

Report to	Licensing sub committee 18 April 2019	Item
Report of	Head of citywide services	3
Subject	Licensing Act 2003: Application for review of a premises licence – Bermuda Bobs, 7A Timberhill, Norwich, NR1 3JZ	

Purpose

Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider an application by Richard Divey, Environmental Protection Officer for Norwich City Council to review the premises licence in respect of Bermuda Bobs, 7A Timberhill, Norwich, NR1 3JZ.

Recommendation

That members determine the review application in respect of Bermuda Bobs, 7A Timberhill, Norwich, NR1 3JZ in accordance with the:

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

Corporate and service priorities

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

Financial implications

None.

Ward/s: Mancroft

Cabinet member: Councillor Maguire – Safe City Environment

Contact officers

Maxine Fuller, licensing assistant

01603 212761

Background documents

None

Report

Licensing Act 2003 (The Act): review applications

1. The Act provides a mechanism by which, following the grant of a premises licence, a responsible authority (e.g. trading standards) or any other person (e.g. a resident living in the vicinity of the premises) may ask the licensing authority to 'review' the licence because of a matter(s) arising at the premises in connection with any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm).
2. The licensing authority must advertise the review by displaying a notice at, on or near the site of the premises to which the application relates and at the main offices of the licensing authority. Notification of an application is also displayed on the Norwich City Council website.
3. The Act provides the licensing authority with a range of powers that it may exercise on determining a review, where it considers them appropriate for the promotion of the licensing objectives. However, the licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps appropriate to promote the licensing objectives.
4. Where a licensing authority considers that action under its statutory powers is necessary, it may take any of the following steps:
 - To modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example by reducing the hours of opening or by requiring door supervisors at particular times;
 - To exclude a licensable activity from the scope of the licence;
 - To remove the Designated Premises Supervisor, for example, because they consider that the problems are the result of poor management;
 - To suspend the licence for a period not exceeding three months; and
 - To revoke the licence.
5. It should be noted that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.
6. The following parties have a right of appeal to the Magistrates Court if they are aggrieved by the licensing authorities decision:
 - the applicant for the review;
 - the holder of the premises licence; and
 - any other person who made relevant representations in relation to the application.

Application for review

7. An application to review the premises licence in respect of Bermuda Bobs, 7A Timberhill, Norwich, NR1 3JZ has been received from Richard Divey, Environmental Protection officer for Norwich City Council. A copy of the application is attached at appendix A.
8. The grounds for review fall under the licensing objective of the prevention of public nuisance.
9. A copy of the existing licence and operating schedule is attached at appendix B to the report.
10. The current Premises Licence holder is Pizza Party Ltd and the Designated Premises Supervisor is Michael Baxter.

Relevant representations

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

Police – representation received (copy attached at appendix C)

Environmental Protection – (applicant in this review)

Fire Officer – representation received (copy attached in appendix C)

Planning Officer – representation received (copy attached in appendix C)

Area Child Protection Committee – no representations.

Trading Standards – no representations

Primary Care Trust – no representations

Other responses are as follows:

32 Local residents/businesses/premises licence holder– (copies attached at appendix C)

Norwich City Council Statement of Licensing Policy

12. Attached at appendix D are the elements of the city council's local Licensing Policy which are considered to have a bearing upon the application:

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

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

Summary

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

- the steps that are appropriate to promote the licensing objectives (i.e. the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm);
- the representations (including supporting information) presented by all the parties;
- the guidance issued under Section 182 of the Licensing Act 2003 (National Guidance); and
- the council's own statement of licensing policy.

15. The sub-committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- To modify the conditions of the Premises Licence (which includes adding new conditions or any alteration or omission of an existing condition);
- To exclude a licensable activity from the scope of the licence;
- To suspend the licence for a period not exceeding three months; and
- To revoke the licence.
- To remove the Designated Premises Supervisor, for example, because they consider that the problems are the result of poor management;

16. The sub-committee is asked to note that it should not carry any of the steps set out in paragraph 18 above because it considers it desirable to do so, it must actually be appropriate in order to promote the licensing objectives.



NORWICH
City Council

Citywide Services
Public Protection (Licensing)
City Hall
St Peters Street
Norwich NR2 1NH



Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Richard Divey

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Bermuda Bobs
7A Timberhill

Post town Norwich

Post code (if known) NR1 3JZ

Name of premises licence holder or club holding club premises certificate (if known)

Pizza Party Ltd

Number of premises licence or club premises certificate (if known)

19/00282/PREMTR

Part 2 - Applicant details

I am

Please tick ✓
yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

☐

Mrs

☐

Miss

☐

Ms

☐

Other

title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes
☐

Current
postal
address if
different
from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Richard Divey Norwich City Council City Hall St Peters Street Norwich
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more
boxes ✓

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

As part of an investigation into nuisance noise from the premises noise recording equipment was installed in a complainants premises.

When I listened to those recordings, for two different events, bass music was clearly audible over background noise levels, to such an extent that an abatement notice has been served on the premises.

At a previous meeting with the occupiers/licenceholders of the premises advice was given that the bass element of the music was likley to be emmited to such an extent that nuisance may be witnessed and that would result in action being taken under the Environmental protection act and that a licence review would follow. Basic advice was given that the low frequency noise (bass) required reduction and that advice on methods to achive this should be sought from an indipendant acoustic consultant. The licenholders did engage an acoustic consultant who gave advice on reducing noise escape and asurances were given that this advice would be followed.

As the conditions for the premises are not appropriate to control this noise escape I am therefore applying for a review of the licence under the prevention of public nuisance objective to correct the situation.

The recordings also suggest that conditions related to the control of customers in the street are not sufficient to reduce noise in the street to acceptable levels. The condition would benefit from rewording to require the venue to have control of their customers until they have left the area outside the premises.

Please provide as much information as possible to support the application (please read guidance note 3)

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day Month Year

┐	┐	┐	┐	┐	┐	┐	┐
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If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity**

Signature

.....

Date 15/02/2019

.....

Capacity Environmental protection officer

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

.....

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

.....

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



NORWICH City Council

Premises Licence Summary

Premises Licence Number

19/00352/PREMTR

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Bermuda Bobs
7A Timberhill
Norwich
Norfolk
NR1 3JZ

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

Films - Activity takes place indoors
Late Night Refreshment - Activity takes place indoors
Live Music - Activity takes place indoors
Performances of Dance - Activity takes place indoors
Sale by Retail of Alcohol
Recorded Music - Activity takes place indoors

Private Entertainment as defined under section 2 of the Private Places of Entertainment (Licensing) Act 1967

The times the licence authorises the carrying out of licensable activities

Films	Every Day	20:00 - 00:00
Late Night Refreshment	Every Day	23:00 - 03:00
On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Live Music	Every Day	10:00 - 23:00
On New Years Eve from the end of permitted hours on New Years Day to the start of permitted hours on New Years Day		
Performances of Dance	Every Day	10:00 - 03:00
On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Sale by Retail of Alcohol	Every Day	10:00 - 02:30
On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Recorded Music	Every Day	10:00 - 03:00

On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

The opening hours of the premises

Monday	10:00 - 03:00
Tuesday	10:00 - 03:00
Wednesday	10:00 - 03:00
Thursday	10:00 - 03:00
Friday	10:00 - 03:00
Saturday	10:00 - 03:00
Sunday	10:00 - 03:00

On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

Name, (registered) address of holder of premises licence

Pizza Party Ltd
68 London Street
Norwich
NR2 1JT

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 11574393

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Michael Baxter

State whether access to the premises by children is restricted or prohibited



Premises Licence

Premises Licence Number

19/00352/PREMTR

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Bermuda Bobs
7A Timberhill
Norwich
Norfolk
NR1 3JZ

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

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On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		

Sale by Retail of Alcohol	Every Day	10:00 - 02:30
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On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Recorded Music	Every Day	10:00 - 03:00
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On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

State whether access to the premises by children is restricted or prohibited

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Pizza Party Ltd
68 London Street
Norwich
NR2 1JT

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 11574393

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Michael Baxter



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference:

Licensing Authority: I

Annex 1 -- Mandatory conditions

- 1 No supply of alcohol may be made under a premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3 No moving picture shall be exhibited unless: -
 - (i) it has received a "U", "PG", "12A", "15" or "18" certificate of the British Board of Film Classification; or
 - (ii) it is a current newsreel which has not been submitted to the British Board of Film Classification; or
 - (iii) the permission of the Licensing Authority is first obtained and any conditions of such permission are complied with.
- 4 No person under the age of 18 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received an "18" certificate from the British Board of Film Classification.
- 5 No person under the age of 15 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received a "15" certificate from the British Board of Film Classification.
- 6 No person under the age of 12 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received a "12A" certificate from the British Board of Film Classification.
- 7 Where, at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.
- 8
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 9 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 10
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

(a) a holographic mark or

(b) an ultraviolet feature.

11 The responsible person shall ensure that:

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

(i) beer or cider half pint

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

12 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

13 For the purposes of the condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula:

$$P = D + (D \times V)$$

Where:

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

14 (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

15 Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

16 Where the film classification body is specified in the licence, unless subsection (12)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

17 Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

18 In this section "children" means any person aged under 18; and

"film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

19 Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of the Act.

20 But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

21 For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 – Conditions consistent with the Operating Schedule

1 General - all four licensing objectives

2 All bar staff will be trained in the basic law relating to the sale/supply of alcohol and a record of who have received this training will be kept at the premises.

3 There will be a 30 minute "chill out"/wind down period after the supply of alcohol has ceased.

4 The Prevention of Crime and Disorder

5 The Licensee 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.

6 There will be a minimum of 1 SIA door supervisor to be employed at the premises from 2200 until close on every Friday and Saturday night. In addition there will be one extra SIA door supervisor employed from 2200 hrs until close on Friday and Saturday nights when live music is taking place (giving a total of 2).

7 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 whether patrons are male or female.

8 Door Supervisors shall 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.

9 Door Supervisors shall 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 such as door supervisors having regard to the events and activities taking place at the licensed premises.

10 The Licensee shall keep an incident book, this incident book must be available for inspection by the police or authorised officer at all times when the premises are open.

11 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.

12 Children under the age of 16 years must be accompanied by a responsible adult when on the premises.

13 A suitably worded sign of sufficient size and clarity shall be displayed at the point of entry to the premises advising customers that they may be asked to produce evidence of their age.

14 A CCTV system shall be installed and operating at all times when the premise is open for business and maintained in good working order. Cameras will cover all main public areas of the premises and the main entrance / exits. Images will be recorded and stored for a minimum of 28 days and be available to Police or Licensing Authority on request.

15 Queuing areas will be patrolled by door supervisors.

16 Public Safety

17 All exit doors must be regularly checked to ensure that they function satisfactorily.

18 All fire doors must be maintained effectively self closing and must not be held open other than by approved devices.

19 A first aid kit will be available on the premises at all times.

20 No alterations must be made to the premises which 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 the alternative steps to promote the public safety objective and amend the risk assessment accordingly.

21 There will be current fire and health and safety risk assessments.

22 (i) The electrical installation in the premises shall be subjected to tests no less stringent than those required by BS 7671: 1992. A current completion certificate, or periodic inspection report in the prescribed form, completed by an N.I.C.E.I.C./E.C.A. electrical contractor, and schedule of test results, shall be submitted with the application for the licence.

