, a person supplies, or holds himself willing to supply, hot food or hot drink to any persons, or to persons of a particular description, on or from those premises, whether for consumption on or off the premises.</p>
<p>Regulated entertainment</p>	<p>Defined as:</p> <ul style="list-style-type: none"> (a) a performance of a play (b) an exhibition of film (c) an indoor sporting events (d) a boxing or wrestling entertainment (e) a performance of live music (f) any playing of recorded music (g) a performance of dance (h) entertainment of a similar description to that falling within paragraph (e), (f) or (g) where the entertainment takes place in the present of an audience and is provided for the purpose, or for purposes, which include the purpose, of entertaining that audience. Any reference to an audience includes a reference to spectators. This definition is subject to Part 3 of Schedule 1 to the Licensing Act 2003 (interpretation).

<p>Appendix 8</p> <p>Responsible authorities</p>	<p>Defined as:</p> <p>i) the chief officer of police for any police area in which the premises are situated.</p> <p>The Chief Constable C/O Licensing Team Norfolk Constabulary Bethel Street Police Station Norwich NR2 1NN email: licensingream@norfolk.pnn.police.uk</p> <p>ii) the fire authority for any area in which the premises are situated</p> <p>Fire safety department Norfolk Fire Service Carrow Fire Station 63 Bracondale Norwich NR1 2EE email: kerry.larcombe@fire.norfolk.gov.uk</p> <p>iv) the enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 for any area in which the premises are situated</p> <p>Food & Safety Team Norwich City Council City Hall St Peter's Street Norwich NR2 1NH email: foodandsafetyteam@norwich.gov.uk</p>
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	<p>v) the local planning authority within the meaning given by the Town and Country Planning act 1990 (c.8) for any area in which the premises are situated</p> <p>Head of planning Norwich City Council City Hall St Peter's Street Norwich NR2 1NH email: planning@norwich.gov.uk</p> <p>vi) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health</p> <p>Public Protection Norwich City Council City Hall St Peter's Street Norwich NR2 1NH email: environmentalprotection@norwich.gov.uk</p> <p>vii) a body which: represents those who, in relation to any such area, are responsible for, or interested in matters relating to the protection of children from harm is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters</p> <p>Norfolk Safeguarding Children Partnership Norfolk County Council County Hall Martineau Lane Norwich NR1 2DH email: nscb@norfolk.gov.uk</p>
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	<p>viii) any licensing authority (other than the relevant licensing authority) in whose area part of the premises is situated</p> <p>xv) in relation to a vessel:</p> <p>a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57)) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is or is proposed to be, navigated at a time when it is used for licensable activities</p> <p>Broads Authority Yare House 62 – 64 Thorpe Road Norwich NR1 1RY</p> <p>Environment Agency Dragonfly House 2 Gilders Yard Norwich NR3 1UB</p> <p>Canal & River Trust 1st floor north Station House 500 Eldergate Milton Keynes MK9 1BB</p>
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any others specified by the secretary of state

- x) The local weights and measures authority (within the meaning of section 69 of the Weights and Measures Act 1985) for any area in which the premises are situated is a responsible authority are so prescribed.

Norfolk Trading Standards

Norfolk County Council

County Hall

Martineau Lane

Norwich

NR1 2UD

email: trading.standards@norfolk.gov.uk

Home Office Immigration

Alcohol Licensing Team

Lunar House

40 Wellesley Road

Croydon

CR9 2BY

email: alcohol@homeoffice.gsi.gov.uk

Public Health

Norfolk County Council

Martineau Lane

Norwich City Council NR1 2DH

email: licensingapplications@norfolk.gov.uk



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Committee Name: Council

Item 8

Committee Date: 30/11/2021

Report Title: Polling district and polling places review 2021

Portfolio:	Councillor Kendrick, Cabinet member for resources
Report from:	Head of legal and procurement
Wards:	All

Purpose

To approve proposals for the interim polling districts and polling places review 2021.

Recommendation:

1. Approve the polling scheme as recommended by the polling district and place working group at Appendix A.
2. Approve polling district boundaries changes in Crome, Mancroft and University wards at Appendix B.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report addresses the following strategic actions in the Corporate Plan: People living well and great neighbourhoods, housing and environment and inclusive economy.

Report Context

1. The Local Government Boundary Commission for England (LGBCE) published its final recommendations following its review of the electoral ward arrangements for the city council on 6 November 2018.
2. The statutory order to implement the changes was laid before parliament in December 2018. They were in place for the local elections on 2 May 2019.
3. These ward boundary changes meant that ward boundaries and county division boundaries were no longer co-terminus. For reference, the LGBCE has now finalised its proposals for future divisions in Norfolk County Council which will come into effect in 2025, which achieve a high degree of co-terminosity with the Norwich City Council wards which will aid electoral understanding and reduce potential problems posed in the event of future dual elections.
4. A full review of polling districts and polling places was approved at council on 22 September 2019. This set out a new polling scheme for the Norwich City Council local elections and Police Crime Commissioner (PCC) elections in May 2020.
5. Due to the Covid-19 pandemic, the local and PCC elections were delayed until 6 May 2021. This meant that these elections were held on the same day as the Norfolk County Council elections.
6. An interim polling place review was held in November 2020 to ensure that the elections in 2021 were held safely and reflected the combination of the county and city elections.
7. A subsequent review was necessary as we do not require the same interim polling scheme that was in place for those combined polls in 2021.

Report Detail

8. The scope of the 2021 interim polling district review was to consider the following points:
 - a) changes put in place for 2021, concerning public safety reasons
 - b) changes put in place for 2021, concerning the combination of the PCC, city and county elections.
 - c) amendments put in place in 2021 due to the lack of availability of our sheltered housing schemes as venues
 - d) new polling venues recommended in the full review of 2019 which were not put in place due to the cancellation of 2020 polls and the special considerations in place for 2021; and
 - e) changing some polling district boundaries due to new developments, access and availability of venues in those areas. This could include merging existing polling districts.