(ii) On an application for the renewal of the licence, the licence holder shall be required to sign a declaration to the effect that the electrical installation has sustained no damage and been the subject of no alteration or extension since the date on the current inspection certificate. In the event of damage, alteration or extension to the electrical installation, a new electrical inspection certificate, in the prescribed form, completed by an N.I.C.E.I.C./E.C.A. electrical contractor, and schedule of test results, shall be submitted with the application for the renewal of the licence.

23 (i) A residual current device(s) shall be mounted and maintained as part of the fixed wiring installation of the premises. The device(s) shall conform to the appropriate British Standard/Euro norm with no intentional time delay included, and shall have a rated residual operating current no greater than 30mA.

(ii) The device(s) shall protect the electrical installation which serves those parts of the entertainment premises to which the public and performers have access. No unprotected electrical supply shall be introduced into those parts of the premises.

24 **The Prevention of Public Nuisance**

25 All doors at the premises must be kept closed, except for access and egress, when the licensable activities are taking place (windows at the premises do not open).

26 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.

27 The Premises must remove their waste and refuse in a timely manner to a licensed waste disposal facility.

28 There must be 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.

29 An adequate number of staff must monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

30 **The Protection of Children From Harm**

31 Children under 18 years will not be allowed access to the premises.

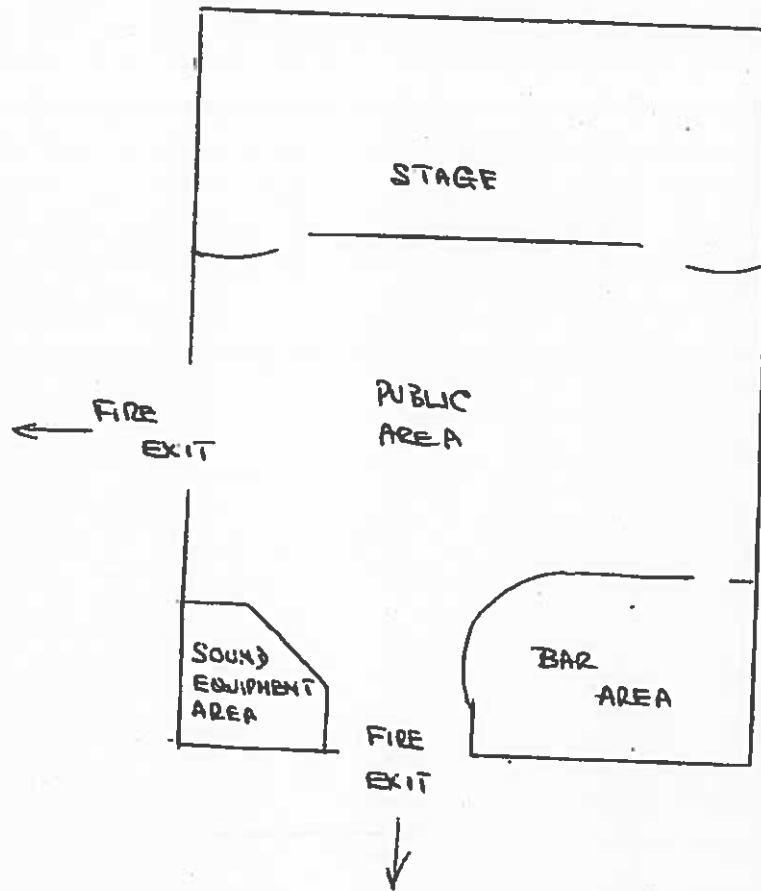
32 The "Challenge 25" policy will be operated on the premises.

33 A suitably worded sign of sufficient size and clarity must be displayed at the point of entry to the premises advising customers that they may be asked to produce evidence of their age.

34 No patron shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.

SP

CREATION OF SOUND BOOTH



FIRST FLOOR TA TIMBERHILL

RECEIVED
- 7 JUN 2017
5
LICENSING OFFICE

SP

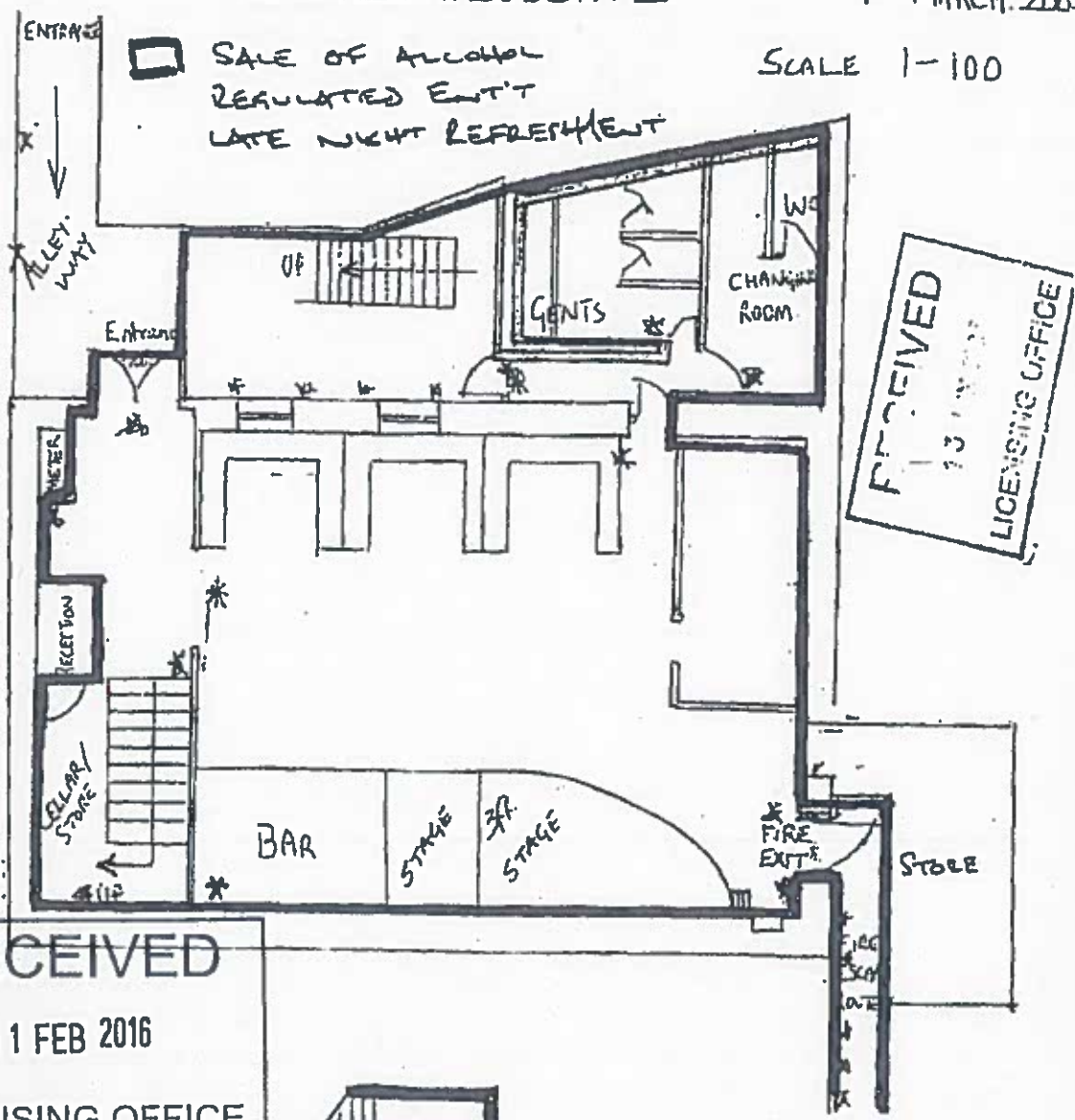
DEVILS ADVOCATE

1st MARCH 2008

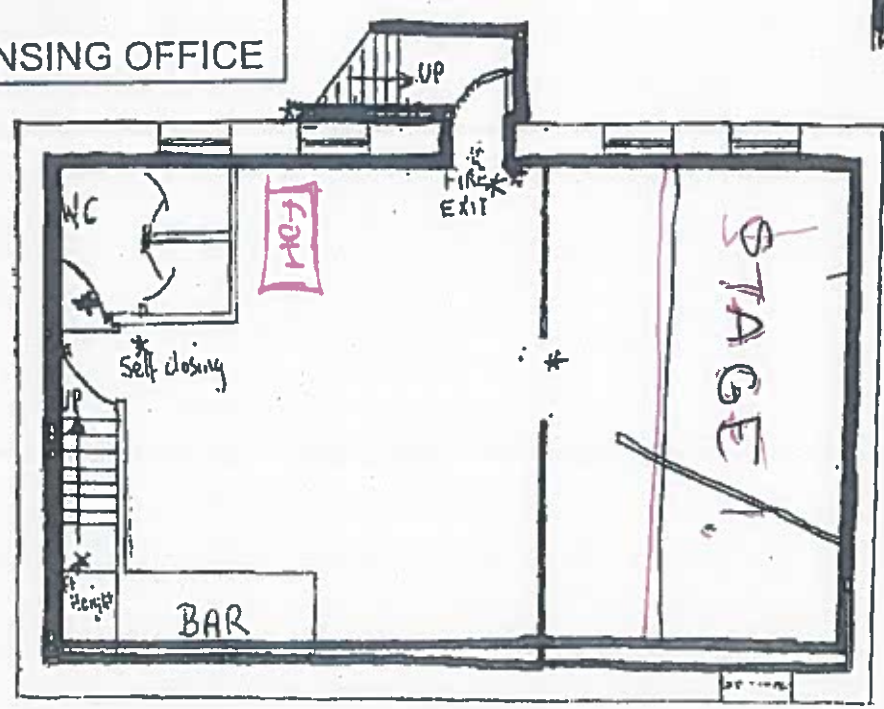
SCALE 1-100


☐ SALE OF ALCOHOL
REGULATED ENT'T
LATE NIGHT REFRESHMENT

ROUND
FLOOR



1st
LOOR



- * Emergency lighting
- * FIRE SAFETY EQUIPMENT
- * FIRE EXITS
- non existing alcohol licen area.
-  fixed seating
- licensable activity to take

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 15 March 2019 13:10
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Lara Emerson, Planning Services, Norwich City Council
Postal address	City Hall, St Peters Street, Norwich, NR2 1NH
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bobs

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>Norwich City Council Planning Services wish to make the following objection under the prevention of public nuisance objective.</p> <p>The premises to which this review relates is not currently operating with the benefit of planning permission for the current use. An application is required to regularise this use, and since the property is located outside of the city's Late Night Activity Zone, any resultant permission would likely restrict opening hours to midnight in accordance with policy DM23 of the Development Management Policies Local Plan 2014. Other matters for consideration would include installation of noise insulation and restriction of use of loudspeakers.</p> <p>Norwich City Council Planning Services reserves the right to enforce against this or any future breach of planning control.</p>
To protect children from harm	
Please suggest any	



Mr. Philip Cutter MBII

2/4, TimberHill,

Norwich,

NR1 3LB

Thursday 7th March, 2019

REF – Bermuda Bobs Rum Shack & Hi-Fi

To Whom It May Concern,

My name is Philip Cutter, and currently live above the Gardeners Arms / Murderers pub on TimberHill, with my wife Sherie, and my youngest son Jake, aged 15. We also have two older children who are currently away at University but return to live with us in breaks in their studies. This means that, when they are all back, my wife and I sleep in our living room.