9. A polling district and polling places working group made up of elected members met to help formulate a polling district and polling places scheme. The working party was politically balanced and consisted of four Labour councillors, two Green Party councillors and one Liberal Democrat councillor.
10. A proposed polling scheme developed by the democratic and elections manager on behalf of the Returning Officer (RO) was presented to the working group and the public for comments as part of the consultation.
11. The members polling district and polling place working party met by MS Teams on 11 November 2021 to propose recommendations to council.
12. Members were asked to propose 13 recommendations (one for each ward) based on the proposed polling scheme, and those recommendations are listed in Appendix A. Members were also asked to propose polling district boundary changes and those recommendations are in Appendix B.
13. The working group were also tasked with considering any other proposals or consultation responses. This could include responses from residents, organisations, political parties, elected representatives and other key stakeholders. There was one response from the Norwich, Norfolk and City Council Labour Party which was considered by the working group.
14. It is important to note that the working group could agree to amend any proposals, however as Returning Officer (RO), the Chief Executive has a statutory duty to ensure free and fair elections. In discharging these duties, the RO will take account of the recommendations made by the polling district and places working group but would retain the right to make changes if deemed appropriate for reasons of practicality and/or other circumstances which may influence the location and use of polling stations within the city boundary. As far as possible, the RO will seek to consult with the working group on any such changes.
15. Those recommendations are to be considered at a meeting of council on 30 November 2021.
16. This will allow any polling station changes to be in place in time for the election on 5 May 2022. If boundary changes are approved, there will be a requirement to republish the electoral register on 1 February 2022 on those new polling district boundaries.
17. The polling scheme will need to be in place to reflect constituency as well as city ward and county division boundaries.
18. The democratic and elections manager worked with the working group in preparing the recommendations to council.

Table 1: Timetable

Activity	Owner	Date
Site visits of current polling stations and potential new venues	ElectionsTeam	August- November 2021
Publish notice of review and start of the consultation	Democratic and elections manager (DEM)	6 September 2021
Publication of Returning Officer's (RO's) proposals and start of public consultation.	DEM	9 September 2021
Close of public consultation		16 October 2021
Polling District and Places Review Working Group to agree on RO's proposals and to recommend changes to council.	Working Party/DEM/RO	11 November 2021
Full meeting of council to agree changes.	Council	30 November 2021
Re-publication of the register on approved new polling scheme (if new boundaries are agreed)	Elections Team	1 February 2022
City Council elections	RO / Elections Team	5 May 2022

Risks

19. The risks in not amending the polling scheme would mean that the scheme in place for the elections would not be workable due to boundary differences with the combined election in 2021. This could potentially lead to voter disenfranchisement and confusion.

Next steps

20. Approval of the new polling scheme and polling district boundaries by council on 30 November 2021.

21. Republication of the electoral register on new boundaries (if approved) on 1 February 2022. The register will be published on existing polling district boundaries on 1 December 2021.

22. The elections team will continue to visit polling stations in preparation of the elections on 5 May 2022.

Consultation

23. The consultation period started on 6 September 2021 and ended on 18 October 2021. The consultation was publicised on the council's website.

24. There was one response from the Norwich, Norfolk and City Council Labour Party which was published online and shared and considered by the working group.

Implications

Financial and Resources

25. There are no proposals in this report that would reduce or increase resources.

Legal

26. There are no specific legal considerations arising from this report.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	No direct implications.
Health, Social and Economic Impact	No direct implications.
Crime and Disorder	No direct implications.
Children and Adults Safeguarding	No direct implications.
Environmental Impact	No direct implications.

Risk Management

Risk	Consequence	Controls Required
There are no specific risks arising from this report	Any risks associated regarding polling stations are managed within the election risk assessment documentation prepared by the RO and elections team.	

Other Options Considered

27. No other options have been considered.

Reasons for the decision/recommendation

28. The proposals put forward in this report are required to enable a workable polling scheme to be in place for the city council elections on 5 May 2022.

Background papers: None

Appendices:

Appendix A: Polling Station recommendations

Appendix B: Polling District Boundary recommendations (Crome, Mancroft and University Ward)

Contact Officer:

Name: Stuart Guthrie, Democratic and elections manager

Telephone number: 01603 989389

Email address: stuartguthrie@norwich.gov.uk

Proposed polling scheme 2022

Bowthorpe ward

Polling district	Proposed polling station	Polling district review group comments
BO1	Chapelbreak Village Hall	No changes proposed
BO2	Clover Hill Village Hall	No changes proposed
BO3	Fourways Centre	No changes proposed
BO4	Bowthorpe Church Centre	No changes proposed

Catton Grove ward

Polling district	Proposed polling station	Polling district review group comments
CG1	Greenfields Community Centre	No changes proposed
CG2	Mile Cross Methodist Church, Aylsham Road	New venue.
CG3	Catton Grove Community Centre	No changes proposed
CG4	Oak Grove Chapel	No changes proposed
CG5	Shipfields Community Centre	No changes proposed

Crome ward

Polling district	Proposed polling station	Polling district review group comments
CR1	Pilling Park Community Centre	No changes proposed
CR2	Frere Road Community Centre	The previous station was Fugill Green which is no longer available.
CR3	Plumstead Road Library	No changes proposed
CR3(S)	Plumstead Road Library	To move area to Plumstead Road Library. This reverses the change made in 2021 due to the combined City and County elections.
CR4	St Francis Church	No changes proposed.
CR5(S)	Norwich Judo Club, Heathgate	The previous venue, Don Pratt Court is no longer available.