We moved back into the flat, after a hiatus of 13 years away.

This representation is made as a resident of TimberHill, and not as the business owner, however, I have worked my entire adult life at the Murderers in varying capacities over my 32 years' service, and believe that I am perfectly placed in order to form my opinion in the nuisance that we have endured since Bermuda Bob's Rum Shack and HiFi opened in early October 2018.

We had moved back into the flat in March 2018, a full 6 months prior to this venue opening, and immediately approached the operators of the Owl Sanctuary, (7a TimberHill) about the excessive noise at the weekends – we were told by the manager that following several noise complaints received by Norwich City Council, issues with their premises licence, and the fact that they were about to close by April, meant that it was pointless in us making any complaints, so to 'bear' with them.

The Gardeners dates back to at least 1841, as an operating pub - with the building dating back as 1696. I personally have worked constantly at the Gardeners since 1987, and have seen, worked with, and supported the various operations that have been incumbents of 7a TimberHill in that period. And whilst I appreciate that this venue has had a 'later' licence, the previous operators have NOT impacted on the residents. The 'Hole In the Wall' possessed an old 'members club' licence enabling them to stay open until 0100. This operated on just the ground floor of the building and ceased trading in around 1990. The venue remained closed for over 10 years, until the building was then opened by Jeremy Thompson as Norwich's first lap-dancing venue. (The Devils Advocate) Mr Thompson worked closely with me from the inception of this project, assuring me of minimal impact on me and my family and especially my children. The premises had a later licence, but was rarely used, with the premises staying open generally until 0130 – Because of the nature of the operation, the music was discrete. Upstairs the music was played inside various small booths for 'discretion' and in-audible from the pubs living accommodation. When The Devil's closed, it was re-opened again as another Pole dancing venue, (Fallen Angels) was short lived, and operated as discretely as before until the Owl Sanctuary opened its doors, under Dan Hawcroft, in February 2016. Mr Hawcroft, and I spoke of his intentions, of which we supported, and initially was louder than previous tenants, but stopped before midnight. Regrettably, Dan left the business, and the new management neglected to invest - the air conditioning upstairs wasn't fixed, leading to internal doors being opened when bands played, introduced later live music events until 0230, (the premises licence condition allows live music until 2300) and the complaints to Norwich City Council began – So when the Baxter Brothers came into the Murderers, in June 2018, I was pleased to be told by them that they were intending to open a Pizza restaurant in 7a, TimberHill, bringing with it 'some' acoustic music, drag acts and comedy nights, as well as a fully stocked exotic rum bar – I told them of my relief, (and my wife) as the noise from the Owl Sanctuary had been unacceptable - This concept was what was also 'sold' to The Evening News, Norwich City Council & The Police Licensing team, but NO mention of a nightclub to any of us! (And still after 9 months, no sign of any pizzas!)

The summer of 2018, saw long hot nights, and meant that, along with the rest of the country's population, windows needed to remain open in order to get at least some air flow – With the windows open, it was regrettable that at 5am one morning I was woken by the sound of workmen working on the demolition of the Primark store on Gentlemans Walk. Being disturbed so early in the morning as you can imagine, was extremely frustrating! The beat of a jack-hammer travelled up TimberHill, and despite walking down to the building site, in order to speak to the perpetrator, no-one could be contacted – I tweeted the council and Primark, and a noise nuisance complaint was raised – However, by noon, the same day, the Head of Works from Carter Construction, personally came into the pub in order to apologise for the noise that had disturbed us so early. He gave me his assurance that the event would not be repeated, and his personal mobile telephone number to call him immediately if it did – The incident has not been repeated.

As a business, in 2014, we spent £35,000 on transforming an underused bar, into a stage, in order to facilitate live music. Prior to our first music event, I visited each of the residents, personally, and spent time with them explaining exactly what the plans of the pub were, and that if they had any concerns, or complaints, to contact me immediately – This approach led to just ONE complaint made to me – When, we extended one Blues session on a Thursday until 0030. A neighbour rang to tell me that they had work in the morning, and the session ceased immediately and was never repeated.

During last years World Cup Finals, as England approached the Quarter Finals against Sweden, my experience as a licensee, of 7 previous tournaments made me aware that a victory, and the good weather, could potentially lead to celebrations that would pour out onto the street. Because of this, I spoke to all of my business neighbours, whom might be affected by this on what would be their busiest trading period – a Saturday afternoon. I gave them my mobile telephone number, told them that I would be on the premises and would be at their disposal if they had any issues arise, assuring neighbours that this would possibly only last for a short period – and that if England lost, I expected that supporters would drift away disappointed, but I expected no disorder. (Indeed Norwich had 2 football 'related' arrests throughout the entire tournament) As matters transpired, England won, a party engulfed TimberHill, with many businesses joining the festivities, sharing mobile footage with me later.

This is how I conduct myself and my business. I fully appreciate that as an operator, I have a wider social responsibility to my staff, customers, local businesses, the wider general public as well as local residents. This consideration certainly has not been afforded to me, or my family, from the operators of Bermuda Bobs - I also have a duty to protect my family. Being unable to sleep has caused a great deal of distress, has led to both wife and I being unable to work properly on occasion, and our son missing days at school for being woken up by noise from the venue, and their patrons leaving.

We knew from experience that there is a 'buzz' from living in a city centre, we're not looking for silence, it is not, however, an expectation to be unable to sleep, disrupt a school boys sleep, or have to turn up your TV above the noise of a nightclub until 0300 !

Despite popular opinion, we are not trying to close The Baxter Brothers venue down, however, we feel that we have exhausted any form of reasonable dialogue with them, with an almost permanent reticence of acknowledging our concerns, starting from the very first week that the venue opened! Our frequent verbal approaches to the owners, management and door staff, continue to be greeted with almost contempt, despite initially agreeing that there had been excessive noise escape from the building, more recently, their have been abject denials that no noise is escaping from the building - this has subsequently led us to the position we currently find ourselves in.

Bermuda Bob's opened on Friday 5th October 2018, and as far back as the first weekend, my wife and I had gone down to the management and complained about the noise nuisance coming from the venue. Both Brad and Mike Baxter had asked me directly, and specifically, not to contact Anthony Shearman, or the council, as they *'had it in'* for them, but I wrote to Mr Shearman to formally start a complaint to him, writing on Sunday 7th October 2018, *'Mike Baxter has been quite obstructive in setting up this new bar, and have fobbed me off in the set up process'*

To be transparent, Brad Baxter asked me what could be done to resolve this matter in the first weeks - I told him that I wasn't an acoustic expert, and suggested a set of internal doors to 'buff' the noise from inside to out – and an external door was added, which made no difference! Brad offered to pay fully initially, (*reduced to 50%*) for double glazing inside the pubs flat, however, to add such glazing to a listed Grade II building was not possible, I appreciated the offer, but suggested that this money would be better spent on trying to soundproof their own venue.

It's my opinion that the majority of the sound escape occurs through the pitched roof of the premises, and that this will require major and extensive renovations, to eliminate this from being, what is now recognised, as a nuisance, with the bass described by Richard Divey as, '*clearly audible over background noise levels, to such an extent that an abatement notice has been served on the premises*'.

Initially, 'nightclub' events were restricted to just Friday and Saturday nights (1000-0300), and have progressed onto Thursday every night also - Events that the venue puts on during the week, and largely before midnight, I wholeheartedly support, as they bring a vibrancy to the street - these events, such as the comedy, drag acts, live music, jazz etc. are certainly not audible to us in our residence, and clearly very well supported. The patrons who attend these earlier events are also respectful of the street, and are neither 'rowdy' entering or leaving the venue. Regrettably, this abatement notice took over 5 months to serve, and gave me ample time to witness, some scenes that I have had the mis-fortune to watch unfold, left completely unchallenged, with continuous and blatant breaches of this venue's premises licence conditions. As a licensee, I know that my premises licence conditions are sacrosanct and therefore not open to interpretation – These rules do not seem to apply to this premises.

Email dated 14th November 2018

Condition 3 - There will be a 30 minute "chill out"/wind down period after the supply of alcohol has stopped

- Presumably this means that once the sale of alcohol has stopped (0230 hrs) until the premises closes (0300 hrs), the operation winds down, giving their patrons a period of time to calm down, acclimatise from the volume of the music inside, in time for them to leave.

I appreciate that "chill out"/wind down is a little ambiguous (my computers interpretation is "*intended to induce or enhance a relaxed mood, in particular an area in a nightclub where quiet or ambient music is played.*") but this certainly is not happening at the moment. Indeed, the 'loud' music we have been encountering has ceased almost exactly at 0300 hrs, with patrons leaving the premises as late as 0330 hrs – Why is it that these conditions are being so blatantly, and regularly breached?

Email dated 8th January 2019

Annexe 2 – Condition 11 No person carrying open or sealed glass bottles shall be admitted to the premises at any time that the premises are open for licensable activity

Around 2230 New Years Eve, 4 lads were drinking in the queue unchallenged, doorstaff approached them to take away the drink, but when they noticed that we were watching them, asked the group of 4 to leave the queue..... only to re-join the queue less than 5 minutes later, and gain entry. On the Saturday prior to this, a large group tried to gain entry having drunk coming up TimberHill, doorstaff advised them to come inside the Murderers first - they walked in, walked out, and were allowed entry!

On New Years Eve, few minutes after 2245 a female friend of my daughter, (clearly very drunk) was breathalyzed, and refused entry..... again she got back into the venue later I'm sure that their CCTV, and incident book will have these initial refusals noted.

Email dated 25th January 2019

Annex 1 - Mandatory Conditions #8

8 - c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol.... carries a significant risk of undermining a licensing objective. - (Breached- with Free drink promotions & promotions encouraging excess consumption)

Door staff seem unable, or unwilling to control patrons either entering or leaving the premises. We have witnessed far too often door staff on their mobile phones failing to watch either drunk patrons approach, or leave. It appears that they react to us looking out of our living room window before approaching any of the noisy patrons leaving Bermuda Bobs Whilst I appreciate that the claim will be that 'not all of the noise is from their customers' – nowhere else is open within 800 metres after 0100! (Karma Cafe- London Street) This inability to control rowdy revellers has meant that they have failed to move /approach / control their customers using the pubs lobby – clearly within view of their door – to vomit and urinate inside out of view of my CCTV, on another occasion, a different patron, used the doorway of Cupcakes and Bubbles to pee, (two doors down from 7a TimberHill) who was then allowed entry into the venue, having been watched by door staff! It has taken until the abatement notice was served, to be taken 'seriously', (despite months of us telling the management and doorstaff that it was unacceptable) when a new fluorescent jacket has been produced with the words 'Noise Control Officer' emblazoned on the back! However, other than occasionally walking up and down TimberHill 15 yards, has made no difference!

My wife was also compelled to go downstairs, and actually speak to a group of young girls she had watched leave the venue, and shriek so loudly that it subsequently woke my son up, they were apologetic and moved on - but clearly not my wife's responsibility. Neither was it her responsibility when she also shouted at a man urinating against the optician's door from our living room, to be greeted by shrugs from the door staff.