Eaton ward

Polling district	Proposed polling station	Polling district review group comments
EA1	Eaton Park Community Centre	No changes proposed
EA2	United Reformed Church	No changes proposed
EA3	Eaton Parish Hall	No changes proposed
EA3A	Eaton Parish Hall	No changes proposed
EA4	The Church Of The Latter Day Saints	No changes proposed

Lakenham ward

Polling district	Proposed polling station	Polling district review group comments
LA1	Tuckswood Library	No changes proposed
LA2	Old Lakenham Community Centre	No changes proposed
LA2A	Old Lakenham Community Centre	No changes proposed
LA3	The Flint Room, Ber Street	This new polling station is being for LA3, LA3A and LA3B. These areas were split due to the combined city and county elections in 2021.
LA3A	The Flint Room, Ber Street	This new polling station is being for LA3, LA3A and LA3B. These areas were split due to the combined city and county elections in 2021.
LA3B	The Flint Room, Ber Street	This new polling station is being for LA3, LA3A and LA3B. These areas were split due to the combined city and county elections in 2021.
LA4	Jubilee Centre	No changes proposed

Mancroft ward

Polling district	Proposed polling station	Polling district review group comments
MA1	Russell Street Community Centre	No changes proposed
MA2	Norwich Central Baptist Church	No changes proposed
MA3	Chantry Hall	No changes proposed
MA4	Castle Quarter, Timberhill entrance	New venue.
MA4A	Castle Quarter, Timberhill entrance	New venue.
MA5	Alive Church	No changes proposed

Mile Cross ward

Polling district	Proposed polling station	Polling district review group comments
MX1	St Luke's Church Centre	No changes proposed
MX1A	St Luke's Church Centre	No changes proposed
MX1B	St Luke's Church Centre	No changes proposed
MX2	Norman Centre	No changes proposed
MX3	Temporary polling station in Sloughbottom Park	To move polling station to a temporary polling station in Sloughbottom Park as agreed in the 2019 review.
MX4	St Catherine Church Hall	No changes proposed

Nelson ward

Polling district	Proposed polling station	Polling district review group comments
NE1	Belvedere Community Centre	No changes proposed
NE1A	Belvedere Community Centre	No changes proposed
NE2	Recreation Road Sports Centre	No changes proposed
NE3	Trinity United Reformed Church Hall	No changes proposed
NE4	St Peter's Jessopp Road	No changes proposed
NE5	Douro Place Chapel	Previous station at Douro Place Sheltered Housing is no longer available.

Sewell ward

Polling district	Proposed polling station	Polling district review group comments
SE1	Rosebery Road Methodist Church	No changes proposed
SE2	Christchurch Centre	No changes proposed
SE3	Silver Road Community Centre	No changes proposed
SE4	St Mary Magdelene Church	No changes proposed

Thorpe Hamlet ward

Polling district	Proposed polling station	Polling district review group comments
TH1	Wensum Lodge	No changes proposed
TH2	St Martin At Palace Church	Previous venue at the Maids Head Hotel is no longer available.
TH3	The Norwich Hotel	No changes proposed
TH4	St Matthews Church	No changes proposed

Town Close ward

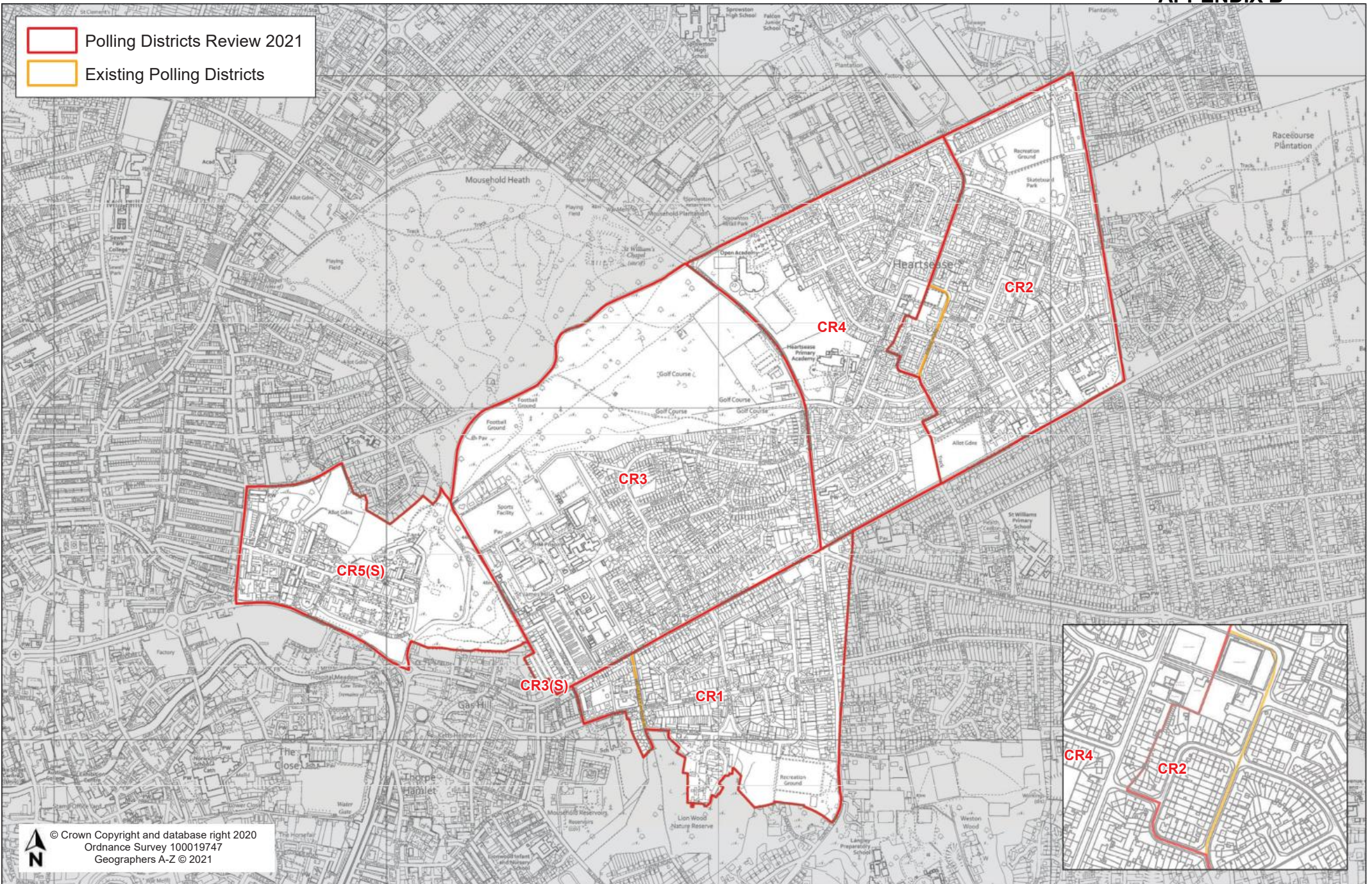
Polling district	Proposed polling station	Polling district review group comments
TO1	Jenny Lind Community Room, Suffolk Square	Previous venue at Melbourne Cottages Community Lounge is no longer available.
TO2	Cambridge Street Hall	No changes proposed
TO3	St Albans Church Hall	No changes proposed
TO4	East Anglia Tennis and Squash Club	No changes proposed
TO5	St Albans Church Hall	A new polling station is being sought in the district.