The most concerning thing I have witnessed, was staff (along with Mike Baxter) carrying out of the venue, an unconscious patron, unceremoniously placed on the opposite side of the road, to wait for the SOS bus to collect them. In my 32 years in the licenced trade I have never witnessed such an irresponsible approach to negating the social responsibility of an extremely vulnerable patron.

Whilst I appreciate that the current premises licence 'allows' them to operate in the way that they do- the way the operation is poorly managed, leaving patrons uncontrolled, and premises licence conditions operated in such a way, as to cause weekly nuisance to us as residents - a nightclub is simply NOT APPROPRIATE for this area, and far more suited to Prince of Wales Road, (POW) inside the defined Cumulative Impact Zone . I unfortunately believe that after midnight, and in the event of large scale disorder occurring, (with police public order patrols, (understandably), being situated on Prince of Wales Road, and already stretched), I feel that police responses would be restricted due to the emphasis on policing Prince of Wales Road. Because of this Bermuda Bob's are currently operating with complete impunity, and entirely unchallenged.

Due to all of these issues, I think that the licence requires further amendments, beyond those already offered by Mr Divey and I suggest that the committee has this opportunity to alter the premises licence, and to restrict hours of sale of alcohol upto 0100 - This will curtail their current operation by just one and a half hours, with the strict observance of Condition 3 ('Chill out' 30 minutes 0100-0130)

I also urge the committee to sanction the installation of sound limiting devices, to be implemented immediately, along with sufficient sound proofing in the roof, to prevent sound escape, and support measures suggested by Mr Divey – within a specified time limit.

Clearly the cold winter months has meant our windows have been closed, however with the summer months fast approaching, we should be allowed to open our windows, to let fresh air in.... this will simply be impossible if these operating hours are not restricted.

As mentioned before, as a business, I am certainly not trying to close this venue - this operation is not competition to mine, it is an entirely different demographic, but as a resident, the consideration shown to me, and my family has been negligible! These complaints are not isolated incidents, and began the first week this venue opened, and has not been abated.

Regards, Philip Cutter



Hello,

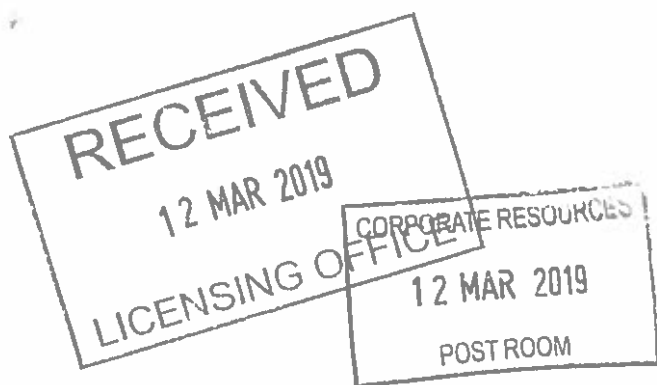
My name is Jake Cutter. I'm the son of Philip and Sherie Cutter. I believe I have not had much of a say on how I feel Bermuda Bobs have disrupted our lives. One way it has affected our lives is the escape of noise from mostly DJ nights it has woken myself up at the very least once every time a DJ is performing, now most of the time it could wake me up two, three, even four times in one evening because of the heavy base, beat and loudness of the music. However, this is not all that disrupts myself, as I live next to the street, I can hear their customers. Again, some nights are worse than others but unfortunately this is down to lack of control of the customers as they leave the premises. Loud screams leave me anxious on whether there's something making me get up out of bed to check on the road. Now I know there's an argument that as I live next to the street and in the city centre I should expect such noise however this is certainly not true on week nights usually when Bermuda bobs is not open and even weekends when they were not owners of the premises the street is quiet and calm, every business is closed and shut usually by 12pm however the whole street is usually quiet by 10-11pm anyway this means I can get a good, stress free sleep. I also have noticed that they now have a "Noise Control Officer" but he clearly does not do his job very well as I've have been woken up just as much as before.

I Believe the only way to resolve this situation is to change their licence to keep fit with the rest of the area not only because it disrupts my sleep but because it does not fit in with the hole area. A change in licence would mean that life around the area would more relaxed and quieter meaning that residents around the area can get a good night sleep. It is also extremely important for this to be resolved is because of exams that I will have not only have to take at the end of this year, mocks, but next year as well for my GCSEs because disruption to sleep means I will struggle to work and revise for tests meaning that my future could be seriously affected by the fact I will not get sleep because of the customers and lack of control of them as well as the loud music the vibrates the floor and keeps me awake constantly.

Thank you,

Jake Cutter





Mrs Sherie Cutter,

The Flat Above

2-4, TimberHill,

Norwich, NR1 3LB

Wednesday 6th March, 2019

Ref: Bermuda Bobs

7a, TimberHill, Norwich

My name is Sherie Cutter, I am Phillip Cutter's wife, and live with him and our son Jake in the flat above the Murderers Pub on TimberHill.

We moved into the flat in March 2018.

We were all quite excited to learn that the Owl Sanctuary was being taken over, and would become a Pizza outlet, with acoustic music nights, live bands and comedy.

From the first night it opened, it was very clear that this venue was predominantly going to operate as a nightclub. The escaping noise from this nightclub disturbed us from the very first weekend of them opening. I personally went down to approach the management, and initially told us that they understood and would try and resolve the issues. The issue of noise escape has been disturbing us every weekend since. I have continued to approach the management on frequent occasions, trying to explain to them how the noise was disturbing us and that the door they put in was making no difference as the noise was escaping through the roof. As well as this we are regularly disturbed by their customers leaving the premises who are often shouting and screaming in the street, often as late as 3.00 am.

My son is affected most by this situation, as is regularly woken throughout the night by the bass of the music and crowds of noisy people. This has caused him to become very anxious often ending up crying. This often causes me to be quite upset when I approached Bermuda Bobs staff, which as a lone female, I find very difficult. I frequently go down to speak to one member of staff from Bermuda Bobs, only to be set upon by other door staff, which makes me feel vulnerable – I have tried to explain to them the impact that this has on us, but they often make it seem as if we are unreasonable, when in fact the staff become quite confrontational towards me.

I know that they feel I do not want them to be open, but this is not the case. I just feel that the nightclub style nights are inappropriate for the area, causing a lot of disturbance to us.

Over the past 6 months, I am often losing sleep from being kept awake during the night, and then having to get up and clean the pub at 5am. Because I am so tired, I am not always doing my job properly as I am so tired.

With not getting enough sleep and worrying about my son, I have become very anxious and have started suffering with panic attacks.

Despite our best intentions, approaching the management and giving them opportunities to try and resolve matters, they have done nothing. We feel that, if the matter isn't resolved, we will have no choice but to move out, in order to protect our son, and his education.

Yours, Sherie Cutter





NORFOLK

CONSTABULARY

Our Priority is You

Licensing Officer
Norwich City Council
St Peters Street
Norwich
NR2 1NN

Date 14th March 2019

The Licensing Team

Bethel Street Police Station
Norwich
Norfolk
NR2 1NN

Tel: 01603 276020

Fax: 01603 276025

Email: licensingteam@norfolk.pnn.police.uk

www.norfolk.police.uk

Non-Emergency Tel: 0845 456 4567

Dear Sir/Madam

Police have received a copy of the application to review of the Premises licence for Bermuda Bobs, 7A Timberhill, Norwich.

This review has been applied for by Richard Divey of Norwich City Council Environmental Protection Team due to the level of noise escaping from the premises following a noise abatement notice served on the premises management.

Police Licensing are aware of noise issues experienced by a local resident as both Norwich City Council and Norfolk Police Licensing were contacted by email on a number of occasions.

PC Spinks from the Police Licensing Team carried out a joint visit to the premises with Richard Divey on Saturday 15th December at approx. 2am and on this occasion no excessive noise from the venue or from patrons in the street was found.

It is for Norwich City Council Environmental Protection Team to advise the Licensing Committee on how best to remedy the situation due to their expertise.

In terms of crime and disorder, since opening in October 2018, Police have received only one call linked to the venue involving an ejected male refusing to leave the area which resulted in an arrest by officers.

Police have received two separate reports of patrons leaving the venue heavily intoxicated. The first incident was debriefed with the venue management and the most report was from last weekend so enquiries are still pending.

I am aware that the management had made enquiries to ascertain if there was a previous history of noise problems prior to taking on 7A Timberhill and this was raised to Norwich City Council at the time.

In addition to the noise of the music escaping from the venue, the complaints from the local resident included noise from patrons leaving the venue. Both Police Licensing and Norwich City Council Officers had informed the venue management of the complaints received and as a result they advised that they had briefed security staff to request patrons leave quietly on dispersal.

The premises licence currently has conditions attached relating to noise of patrons on dispersal which include notices being on display reminding patrons to respect neighbours and for an adequate number of staff on duty to monitor patrons at dispersal.

Yours faithfully,

Michelle Bartram
Licensing Officer

CORPORATE RESOURCES

25 FEB 2019

POST ROOM

NORFOLK FIRE & RESCUE SERVICE

Group Manager Central

Diamond Jubilee Fire & Rescue Station Carrow

63 Bracondale

NORWICH, NR1 2EE

Tel: 0300 1231248

Website: www.norfolkfireservice.gov.uk/

Mr R Divey
Norwich City Council (Licensing)
City Hall
St Peters Street
Norwich

Please ask for: Kerry Larcombe
Direct Dial: 0300 1231418
Email: kerry.larcombe@fire.norfolk.gov.uk
My Ref: 00013768
Your Ref:

19 February 2019

Dear Sir,

The Regulatory Reform (Fire Safety) Order 2005

With reference to – Licensing Act 2003

Premises: Bermuda Bob's Rum Shack and Hi-Fi, 7a Timberhill, Norwich, NR1 3JZ

I acknowledge receipt of the application for the review of the above premises. We have no intention of raising any concerns.

Should you require any further assistance please do not hesitate to contact me on the number shown above.

Yours faithfully



Kerry Larcombe
For Chief Officer



Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 15 March 2019 16:53
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Mike Baxter Bermuda Bobs
Postal address	17 Clickers Road, Norwich, NR3 2DD
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	7a timberhill

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>I write to you as a member of your constituency, a local business owner and a longtime active member of my community and the city. I currently find myself in an awkward situation where I believe my only relief may come from yourselves. I moved to Norwich from Canada in 2005 and worked for many years as a waiter, through hard graft and a lot of time working for no money in order to get a foot on the ladder, I now own and operate a few businesses in Norwich, Gonzo's Tea Room and a venue called Bermuda Bob's on Timberhill.</p> <p>Gonzo's Tea Room has been a great success in Norwich, being voted in the Top 50 bars in the UK and nominated as the most sustainable bar in the country. We were considered leaders in the UK for our work to see plastic straws banned in bars and used our buying power to get local businesses like Summit Supplies to change their business model to renewables and through our relationship as consultants to international businesses like Booker we also helped them to start selling paper and biodegradable options alike across the entire country long before it came to the attention of national media. This year we are focused even more on sustainability heading an upcoming city wide campaign with other local businesses such as Blue Joanna, Shiki, Figbar, Hawthorn and Redwell Brewery to fir</p>

a way to mutually reduce waste and energy consumption. We believe there's no point being a sustainable venue on your own and that it will only be when we work together that we can make an impact. We have invested in our staff and community in other ways as well. We're paying the Living Wage to all of our full bar team members, we provide them with advanced training courses on spirits and wine for better service to the consumer and improved job satisfaction, we provide first aid training and are even currently paying for a staff member to do an accounting degree with no obligations. We have a long history of a family over there and have even hired our local big issue seller and helped him back into employment after years of sleeping rough in the woods outside Mile Cross. We're also considered a shining example by the local police on how to operate in the nighttime economy, with exceptionally strict attitudes towards misbehaviour and drunkenness. We serve premium drinks and good food with as much local sourcing as we're capable of. On a personal level I'm also on the board for local councillor Matthew Packers charity Jumpstar Youth and have run several fundraisers to try and find ways to support its good works. I don't want to pull on heartstrings here, but I feel at this point we must emphasize our committed work to make this city a special place to live and work.

Our other brand new project is Bermuda Bob's Rum Shack and Hi-Fi. After seeing that the Owl Sanctuary was due to close amidst financial difficulties, we were very disappointed. We knew and supported Dan Hawcroft at the venture over the years and even donated heavily to his campaign to find the venue the new home they eventually did on Timberhill even though they were technically a competitor of ours. We were big fans of live music and knew that there was still an opportunity to support it in Norwich with a few small tweaks to the business model to make it profitable. Our goal was to take what was a run down ex strip club, nightclub and punk rock venue, invest heavily in rejuvenating it and bring live music and life back to it. We first consulted with both the police and planning to discuss any potential problems the operators had previously to ensure there would be no residential problems and after 3 months renovation and over £100,000 in investment we re-opened the venue in October 2018 to very positive reviews, not just locally but from national publications. Almost immediately however, we heard from the owner of the pub across the street that noise from our venue was keeping his wife up at night. We informed them that we had invested over £20,000 in acoustic sound treatment to ensure there would be no noise and that we couldn't detect any on the street, however we also said we would be happy to work with them to ensure there was no further problems. We were assured this was satisfactory and were happy to go forward. The next day we received a call from the council saying there had been a complaint and we were being investigated. We soon after received a visit from Environmental Health where we cooperated with all their requests and on their recommendation invested more money installing door seals and even building a secondary door to our main hallway to ensure no noise escape there either all the while feeling satisfied that no noise could be heard, but wanting to cooperate. We were also told by Environmental Health that they would be satisfied if we consulted an acoustics expert who would consult on whether there was any noise pollution. We of course did that immediately hiring Richard Vivian one of the leading acoustics experts in the country, who came to our venue and over several hours took many readings from inside and outside our venue, including inside the building next to our neighbouring pub. (We asked for permission to access the pub itself, but were denied, we have since asked again and have still been denied.) The acoustic consultant advised that we were causing no noise problems and that there were no possibilities where we were being heard over any ambient noise whatsoever and sent a letter to the council as requested stating this. We thought at this point that it was the end of the matter. We would still hear from the neighbour and said once again we would help anyway possible, but reiterated our point of view that we were in fact the quietest late venue in the city, but that we were happy to come up to their apartment and try to set levels with them. We were denied again. At this point we were obviously at a dead end with our ability to go further and at the same time felt we had done everything we could to work with the

authorities to ensure there were no further problems. Our acoustic representative heard nothing back after sending his letter, we thought the situation was resolved or that at the very least that we could expect a dialogue should there be further issues they felt needed resolving, until the other day, with no further notice I received a knock on my door at home serving notice that our license was under review with an abatement notice.

We are now in a spot where we are forced to spend thousands of pounds to engage a lawyer as a new business that has already extended lines of credit just to exist with what we consider no warning, despite being forthcoming at every step in our dealings with our neighbour and the council. A license review not only puts Bermuda Bob's at risk, with over 100,000 pounds invested, it puts Gonzo's Tea Room and the 60 people or so we employ in Norwich at risk. I know that some on the council may see this as just some bar, but I hope you see we don't operate like many others, we're not a drinking hole. Our goal is to mirror community spaces like the Playhouse and The Arts Centre, while yes we rely on selling drinks to operate we strive to be more about that in everything we do. All we're asking for fair treatment and it feels very much at this point that the way this has been handled so far has been far from that.

Over the years, we've seen multiple changes in the night time economy of Norwich. We've tried to be at the forefront of helping it evolve. We believe firmly, that there is an opportunity for a multi faceted venue like Bob's in Norwich. We believe we've created a venue along the lines of the kind that will be an arts and cultural hub for Norwich. We've hosted comedy, live music on a local and national level, tasting events from Global Rum Ambassadors, local beer launches with Redwell, charity events, DJ's and LGBTQ events in an environment that operates a safe space policy so everyone can feel comfortable, no matter their background. We've had support from the BBC, Norwich Arts Centre, Access to Music and we're hoping we could sit down and possibly convince yourselves as well that our cause is for the greater good in Norfolk.

In conclusion I come to you in the hope that you can see we're operating in good faith and good standing in the community we all work and live in and that our business is to the cultural and financial benefit of our city. I don't ask people for help often, I'm proud to have worked to get where I am, but at this point I feel I need it.

To protect children from harm

Please suggest any conditions which would alleviate your concerns

Full name:

Mike Baxter

Date:

15/03/2019

Fuller, Maxine

From: Ben Street
Sent: 15 March 2019 14:41
To: LICENSING
Subject: Fwd: Forwarded Letters of support for Bermuda Bob's Hi-Fi
Attachments: Bermuda Bob's Letter of Support - Sarah Dempsey.pdf; Access to Music Support Letter.pdf

Hi,

Just forwarding this on to you. It is two letters of support for Bermuda Bob's Hi-Fi from two directors/managers of other established music venues (incl. Access to Music) regarding the pending license review at the aforementioned venue (both attached to this email)

The body of the email is my personal feelings on the case against Bermuda Bob's and has been echoed by every promoter and venue director I work alongside (I have more letters from other relevant persons and a petition signed by a number of the local acts that we support and give a platform too - please advise if you would like me to send these too)

Kind Regards

Ben Street

(Pizza Club Promotions Ltd)

----- Forwarded message

From: Ben Street <
Date: Mon, 11 Mar 2019 at 19:37
Subject: Forwarded Letters of support for Bermuda Bob's Hi-Fi
To: .

Hi Hugo,

I run a promotion company that organises and facilitates events at Bermuda Bob's Rum Shack and Hi-Fi (I also curate and manage live music at the venue).

Firstly I'd like to say it's very rare to hear about an independent multi-purpose venue (comedy, cabaret, live music - of all genres, and DJ events) that has recently opened in any city, and not only that but is also sustaining itself and attracting a diverse and sizeable local audience on a weekly basis. The venue it's staff and the myriad of different people that are attracted to it's busy schedule of events make Bermuda Bob's Hi-Fi a very special and unique place, and one that's integral to the development of an exciting and rapidly developing local music scene.

There has been numerous articles about venues across the country closing due to a mixture of escalating business rates, rent charges and noise complaints. As someone that's lucky enough to have had a career in the music industry ('Coasts' - signed to Warner and Capitol Records), I know too well how important these mid-level (150-200 cap) venues are to young bands and musicians. At least 50% of the acts we have playing at Bermuda Bob's are local (many recently graduated or studying at Access to Music) and often because of

the ideal size of the venue and the hard work of our booking team we can get them on support slots with bigger touring acts and expose them to a whole new audience.

It would be a travesty to see this platform for live music (and all sorts of wonderful events) disappear. Especially at a time when the recent 'Norwich Music Forum' clearly highlighted a pressing need to increase a variety of cultural events in the city and boost attendance.

I have attached a couple of letters passed on to me - to be forwarded to the relevant councillor - in support of the venue and the promoters that work to make it so special.

I will also be organising a petition to be signed by all the local bands and performers that have found Bermuda Bob's Hi-Fi to be an important platform for their development as artists.

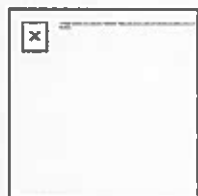
I feel passionately that this inclusive and precious venue is providing something unique to a large and varied local audience and should continue to feature a whole host of wonderful events.

Please feel free to reach out any time to discuss any of this.

Thanks

Ben

--



Bermuda Bob's Hi-Fi
7A Timber Hill
Norwich
NR1 3JZ

Booking Enquiries:
Ben Street

[facebook](#) / [instagram](#)



Pizza Club Promotions Ltd presents...
Wild Paths Festival 2019



To Whom This May Concern,

I am writing on behalf of Open Youth Trust, to act on the appeal for Bermuda Bobs Hi Fi and Rum Shack's recent and unfortunate license review, due to "Public Nuisance". This local live music venue is a significant asset for the emerging and existing local talent in Norwich. To grow and find opportunities in the music industry. We feel it is extremely important to sustain the presence of grassroots music venues in our city and we should all be uniting with each other to protect the future of local live music.

We are proud to be an ally of this venue and we give our full support.

Warm Regards,

Sarah

Sarah Dempsey

Live Events Manager



OPEN 20 Bank Plain, Norwich NR2 4SF

Follow us on twitter.com/OPENNorwich [facebook.com/OPENNorwich](https://www.facebook.com/OPENNorwich)

Making a positive difference to the lives of young people living in Norfolk

OPEN Youth Trust Reg Charity No: 1108712 Company Reg No: 5320333

5th March 2019

Dear Sir/Madam

I am the Principal at Access Creative College and am writing in support of the licence holders at Bermuda Bob's, having heard that their licence is under review.


This venue is vital to both the local music scene and our students, past and present. Bermuda Bobs have given our students live work experience and even employed one of our current students as a sound engineer. The partnership is vital to us and more importantly to the young people who come to our college.

The local music scene also needs small venues like this one to be free to thrive. The more that venues are restricted, the more that music scenes shrink and creative outlets vital for the development of young people disappear.

Bermuda Bobs are doing important work in creating a network of touring artists and engineers who may well get their first major opportunities in venues such as this one.

I hope you will consider these points in your decision making process.

Thanks



Dan Foden
Centre Manager
Access Creative College, Norwich

Fuller, Maxine

From: Veronica Woolf
Sent: 14 March 2019 13:03
To: LICENSING
Subject: Bermuda Bob's

Dear Licensing,

I am writing to you as I understand you are looking the the matter of the dispute between the Murderers' pub and Bermuda Bob's Rum Shack & Hi-Fi. And that a committee is meeting to discuss a licence review.

I have read the EDP article of 22 February about the possible review of Bob's licence. I would like to put forward my opinion as I believe that Bermuda Bob's is an enormous asset to Norwich's music scene. I don't know what your comms policy is, but there is absolutely no need to reply to this email; please simply take my comments on board as a proud resident of this city.