University ward

Polling district	Proposed polling station	Polling district review group comments
UN1	St Marys Church Hall	No changes proposed
UN1A	St Marys Church Hall	No changes proposed
UN1B	St Marys Church Hall	This reverses the change made in 2021 due to the combined City and County elections.
UN2	The Hive, UEA	No changes proposed
UN3 (Merged UN3 and UN4)	St Annes Church Hall	As outlined in appendix B, to combine UN3 and UN4 and for the residents to use St Annes Church Hall.
UN3A (Old UN4A)	St Annes Church Hall	As outlined in appendix B, to combine UN3 and UN4 and for the residents to use St Annes Church Hall.
UN4 (Old UN5)	St Peters Church Jessopp Road	New UN4 due to old UN3 and UN4 being merged.
UN4A (Old UN5A)	St Peters Church Jessopp Road	New UN4A due to old UN3 and UN4 being merged.
UN5 (Old UN6)	West Earlham Community Centre	New UN5 due to old UN3 and UN4 being merged.
UN5A (Old UN6A)	West Earlham Community Centre	New UN5A due to old UN3 and UN4 being merged.

Wensum ward

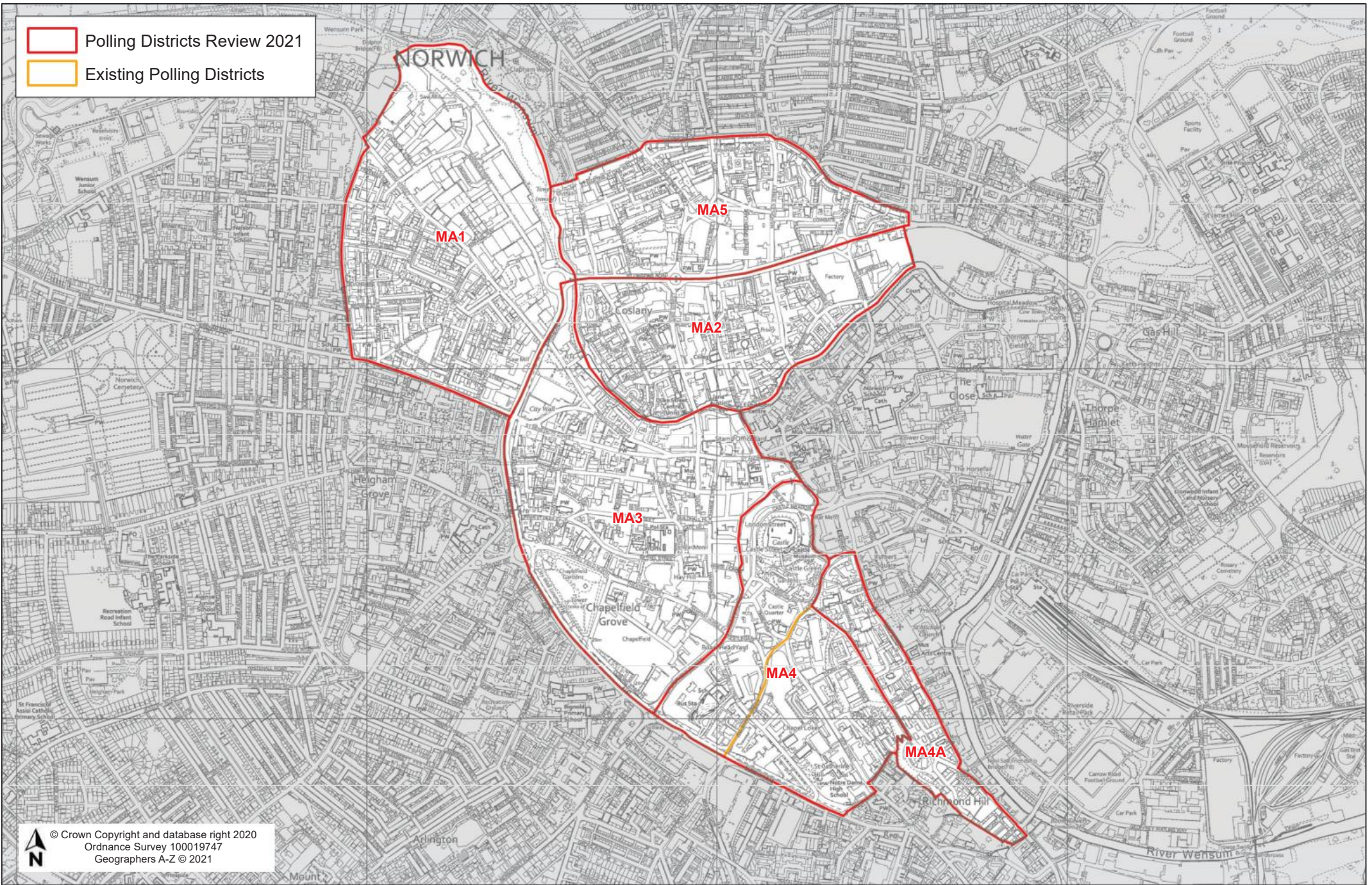
Polling district	Proposed polling station	Polling district review group comments
WE1	Marlpit Community Centre	No changes proposed
WE2	The Fat Percy Public House	To move area to The Fat Percy Public House reversing the change made in 2021 due to the combined City and County elections.
WE2A	The Fat Percy Public House	No changes proposed
WE3	Wensum Community Centre	No changes proposed
WE4	Cadge Road Community Centre	No changes proposed