Firstly, I am deeply sympathetic to the complaints by the landlord at the Murderers' that they are experiencing noise in their flat. I can understand that this would be a worry to parents of a child of school age. I am the parent of a 2 year old and sleep is a precious thing. We recently went to stay in London and our hotel was in the middle of Soho. It was fantastically located for sight-seeing, museums, shopping, eating out, etc. but at night it was noisy, there were people drinking and smoking outside the surrounding bars, the streets were busy and music was audible:- my son was disturbed and didn't sleep well, plus we had to be vigilant when walking the streets since Soho is a destination for adult recreation, night life etc. I knew the shortcomings when we arranged it, but for a number of good reasons we took the decision to stay at that place (namely that it was good quality, modern, reasonably priced and close to all the aforementioned amenities). On balance, I probably wouldn't stay in that location again - although it was vibrant and close to everything we wanted to do, it wasn't a great choice for a family... However, and this is the important part, I have to say, I take full responsibility for choosing to stay there and any issues that arose thereof are absolutely no ones fault but mine. I suppose my point is this - a level of disturbance is expected in city centre location, full of pubs, bars and night clubs - in fact its the reason most people visit such a place. (And, even though my son was a nightmare, it was exciting for me as a 39 year-old, mostly at home parent, to be in amongst all that life!). The CBD of a city is not generally a residential area and that enables clubs and bars to put on spectacular events, play music, host performers and contribute to the rich culture of the city without disturbing anyone.

As an old-ish resident of Norwich, and someone who is passionate about music, I can say with absolute certainty that Bermuda Bob's is a place I want to go to. Bob's are putting Norwich on the map in the electronic and dance music world. This is a huge achievement, not to be taken lightly. The acts that are on the bill there are world class: DJs that we would never see in Norwich without this place. This is no exaggeration - simply, I am impressed beyond words with what they have achieved at Bob's. The club facilities, namely the incredible sound system, are pivotal to what the club offers - what draws DJs and customers, alike. All this achieved in such a short time of being open, it is exciting to think about what is next to come from these creative, passionate, business people who are so keen to invest in music and culture. We need to hold on to entrepreneurs and promoters of this calibre in Norwich, and not push them away to London or further afield.

Bermuda Bob's is a precious asset to Norwich's cultural scene and it exists in a part of town that was planned to be used for culture and entertainment. I hope they continue to blossom and enrich our fine city!

I hope you will give careful consideration to all points of view when you review this matter. I also do genuinely hope that the landlord and his family, can find a solution with which they are comfortable too.

Yours Sincerely,
Veronica Woolf
35 Wellington Road

Fuller, Maxine

From: Francis Woolf
Sent: 14 March 2019 13:31
To: LICENSING
Subject: Fwd: Bermuda Bobs

To whom it may concern,

The following is a forward of my email to my Local Councillor regarding Bermuda Bobs.

Thankyou for your time in reading it,

Bests,

Francis Woolf

Begin forwarded message:

From: Francis Woolf <
Date: 11 March 2019 at 19:44:36 GMT
To:
Subject: Bermuda Bobs

Hi Hugo,

Just wanted to touch base on an issue affecting Bermuda Bobs.

We've met a few times and as a small business owner, licensee and labour member I wanted to highlight the difficulties Bermuda Bobs is facing with thier neighbors.

I'm sure you have already been contacted but I would just like to show my support for Bobs. They have brought international artists to Norwich and have a positive impact on our already strong music culture.

I hope you will support them in their battle to stay doing what they are doing and won't let them go the way so many of our decent music venues have.

All the best,

Francis

Francis Woolf

Fuller, Maxine

From: Scott McBride
Sent: 13 March 2019 20:55
To: LICENSING
Subject: Support in favour of Licence review for Bermuda Bobs, Timber Hill, Norwich.

Dear licensing review panel,

As a licensee (and DPS) in Norwich city centre for many years I am writing to lend my support to Bermuda Bobs whom I am aware are currently facing a review of their premises licence. I understand the review relates to noise intrusion to local residents. As general manager of St Giles House Hotel, I am aware the difficulties that are sometimes involved in providing a venue that has to try to balance provision whilst having minimal impact to others or causing nuisance.

As one of the four main licensing objectives I am of course aware that 'prevention of public nuisance' is a serious and highly important topic and all due consideration needs to be applied when dealing with these matters. I believe Bermuda Bobs have shown due consideration and attempted to prevent public nuisance.

You will, I am sure, understand that there is a compromise area required when it comes to the late night economy in particular. Bermuda Bobs seems to me to be run in a very professional manner and are complying with all requirements and objectives as far as possible to date, doing all they can to meet the licensing objectives. They have made significant offers to aid local residents in a bid to reduce any alleged impact, and at no cost to those minimal few who have lodged concern. The venue itself is on the site of what has been a licensed music venue for many years. Whilst this itself is not necessarily reason alone to forgo the complaints, it would seem to me that reviewing and potentially revoking a licence because the complainers are now deciding the venue impacts them is unfair, unjust and somewhat discriminatory, especially given that other venues on the street have encroached upon public highways and could certainly be considered to be causing 'public nuisance', especially during the world cup of last year, where some several hundred patrons were drinking in the street and intimidating other local residents and passers by! To not be prepared to accept offers that would certainly mean the venue is NOT in breach of any objectives is their own failing, not that of the venue, as the venue is clearly trying to do all it can to meet these. I understand they have even taken steps as far as offering to install further soundproofing and measures (at their own expense) to assist and is quite frankly, a conscientious and welcoming attitude from the licensees. I wonder if a major chain or national brand would be quite so considerate and approachable?

I am sure you will be aware of the Baxter brothers (owners of the venue) through other city venues and there can be no disputing their positive contribution to the local economy. I know them to be contentious in all their attitude, and you will be aware that at other venues whenever there have been concerns they have worked hard in partnership with authorities as required to improve and this has been an overwhelming success to the good of all concerned, including I assume, the licensing committee. Venues such as theirs have helped raise the profile of Norwich as a great destination by providing attractive, well managed venues that are unique to the city. It is a welcome addition to the city to see a venue taking the night time economy and offering a venue that will draw even more people to the city. It is important these type of venues are allowed to thrive and supported to work in partnership with the city council as well as residents, with the mutual aim of encouraging visitors to the city, as well as finding resolutions to any disputes. It is, after all, the whole point of objectives.

Whilst I am aware that late night venues do have occasions where due to the nature of providing live music and entertainment there may be an impact, reviewing or revoking a licence seems wholly unnecessary in this case. I would hope the licencing committee will see this as I do, a well-run and professional venue doing all they can and going above and beyond to keep their neighbours and the public from any nuisance or potential ill-effects as much as possible. It certainly seems this can be resolved at a local level with neighbours that feel aggrieved, however they are very much choosing to not accept the offers of assistance. The venue should not be penalised for doing all they can to resolve the dispute.

I would also add that it is of great pride to me to see a local, independent business succeed, especially in today's difficult trading climate. Even more so in an industry where so many (even well-run) venues are closing. The benefits of this venue certainly seem to outweigh the difficulties, which I am sure could be easily solved.

I hope the licensing committee will agree with me when i say that there has to be a clear line drawn when a licensee makes every effort to resolve yet the offers are not accepted. I believe this venue have met their objectives clearly. I hope you will too.

I look forward to hearing a positive outcome for all concerned.

Should you wish to contact me for further comment i can be reached via this email address or via

Kind regards,

Scott McBride,
MBII

Waveney District Council Licence holder No: WPERS3452

Current Licensee at St Giles House Hotel, Norwich

Former Landlord Wig & Pen PH, Norwich

Former member Norwich & Norfolk LVA

25 years Licenced hospitality venue management experience.

Fuller, Maxine

From: Conor O'Brien <
Sent: 13 March 2019 17:35
To: LICENSING
Subject: In support of Bermuda Bobs Timber Hill / complaint from The murders pub

To whom it may concern

I have tried on 2 occasions to contact you via your website bout it crashed when I tried to finish ? So I was recommend to contact you via your Email

Kind Regards
Conor O'Brien

In support of Bermuda Bobs rum shack and Hi fi .

Bermuda Bobs is such a positive thing to happen to Norwich it really supports the alternative music scene in Norwich and attracts people from beyond .It's a venue that is totally inclusive a cross genders with very friendly and welcoming staff. It also represents Norwich in very good light attracting world class djs ,all genres of music are covered from jazz, folk .Singer song writer's and comedy and off course support local talent .If you just want a drink and a bite to eat thats fine too .

As a local business owner I have collaborated with Bermuda Bobs on couple of occasions and found it a very positive experience. I also think its worth mentioning not everyone wants to go to more mainstream bars and clubs in the city as they don't feel welcome or uncomfortable or just not the sort of places they want to go ,Bermuda Bobs fills that spot for the alternative music and club venue.They are forward thinking and in my option are real asset for Norwich .

Kind Regards
Conor O'Brien
Sent from my iPhone

Fuller, Maxine

From: Nick Snell
Sent: 13 March 2019 17:05
To: LICENSING
Subject: Bermuda Bobs

Dear City Council

As a fellow lanes business owner I would like to show my support to a business I believe to be crucial in the social structure of Norwich, Bermuda Bobs is not just another night club or bar but in fact a long awaited social and music venue that provides a safe and intelligently operated environment for not only a new forward thinking generation of social music lovers but also a somewhat forgotten older generation of people who have been patiently waiting for somewhere to socialise and experience music on a world class level of sound & vision.

Bermuda Bobs is a safe and extremely friendly environment with an incredibly broad demographic of patrons who are able to mix and enjoy the social scene and wonderful music on offer, this is very rare experience for Norwich. I personally have never experienced anything but a highly professional and extremely conscientious approach to the running of this venue.

Our fine City has evolved incredibly in the last decade, freeing itself from the backwater tag it has so often had hung upon it! Let's show our support for independent businesses who are here to continue that progression.

Thanks and finest Regards

Nick Snell
Director/Buyer
Futuredog LTD
Dogfish
Catfish
SevenWolves

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 13 March 2019 13:27
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Dillon Alexander
Postal address	5 Gorse Avenue, Hellesdon, Norwich, NR6 6L/
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bobs, 7a Timberhill, NR1 3JZ

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	Bermuda bobs has created such joy in Norwich to a lot of the population that do not enjoy the traditional R&B music that you tend to get at all the other clubs in Norwich, some of the artists that have been booked and already played in Bermudas are artists you would normally have to travel far away to see and it is special for them to playing in our hometown. I do not remember a single time since going there that there was any trouble in Bermudas, people are in there to enjoy the music with friends and this place creates a great location for this. In no way is this place a burden on any of the surrounding companies, it would be a great shame to put a stop to such a enjoyable place to dance.
To protect children from harm	
Please suggest any conditions which would alleviate your concerns	
Full name:	Dillon Alexander
Date:	13/03/2019

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 13 March 2019 09:38
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Joanna Tweddle
Postal address	98 College Road, Norwich, NR2 3JL
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	7A Timber Hill, Norwich NR1 3JZ

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below		
To prevent crime and disorder			
Public safety			
To prevent public nuisance	In support of Bermuda Bob's Rum Shack – the first club in Norwich that I've felt safe in. The security staff are excellent and care about the the safety of its attendees. It is an independently run nightclub, that hosts an eclectic mix of musicians and DJs. It has changed the face of the city, for the better, and I'm sad and disappointed that their licence is under jeopardy. It is the only club in Norwich I feel safe to visit and is a credit to Norwich's vibrant cultural scene.		
To protect children from harm			
Please suggest any conditions which would alleaviate your concerns			
Full name:	Joanna Tweddle	Date:	18/07/1978

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 13 March 2019 11:33
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Paul Flack
Postal address	28 Bathurst Road, Norwich, NR2 2PP
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bobs HiFi 7A Timber Hill, Norwich NR1 3JZ