Crome Ward

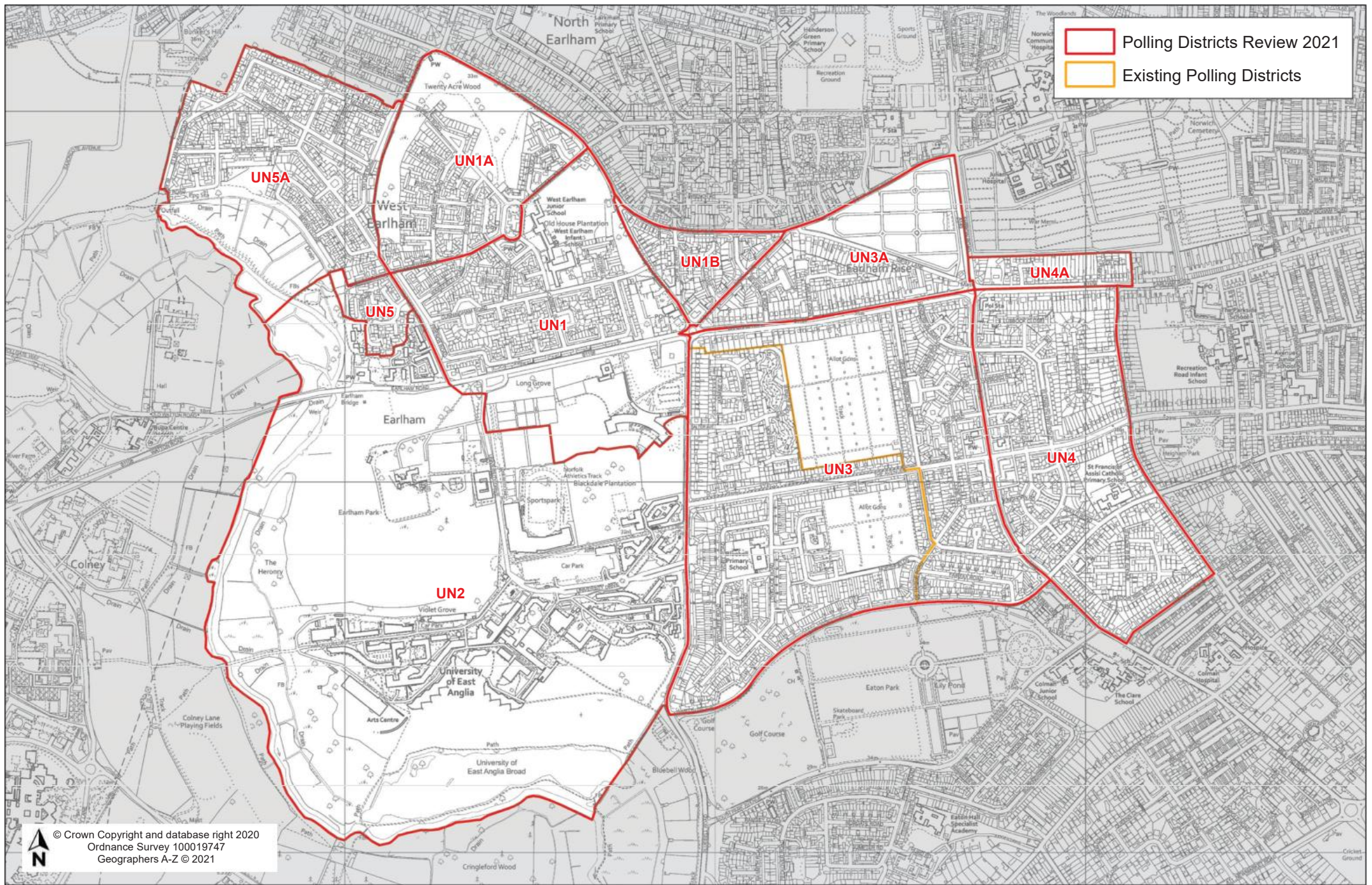
Proposed changes:

To move part of Frere Road and Goulbourn Road of CR4 polling district to CR2 polling district.
 To move the area of CR3 polling district south of Plumstead Road to CR1 polling district.



Mancroft Ward

Proposed Changes: To move the boundary of MA3 and MA4 polling districts to the middle of St Stephens Street, Red Lion Street and Castle Meadow.



University Ward

Proposed changes: To merge UN3 and UN4 polling districts and to rename subsequent polling districts accordingly.



Committee Name: Council

Committee Date: 30/11/2021

Report Title: Constitutional Amendments

Portfolio:	Cllr Paul Kendrick, cabinet member for resources
Report from:	Monitoring Officer
Wards:	N/A

Purpose

In March, the Council agreed a new Constitution. This report seeks to update Council on the subsequent work of the Constitution Working Party and proposes amendments to the Constitution.

At its last meeting on 16 September, the Constitution Working Party made a number of recommendations in relation to the (Councillors') Questions on Notice Procedure. However, the party did not have sufficient time to consider potential amendments to the Motions on Notice Procedure.

This report seeks to update the Working Party following the last meeting, seeks views of members with regards Motions on Notice Procedure and considers the establishment of a treasury management monitoring body.