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	Hello, I'm writing here to let you know how stunned I am to hear that the recently opened Bermuda Bob's Hi-Fi on Timber Hill is under threat of closure!! being a 47 year old in this City, it's hard to find an establishment that caters for both young and older tastes in music of such a high standard. I can only count on one hand any better venues than this, not only in London but throughout the country that has such a remarkable roster of DJs and events. I also now know that most of the high calibre DJs that have played have also remarked how great the atmosphere of the crowd is and would like to return at a later date. This is a big thing for Norwich and these are names I would never have thought I would see play here. It'd be so sad for this to go now when so many people have been waiting for an establishment like this for years, only for it to be taken away so soon and just when it's just about to put the Norwich social seen on the map in a big way. Also a big mention to the staff who run a clean and tidy ship and make each and every event so enjoyable with no hint of fear, just good times. I wouldn't hesitate in letting my children go here.
To protect children from harm	
Please suggest any	

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 12 March 2019 17:48
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Joanna Millington
Postal address	28 Bathurst Road, Norwich, NR2 2PP
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bobs Rumshack & Hifi Timber hill Norwich

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below		
To prevent crime and disorder			
Public safety			
To prevent public nuisance	I'm writing in support and of this music venue. As a mother in my late 40s this is pretty much the only venue I attend regularly in Norwich. I find it a safe and relaxed club which bringing world class DJs and music to Norwich. I've never experienced any trouble, and absolutely love how people of a very diverse age and background mix so well together. I feel the club organisers have put in a tremendous amount of effort which is truly putting Norwich on the map, and it would be a huge loss if this club were to close due to neighbourly dispute.		
To protect children from harm			
Please suggest any conditions which would alleviate your concerns			
Full name:	Joanna Millington	Date:	12/03/2019

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 12 March 2019 17:52
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Neil Tweddle
Postal address	98 College Road, Norwich, NR2 3JL
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bob's Timber Hill Norwich

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>I am writing in support of Bermuda Bob's Rum Shack and HiFi in a current noise dispute</p> <p>Having been a resident of Norwich for over twenty years since going to UEA - I can say that Norwich has waited that long for a venue like 'Bob's'. It is a far cry from the other clubs that Norwich offers (eg Prince of Wales road venues) both in terms of quality of musical offerings and the general community of the crowd. Norwich has been left behind nationally in terms of showcasing the best Dj's in the country until Bob's opened but now they are clamouring to visit and promoting the city regularly in their tweets and social media. It is quite remarkable the shift in musical perceptions of this fine city in the last few months. I understand that there has been a complaint regarding noise but as far as I can tell, the owners at Bob's have done everything they can to ensure that noise is minimal, from rigid soundproofing to having a strict security to stop people loitering outside either pre or post entry. I also believe that the complaint comes from a busy pub across the street which regularly boasts of the loudness of its own PA system for showing football matches. There has been a late night venue in that building for quite some time now, from a rock bar to a</p>

	<p>strip club.</p> <p>It would be a sincere shame if their license was jeopardised when in a short time period they have given an entire generation of people a chance to dance again in a safe and secure environment. I sincerely hope this can be resolved.</p>		
To protect children from harm			
Please suggest any conditions which would alleviate your concerns			
Full name:	Neil Tweddle	Date:	12/03/2019

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 12 March 2019 18:25
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Edward watkinson, Keep On Dancing Norwich
Postal address	Woodstock, Beech Avenue, Taverham, Norwich, NR8 6HW
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bobs, 7A Timber Hill

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>I wish to whole heartedly support Bermuda Bobs and believe the licence should be upheld. The venue is as safe, if not safer, than any other in Norwich. It has been a music orientated venue historically for over 20 years and hasn't received any complaints until now. What has been done to further the cities cultural and artistic scene in just a few months is amazing and the venue as a whole is an asset to our community.</p> <p>I promote club nights at the venue and it is a unique that space with no other alternatives in Norwich. To see the licence up for review is saddening and if it were to be altered would quite truly be a grave loss to Norwich.</p> <p>I hope I've filled in this form correctly as it seems to be only tailored towards those making negative comments. If not I'll happily write a formal letter to whoever is needed to show my support of Bermuda Bobs.</p>
To protect children from harm	

To whom it may concern.

We, Pizza Party Ltd. are the Premises Licence Holder for Bermuda Bob's Rum Shack and Hi Fi. Before we considering taking over what was an established music-led venue, we spoke with the licensing department to see if it had any noise issues, we were told that it had none. Having been to the Owl Sanctuary on several occasions and knowing it was EXTREMELY loud at all times we felt confident that it was worth investing in and the license would have no issues regarding sound.

We put in place what we considered to be best practice when it came to our venue management. It was important to us, as operators of licensed premises in Norwich city centre, to not have the negative impact on our surroundings that is often associated with licensed premises.

In order to support our aim of being a good neighbour, when we were first contacted by the Council regarding complaints of noise nuisance, we engaged with Council officers and brought in our own acoustic expert. It has come as a surprise to us that, once the Council completed its noise monitoring it chose to issue a Review of our licence and an Abatement Notice, rather than continue what we had wanted to be a productive dialogue.

The steps we had already put in place along with our response to the information that will be presented to us at the end of the Consultation Period will be collated into a report for the Council and we look forward to addressing any questions the Council may have at the Review hearing.

Thank you,

Brad and Michael Baxter

Gonzo's Tea Room / Bermuda Bobs Rumshack

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 26 February 2019 16:48
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Nick Turner
Postal address	10c Mill Hill Road, Norwich, NR2 3DP
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bobs

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below		
To prevent crime and disorder			
Public safety			
To prevent public nuisance	This venue has been a music venue for numerous years prior to it being Bermuda Bobs. They have taken measures to soundproof the property. The venue is in a city centre location so it shouldn't be a surprise to the complainant that there is some noise emanating from the property. It is running a variety of nights that aren't widely available on a regular basis in Norwich (eg Jazz, Comedy and LGBT events) and is the type of venue that should be supported by NORWICH Council. They have taken over a derelict property which had previously been a strip club. I would suggest that a derelict property or a strip club are of greater public nuisance than an independent bar/ club.		
To protect children from harm			
Please suggest any conditions which would alleviate your concerns			
Full name:	Nick Turner	Date:	26/02/2019

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 23 February 2019 09:41
To: LICENSING
Subject: Licensing - Representation Form - DONE (MF)

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Molly Grosvenor
Postal address	Gable End, The Street, Weybourne, Holt, NR25 7SY
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	7A Timber Hill, Norwich NR1 3JZ

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	Venue poses no threat to public safety
To prevent public nuisance	Venue is not a public nuisance
To protect children from harm	Shutting down another venue will likely increase the potential for young people to be out doing worse things to be honest.
Please suggest any conditions which would alleviate your concerns	stop closing down music/social venues in Norwich.

Full name:	Molly Grosvenor	Date:	23/02/2019
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Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 23 February 2019 09:28
To: LICENSING
Subject: Licensing - Representation Form - DONE (MF)

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Catherine Farrar
Postal address	25 Rackham Road, Norwich, NR3 3JQ
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bob's Rum Shack and HiFi (support)

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>Bermuda Bob's have been accused of creating nuisance by the owner of a pub across the road, The Murderers, who chose to move in above his own noisy late-night venue and has now complained that Bermuda Bob's, who do not have an outside area like the murderers does and who only shut a couple of hours later than that pub, are too noisy and keeping him up at night.</p> <p>Bermuda Bob's is a fantastic venue that has already brought a brilliant and varied range of performers and culture to Norwich - from a jazz night to cabaret shows, punk gigs and acoustic nights to comedy and DJs.</p> <p>It is the only venue of its kind in the city, and should be cherished and supported. In contrast, the Murderers (which also has live music) sees fights spill out into the street each weekend and encourages nuisance and disorder by way of an outside seating area which takes over the pavement and makes accessing the other venue very intimidating.</p>
To protect children from harm	
Please suggest any	I would strongly urge that Bermuda Bob's be allowed to continue as they are - with their

**conditions which
would alleviate
your concerns**

new soundproofing etc in place - while I would also add that I would feel much safer going to the bar and leaving it late at night if the Murderers pub across the road kept their clientele inside and didn't let them take over the street between the two bars / at the very least took responsibility for moving drunk people away from the area after they've been thrown out. Bermuda Bob's door staff do a great job of supervising their customers, I only wish the Murderers staff would do the same.

Full name:

Catherine Farrar

Date:

23/02/2019

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 22 February 2019 21:47
To: LICENSING
Subject: Licensing - Representation Form - DONE (MF)

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Black Shuck Creative
Postal address	78 Sydney Road, Hornsey, London, N8 0EX
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bob's Rum Shack and Hi Fi, 7A Timber Hill, Norwich NR1 3JZ

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	To prevent hate crimes against the LGBTQ+ Norwich community
Public safety	To continue running our community queer cabaret - the only safe space of its kind in Norfolk for so many people.
To prevent public nuisance	
To protect children from harm	
Please suggest any conditions which would alleviate your concerns	Keeping the Bermuda Bob's licence

Full name:	Hannah Dingle	Date:	22/02/2019
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Fuller, Maxine

From: Hannah Dingle
Sent: 22 February 2019 21:51
To: LICENSING
Subject: Protection of Bermuda Bob's Licence Vital to Local LGBTQ+ community

To Whom it may concern,

I am writing to you as the organiser behind Fever, Norwich's only all inclusive queer cabaret to voice my concerns regarding the review of Bermuda Bob's licence.

We run a monthly show at the venue championing all the various talents that the queer cabaret scene has to offer. We support and nurture local talent and bring award winning acts in from all over the UK.

The reaction from the LGBTQ+ community in regards to this event has been phenomenal. That is because this show that is only facilitated due to the Bob's team is providing something for a community no where else in the city.

To put it into context, the Norwich gay scene is fabulous but mostly caters to a certain demographic, as a queer woman I did not feel represented and neither did trans queers or queers of colour I reached out to. Bobs and Gonzo's helped us curate a night just for those under represented in our scene and our audience repeatedly tells us this is the only place they feel safe and represented.

To lose this venue would be to up-root a community and their home, a community made up of some of the most vulnerable members of society. People who are at risk from suffering trauma physical and emotional trauma in spaces which do not cater for them. Myself and the Bob's team have worked relentlessly to create a safe haven for these people and the loss of it to the community would be catastrophic. I have attached an article by the local press about our night where they state a very similar sentiment on its importance. This show is so much more than camp idiots in wigs, it's a family and I do not want to see it lost over one man's complaints.

Just to put into perspective how important queer spaces are:

Nearly half of young transgender people in the UK have tried to commit suicide.

One in five LGBT people have experienced a hate crime or incident because of their sexual orientation and/or gender identity in the last 12 months

Two in five trans people have experienced a hate crime or incident because of their gender identity in the last 12 months

Not only are spaces like this fun, but they are vital in protecting LGBT spaces. For the show we put on we can't use the queer spaces in Norwich, Flaubert closed, Catherine Wheel and Loft are too small and The Castle can't facilitate us at the times we need. Plus running this in an ally venue like Bobs means that we have an educational bridge between straight allies and the queer community that has helped and advanced understanding of our struggles

I have been in the building and seen the physical work the guys have put in to making the venue soundproof, it's still relatively new and teething issues happen. I have the utmost confidence that they will take changes and amendments on board. I loved going there when it was the Owl Sanctuary and the punk gigs then were rowdy rawkus fun; so now this complaint seems strange since it has always been a creative space.