Recommendation:

It is recommended that Council

- (1) Adopts the proposed changes to the Questions by Councillor Procedure in the Procedure Rules:
 - a. To amend paragraph 51 so that questions at Council may only be asked to the Leader or Cabinet members;
 - b. To amend paragraph 56 to read:

“Written replies will be given to questions by the relevant Cabinet member or committee chair or their nominee but shall not be the subject of any further debate. *Answers should provide a full response to questions in a succinct way.* If the reply cannot be given at the council meeting, a written answer will be provided to the questioner within 10 working days of the meeting.”

- (2) Adopts the proposed changes to the Motions on Notice Procedure in the Procedure Rules as suggested in Appendix 1

Policy Framework

This report indirectly supports the Council in meeting its corporate priorities.

Report Details

1. Constitutions are living documents; they will naturally evolve to accommodate changes in working practices, make enhancements, provide clarity and take into account changes in legislation and terminology.
2. Whilst the Monitoring Officer is delegated authority to make some minor changes to the Constitution, the Constitution Working Party seeks to advise the authority on more significant changes.
3. This report proposes recommendations made at the meetings of the Constitution Working Party in September and November.

Questions by Councillors

4. At its meeting in September, the Constitution Working Party considered the processes for members of Council putting forward questions. Three specific matters were debated in depth, as follows:
 - (a) That Councillors' questions should only be directed to the Leader and Cabinet members and not to Committee Chairs. The party was presented evidence highlighting that there is no consistent practice across authorities on this matter. This proposal had been suggested on the grounds that the Portfolios of Cabinet members covered all aspects of Council activity and that putting questions to Cabinet members enabled executive accountability. On the other hand, members considered asking questions of chairs was a tool for public engagement and was used sparingly. The Working Party elected to recommend to Council that questions on notice should only be directed to the Leader and Cabinet members.
 - (b) There was concern that the current limit of 150 words to answer questions does not provide sufficient opportunity for a thorough response to detailed matters and a more flexible limit should be provided. This was extensively debated by the Committee who recommended to replace the current wording with:

Written replies will be given to questions by the relevant Cabinet member or committee chair or their nominee but shall not be the subject of any further debate. *Answers should provide a full response to*

questions in a succinct way. If the reply cannot be given at the council meeting, a written answer will be provided to the questioner within 10 working days of the meeting.

- (c) The Working Party also considered whether the current timeframe for members to submit questions should be reduced from 5 working days to 3 working days. Whilst it was recognised this enables members to review agendas before asking questions, it does limit the ability of answers to be prepared, especially where detailed research is required. The Working Party heard that where authorities allowed shorter timeframes, it was often that only verbal answers would be given or responses would be received after the meeting. The Working Party revisited this topic at its meeting in November after receiving concern that 3 days would not give sufficient time for responses to be prepared and are therefore recommending that the current submission date of 5 working days remains.

Motions on Notice

5. At its meeting in November, the Constitution Working Party considered motions on notice. At present, the Constitution allows members to submit notice must be provided at least 5 working days before the meeting, and must be about matters for which the Council has responsibility, affect the City or a single issue.
6. There has been concern that some aspects of the current procedures are not operating effectively. For example, the 5-day deadline is the same as the agenda publication deadline, therefore members could legitimately submit motions after the agenda has already been issued. There is also the opportunity to incorporate good practice such as encouraging members to engage with portfolio holders or lead officers prior to submission (which often occurs in practice anyway).
7. The working party has therefore proposed the alternative procedure in Appendix 1 to this report. Where there are changes to the current procedures, the rationale for this proposal is set out in italic font after each proposed paragraph.

Consultation

8. The proposals in this report have been put forward by the members of the Constitution Working Party.

Implications

Financial and Resources

9. There are no proposals in this report that would reduce or increase resources.

Legal

10. There are no specific legal considerations arising from this report.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	None
Health, Social and Economic Impact	None
Crime and Disorder	None
Children and Adults Safeguarding	None
Environmental Impact	None

Risk Management

Risk	Consequence	Controls Required
There are no specific risks arising from this report		

Other Options Considered

11. Councillors may wish to put forward alternative amendments or proposals, or not to amend the Constitution.

Reasons for the decision/recommendation

12. The proposals put forward in this report follow from requests to review specific aspects in the Constitution.

Background papers:

None

Appendices:

Appendix 1: Proposed motions on notice procedure

Contact Officer:

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Email address: leahmickleborough@norwich.gov.uk

Appendix 1

Proposed motions on notice procedure

Notes in *italic* font are comments to explain the proposed wording where it is different from the current wording. The italic font will not form part of the Constitution.

1. Prior to submission of the motion, members are suggested to consult with the Leader of the Council, Portfolio Holder, Chief Executive or Executive Director to seek their views regarding the content of the motion

This can help to understand potential reception to the motion, highlight any significant concerns and also inform the member of work the Council is already undertaking regarding the matter

2. Except for motions which can be moved without notice under these rules, written notice of every proposed motion, together with the name of the proposed mover and seconder of the motion, shall be delivered to Democratic Services no later than midday 10 clear working days before the meeting

10 clear working days gives officers the opportunity to highlight any key issues to members prior to the agenda issue in case they wish to make amendments to the motion prior to the agenda issue.

3. No more than one motion may be proposed by a member for each meeting.
4. Motions for which notice has been given will be listed on the agenda in the order received, unless the member giving notice states in writing that they propose to move it at a later meeting or withdraw it.
5. A motion must relate to a council function, or, if not, it must particularly affect the City or one of the council's key partners.

3-5 are all as currently stated in the constitution

6. Each motion must be clear and succinct, must clearly identify the matter to be debated and have a clear question to be put. Where the Councillor is aware of specific legal, regulatory or financial implications, these should be set out in the pre-amble. Motions must:
 - (a) be about matters for which the council has a responsibility; and/or
 - (b) particularly affect the City; and
 - (c) be about a single issue.

This removes the suggestion that motions must not have a lengthy pre-amble, and asks that Councillors set out legal, regulatory or financial implications where aware of them

7. Any amendments to motions must comply with (a)-(c) above and the procedure rule on amendments.
8. Following discussion with the proposer as to whether they wish to amend the motion, and then, if the motion is not amended in a satisfactory manner,

consultation with the Group Leaders and Lord Mayor, the Monitoring Officer may reject any motion or amendment that, in their view:

- a. Is defamatory, frivolous or offensive;
- b. Relates to the Councillor's own personal circumstances;
- c. Is substantially the same as a motion determined by the Council within the previous 6 months;
- d. Names or identifies specific service users, members of staff or members of staff of partner organisations without the Councillor demonstrating they have provided consent;
- e. Is not submitted in the requisite timeframe;
- f. Does not meet the criteria in paragraphs 5 or 6 above

This is new and allows for motions to be rejected. The criteria is similar to that used for questions. The intention is that if a member puts forward an unsatisfactory motion, it would be discussed with them in the first instance to amend; if it was still unsatisfactory then a consultation would take place as to whether it should be allowed to proceed. Please note that in respect of reason c, it is only motions that have been determined that would be rejected; if a motion has been adjourned, referred to another body or withdrawn prior to consideration by Council can still be considered.

9. Any motion the subject matter of which comes within the province of the Cabinet or any committee, panel, sub-committee or joint committee may, after it has been moved and on the decision of the Lord Mayor, be:
 - (a) referred without discussion to the Cabinet or relevant committee, panel, sub-committee or joint committee; or
 - (b) referred without discussion to such other meeting as the chair may decide; or
 - (c) dealt with at the meeting at which it is moved.

The same as the current constitution

10. Any motion which is moved at a Full Council meeting that would have the effect of materially increasing the expenditure of any service or would involve capital expenditure, or requires consideration against statutory obligations (including, but not limited to, an equality impact assessment or crime and disorder implications) shall, unless that motion has been previously considered by the Cabinet, stand adjourned without discussion to the next Ordinary Meeting of the council, and Cabinet shall consider whether it desires to report thereon back to Full Council.

Added to this paragraph "or requires consideration against statutory obligations (including, but not limited to, an equality impact assessment or crime and disorder implications)"

11. Any notice of motion included on the agenda for a council meeting shall not be dealt with in the absence of the councillor in whose name it stands, unless that councillor has agreed that it may be moved by another councillor.
12. If a notice of motion cannot be taken at a meeting of the council, it shall be included on the agenda for the next meeting and take precedence at that meeting over all business after statutory business, proceedings and reports of Cabinet, committees or officers.

13. A councillor may alter a motion that they have moved, in which case the amendment becomes part of the substantive motion without debate. Only alterations which could be made as an amendment may be made.

These are the same as the current constitution

Motion to: Council

Item 10

30 November 2021

Subject: Veterans

Proposer: Councillor Mike Sands

Seconder: Councillor Davis

“This council supports our Armed Forces, forces families and veterans living in city. We are proud that British Forces are respected worldwide for their professionalism and excellence. Over the last year our Armed Forces have shown just how indispensable they are to the Nation’s security, from recently airlifting British nationals out of Afghanistan to driving NHS ambulances and delivering vital fuel. Just as our Armed Forces work to keep us all safe and our country secure, so we must do all we can to support them both in our city and beyond.

Council **RESOLVES** to:

- 1) note that;
 - a) The Armed Forces Bill, which will soon return to the Commons from the Lords, provides an important opportunity to tangibly improve the lives of our service personnel, veterans, and their families. The current Armed Forces Covenant is not currently enshrined in law allowing for wide variations in its interpretation at local level. When this is combined with years of government austerity it results in many local authorities being forced to concentrate ever more on their basic, statutory services.
 - b) That following their service, commonwealth veterans can be left with steep financial costs to remain in the UK. Whilst their applications are ongoing, commonwealth veterans are unable to seek employment or claim social security, with many facing NHS bills of tens of thousands of pounds for life saving treatment following service that placed their own lives at risk for the benefit of us all.
- 2) ask the Leader to write to: -
 - a) The Minister of State for Immigration, The Parliamentary Under-Secretary of State for Defence People and Veterans, and our two local MPs to pledge support for the incredible service of men and women from the Commonwealth and Nepal who have served and do serve in the UK Armed Forces, and the unconscionable way so many of them and their families are being treated. In particular we agree with veterans who believe their right to stay in the UK should be awarded automatically on account of their service and note that the recent government public consultation was insufficient in scope; with the only

proposal being to offer a visa fee waiver after 12 years' service – an unduly high threshold that will alleviate costs for only a fraction of service personnel. Council believes that only meaningful reform will deliver justice, and that means introducing a free and equitable route to citizenship that incorporates families, and – as we as nation do not know how many have been affected by this injustice – believe that the government should establish a dedicated unit to assist veterans, similar to the Windrush Taskforce.

- b) The minister of state for immigration and minister for veterans to pledge our support for all commonwealth veterans who have served a minimum of 4 years to be granted automatic and free of charge right to remain in the UK and that any veteran who completes 12 years of service to be automatically given British Citizenship without charge.
- c) The defence secretary to request that a £35m fund to support British veterans and Afghan interpreters is delivered (through funding recovered from cancelled MoD interpreter contracts) for grants to charities and Local Authorities in England to provide mental health support services for veterans and support for those Afghan nationals who have relocated to the UK through the ARAP scheme.
- 3) develop, working with the veteran's champion and cabinet member for social inclusion an enhanced Norwich Armed Forces Community Covenant, to complement the Armed Forces Covenant. “

Motion to: Council

30 November 2021

Subject: Local energy business campaign

Proposer: Councillor Hampton

Seconder: Councillor Stutely

Norwich City Council **RESOLVES** to; -

- 1) Acknowledge the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy including such programmes as ROAR power, COSY City, Solar Together and Big Switch and Save in recent years.
- 2) Further recognise:
 - a) that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so,
 - b) that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for local companies and community groups to be providers of locally generated renewable electricity directly to local people, businesses, and organisations, if they wished, and
 - c) that revenues received by such local companies or community groups that chose to become local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions;
 - d) Notes that the House of Commons Environmental Audit Committee, as a result of its 2021 Technological Innovations and Climate Change inquiry, recommended that a Right to Local Supply for local energy suppliers be established to address this;
 - e) Accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of 266 MPs and which, if made law, would establish a Right to Local Supply which would promote local renewable electricity supply by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply company; and
- 3) Further resolves to
 - a) inform the local media of this decision,

- b) write to local MPs, asking them to support the Bill, and
- c) write to the organisers of the campaign for the Bill, Power for People, (at Camden Collective, 5-7 Buck Street, London NW1 8NJ or info@powerforpeople.org.uk) expressing its support.

Motion to: Council

30 November 2021

Subject: Fireworks

Proposer: Councillor Davis

Seconder: Councillor Stonard

This Council **RESOLVES** to:

- 1) call on the relevant licensing authorities to require all public firework displays within the city boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people.
- 2) actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks.
- 3) write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays; and
- 4) encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display.

Motion to: Council

30 November 2021

Subject: Anti-Social Behaviour and Residents' Feelings of Safety

Proposer: Councillor Bogelein

Seconder: Councillor Osborn

"The level of anti-social behaviour recorded in Norwich varies greatly in different parts of the city. The percentage of residents who feel safe in their communities also varies and it is largely the case that council tenants feel less safe than residents in other forms of housing.

1) Council notes:

- a) Residents' feelings of safety and anti-social behaviour can be linked to the state of cleanliness and upkeep of an area.
- a) Anti-social behaviour is the one category that has been marked as red on the council's risk register since the introduction of the new risk register.
- b) The council has recently changed its approach to responding to anti-social behaviour in order to improve the experience of those who report anti-social behaviour to the council.

2) Council resolves to ask cabinet to consider:

- a) continuing to lobby for and implementing measures which address the structural drivers behind anti-social behaviour;
- b) introducing a separate theme in the covid recovery plan to look at actions that reduce anti-social behaviour and increase feelings of safety;
- c) bringing forward the underspend of the estate aesthetics programme in the coming financial year to address issues of cleanliness and upkeep on council estates, which can influence anti-social behaviour and feelings of safety;
- d) looking at opportunities to increase CCTV coverage, where the evidence indicates a demand and to increase the monitoring of CCTV in line with requests from the public, councillors and the police;
- e) using partial premises closure orders for public spaces such as staircases which suffer from frequent use of drug dealing and drug use;
- f) providing the budget to increase the number of safer neighbourhood coordinators;

- g) increasing resident engagement around anti-social behaviour through regular resident audits together with officers;
- h) communicating with residents the option of a community trigger as a way to escalate situations around anti-social behaviour, where action by the council and partner agencies has not resulted in any improvement;
- i) producing a strategy for designing out crime in council-owned parks and public spaces.”

Motion to: Council

30 November 2021

Subject: Housing safety compliance

Proposer: Councillor Lubbock

Seconder: Councillor Ackroyd

“In October 2021 the council wrote to 17,000 tenants and leaseholders to inform them of its failure to carry out legal safety checks on properties that it has responsibility for.

The verdict of the Regulator for Social Housing (RSH) is that 'Norwich City Council has failed to meet statutory health and safety requirements in relation to fire, electrical and water safety....and as a consequence there was the potential for serious detriment to tenants.'

New governance arrangements, comprehensive plans and proposals are being developed to return NCC homes to full compliance, including the creating of a Health and Safety Compliance Board to oversee the process of implementing a 'Compliance Improvement Plan'.

Council **RESOLVES** to increase the membership of the Health and Safety Compliance Board to include members who are external to the administration in order to improve scrutiny, openness and transparency. This increase will include representatives of tenants and leaseholders - the voice of those who receive the services - and members of the opposition parties, for at least 2 years or the duration of the Health and Safety Compliance Board.

Motion to: Council

30 November 2021

Subject: Drink spiking

Proposer: Councillor Jones

Seconder: Councillor Stutely

“In recent months there has been concern in this city about rising reports of spiking incidents, largely targeting women. We have seen the nationwide ‘Girls Night In’ campaign gaining traction, with Norwich based protests taking place on 26th October. Worryingly, in this same evening, 5 people were spiked by injection. To the 8 November, 49 reports have been received by Norfolk Police – 34 drink spiking and 15 by injection. In response, the Police have engaged extensively with licensees, working with venues on new and extended measures to help keep our young and vulnerable people safe in the city’s late-night economy.

Council RESOLVES to:

- 1) Welcome the introduction of more routine searches including the use of detector devices; initiatives such as dedicated welfare officers; safe zones for people that are vulnerable or become unwell; caps for open drink containers, sign-in systems, and improved staff training will all contribute to a safer environment.
- 2) Thank Norfolk Constabulary for continuing to expand their excellent work in this area and increasing resources for further engagement with venues and additional plain clothed patrols in spiking hot spots.
- 3) Call on the Government to increase police funding for the purpose of tackling this character and type of offending which includes spiking in drinks and by injection, sexual assaults in night-time venues and all forms of harassment and discrimination
- 4) Continue working closely with Norfolk Police, Licensees (directly and through business groups such as the Licensing Forum), to support the introduction of new measures that will improve safety in the city’s late-night economy
- 5) Continue to support the work of volunteer organisations such as SOS Bus and Street Presence pastors
- 6) Work closely with partners, including Norwich BID, to raise awareness among all late-night license holders and encourage the widespread adoption of new measures

- 7) Work with relevant partners to incorporate strategies that tackle these new forms of offending behaviour including the potential to develop a night-time safety charter that seeks to eliminate spiking in drinks and by injection, sexual assaults, all forms of harassment and discrimination in our city, and to ensure all visitors and staff get home safely and promote the charter across the city.
- 8) Continue to enforce all four licensing objectives wherever there is confirmed evidence of breaches.