Thank you for listening - I am happy to discuss more if you should so need, our performers and regulars of Fever are also very happy to contact you in the vitality of this venue and show; there really is nowhere else for us to go.

Article this week from Outline on the work of

Fever: http://www.outlineonline.co.uk/content/fever-theatre/120904/2498?fbclid=IwAR1n06UGlroeZYtW8bRMQl1nh0S9o_TCTzZo8iKblI_IzcGfMJFwnuXCNIIM

All my best

--

Hannah Dingle
Co-Founder Black Shuck Creative

Brand Representation

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 22 February 2019 18:49
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Sarah Tunnicliffe
Postal address	214 College Road, Norwich, NR2 3JA
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bobs 7a Timberhill NR1 3JZ

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below		
To prevent crime and disorder	There are NO crime and disorder concerns at these premises		
Public safety	There are NO public safety concerns at these premises		
To prevent public nuisance	The only public nuisance in my opinion is the nuisance of the The Murderers pub and one neighbour who are objecting to the noise of Bermuda Bobs despite it being a music venue for a number of years, despite the sound proofing at the premises, despite the offer of the sound proofing (at the premises expense) to the complaining neighbor and despite it being a city centre venue and therefore liable to live or amplified music in the vicinity. The bookings that this venue has seen ever since its opening has put Norwich very much on the map in terms of music and culture.		
To protect children from harm	There are NO children's safety concerns at this venue.		
Please suggest any conditions which would alleviate your concerns	I have NO concerns other than that peoples rights to experience world class music in a vibrant and busy city should be protected from people with inappropriate expectations of a city centre location.		
Full name:	Sarah Tunnicliffe	Date:	22/02/2019

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 22 February 2019 22:41
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	James Diamond
Postal address	11 Spencer Street, Norwich, NR3 4PA
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bobs Timber Hill Norwich

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>Bermuda bobs have invested in high end sound equipment and insulation because they believe that Norwich has more to its nightlife than just prince of Wales Road. As the art school and UEA grow over the next few years, they bring a new generation of young adults that don't want to go out and drink a rail of shots and puke and go to a strip club, they want to enjoy quality electronic music delivered in a way that the creators and performers themselves find palatable. As access creative enjoys a reputation of 'punching well above its weight' in terms of the musical talent that it produces, venues that have a properly tuned sound system show those acts that they can not only flourish here, but they can return here. For too long now, the city of Norwich has pandered to residents who, let's not forget, CHOSE to live in a city centre. A city should be noisy and vibrant and full of life. If it feels like a ghost town then no one will want to come here, no one will want to celebrate our nightlife or our musical talent and no one will understand that the culture of Norwich is much richer than just Prince of Wales that they see on the TV. Norwich is a fine city. The brothers who took on Bermuda bobs listen to the public and they respond and they do it with respect to the community and a desire to show the world just how incredible and rich their</p>

	<p>adopted home is.</p> <p>They work incredibly hard week in, week out to keep us happy, to keep us fed and to keep us celebrating our weekends, our exam results and our successes. Please don't limit them from doing that.</p> <p>I support their dedication to providing suitable insulation and have documented consultancy from top audiologists to provide the optimum quality atmosphere for events with the minimal possible impact on the surrounding neighbourhood.</p>		
To protect children from harm			
Please suggest any conditions which would alleviate your concerns			
Full name:	James Diamond	Date:	22/02/2019

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 22 February 2019 23:39
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Kevinbarnbrook Barnbrook
Postal address	18 Elm Grove, Garboldisham, Diss, IP22 2RY
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Rum Bar

Your support or objection must relate to one of the four licensing objectives

Licensing objective		Please set out your support or objections below	
To prevent crime and disorder		There is no crime and disorder	
Public safety		There is no public safety	
To prevent public nuisance		There is no issues with noise or any public nuisance!	
To protect children from harm		N/A	
Please suggest any conditions which would alleaviate your concerns		There should be NO conditions given to the licence! You can Not hear the music outside of the venue. The venue has been a music venue for the last 20+ years with no issues. All LIVE venues are being closed and robbing the area of places local music talent can go to, with the venue bringing money and people to Norwich.	
Full name:	Kevin Barnbrook	Date:	22/02/2019

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 23 February 2019 03:01
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	David Henry
Postal address	Flat Above, 9 Timberhill, Norwich, NR1 3JZ
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Object: Bermuda Bobs

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	Plenty of people on drugs, plus we have never had this issue before. Owners/management are incredibly passive aggressive and makes all residents in westgate tower anxious about asking politely to consider turning it down.
Public safety	Tons of people spill out at closing time, quite obviously on drugs and get extremely lary.
To prevent public nuisance	A friend of mine attended the John Morales gig at Bermuda Bobs' HiFi. They turned their "40k" sound system up so loud all quality was lost, and apparently was so obviously over capacity the dance floor became extortionately hot, which meant at the beginning of the night they had to open the double fire doors on the dance floor?!?! Which meant everyone in westgate and probably the rest of the city centre had to hear the hum (at best) of their negligence regarding capacity. I have friends on pottergate complaining of a low hum coming from the centre that evening, coincidence much?
To protect children from harm	N/A
Please suggest any conditions which would alleviate your concerns	Apparently the guys who run similar Tropico events within the centre, have a pretty open door regarding young people and drug taking. This venue has been avoided by myself and friends above the age of 25 and over as we have seen all too horribly before how these events usually pan out.

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 23 February 2019 08:21
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Jon Carnall
Postal address	7A Timberhill, , , Norwich, Norfolk NR1 3JZ
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	7A TIMBERHILL, NR1 3JZ

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>This venue and it's owners/management (Bermuda Bob's) is a very welcome addition to the cities nightlife and economy. It has provided a younger and vibrant music loving audience with a safe and very respectable venue with excellent security and a welcoming atmosphere. I would urge the council to do it's upmost to work with the venue on any issues with regard to noise pollution and would suggest that any objections to its licence maybe the subject of rival commercial issues rather than genuine noise issues. i would also argue that the venue has very reasonable hours in operation - particularly at weekends when compared with other european cities and would argue that a safe nightlife space in Norwich city centre with an exceptional music policy is essential to the development of the city's economic interests and expansion.</p>
To protect children from harm	
Please suggest any conditions which would alleaviate your concerns	

Fuller, Maxine

From: Phil Cooper
Sent: 23 February 2019 15:09
To: LICENSING
Subject: Noise complaint against Bermuda Bobs Rum Shack and HiFi

To whom it may concern,

I'm writing to express my concern and dismay after reading in the EDP that a noise complaint has been levelled at Bermuda Bobs Rum Shack and HiFi.

As a fan of music, Norwich resident, and DJ - this venue represents something that has been sorely missed from the city for far too long. A safe, respectful, welcoming and diverse venue which is doing it's level best to bring great music to Norwich.

The owners and staff are very responsible when putting on events and show the greatest concern about ensuring the noise levels are kept at a reasonable level, and that patrons respect their neighbours when leaving. I have witnessed this as a DJ playing out in the venue and as a customer attending.

Without it, Norwich would be culturally much worse off. An event I attended recently had an age range from 21 through to 70s - all feeling relaxed and safe and enjoying themselves. This does not exist in any other late night venue in the city.

This venue has consistently been used for events for years before Bob's moved in; so to complain at this stage is at best incongruous, and at worst appears an opportunistic attempt by another venue to stifle a new business venture.

If this email reaches the wrong department please let me know who I should contact instead. If there is opportunity to make my case in a more formal manner, then again, please let me know how to do this.

Many thanks
Phil Cooper

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 25 February 2019 20:27
To: LICENSING
Subject: Licensing - Representation Form

Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Suzanne Sharman
Postal address	67 Ashby Street, Norwich, NR1 3PT
Email address	...@...mail.com
Contact telephone number	
Address of the premises you wish to support or object to	Bermuda Bob's Rum Shack & Hi-Fi 7A Timber Hill, Norwich NR1 3JZ

Your support or objection must relate to one of the four licensing objectives

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	<p>I wish to SUPPORT Bermuda Bob's against the complaint from Phil Cutter, of The Murderers pub.</p> <p>Since it opened, Bermuda Bob's has taken a vacant space on the street and turned it into a magnet for Norwich people to visit. A quiet drink, a chance to see entertainment and catch up with friends. I have lived in Norwich for nearly 20 years, and it's one of my favourite places to go. One of the things I like about it is you wouldn't know it was there, if you didn't know - set back behind a door leading to a corridor where you enter the main bar area. Timberhill has brightened up since Bermuda Bob's arrival, as before that I wouldn't have thought about going out anywhere near there, and we live about five minutes' walk away. I have not heard any sound from outside the venue, on the street, but to be honest, I'd expect there to be as it's in the middle of the city. It was a punk venue before that and strip club before that, so it's not as if it was suburban and residential in a previous life. I hope Bermuda Bob's has a long and happy life on the street and becomes a permanent fixture - there is an opportunity for Timberhill's shop owners to work together, as the Lanes have done on the other side of the city centre.</p>
To protect children	

Gregg, Kyle

From: Sophie Rees
Sent: 14 March 2019 21:27
To: LICENSING
Subject: Bermuda Bobs

To whom it may concern

I am writing in connection to the recent license review imposed on Bermuda Bobs and wanted to write to show my support and to acknowledge the good work they have done so far in bringing a diverse range of events and artists to Norwich.

I approached the club when I was looking for a venue to host my female focussed club night, Delores, with the aim of creating a safe space for women to come together and feel supported in a positive, inclusive environment. My experience of the staff and venue during this time was nothing but positive; a compassionate, professional team of doormen was a total breath of fresh air and a management team who took their role and the responsibility that comes with that seriously. After seeing doormen of other venues repeatedly turn their backs on very vulnerable young girls and not provide them support, to see finally some door staff who understand the importance of their role to women's safety on a night out was really reassuring. The venue isn't focussed on 'clubbers' getting off their faces until the early hours, it's focus is bringing a diverse range of events to a city which has had its culturally interesting nightlife slowly pushed out.

The fact that a venue so focussed on selling cheap alcohol at all times of day has questioned their sense of responsibility to the local area is quite laughable. Whilst I appreciate that venues should respect their neighbours, to have their license revoked or reduced would be a huge blow to the city's musical landscape. Bermuda Bobs has created space for members of the community who previously haven't had a venue to go to; drag queens, stand up comedians, women, older people who want to dance to some world class DJs. It would be comforting to see two so well established spaces work alongside each other rather than have one lose out, subsequently making tens of people lose their jobs and livelihoods.

I stand by Bermuda Bobs and hope that the Council can see the immense value it brings to Norwich and how it is putting Norwich back on the map as an exciting, culturally progressive city in the UK.

Best

Sophie Rees

Local Policy considerations

1.0 Introduction

1.4 The 2003 Act requires the Council to carry out its various licensing functions so as to promote the four licensing objectives. These are:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

1.5 The 2003 Act also requires that the Council publishes a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the Licensing Objectives when making decisions on applications made under the Act.

4.1 "Responsible Authorities" will be asked to consider all applications and to make representations to the Council, if they relate to the promotion of the four licensing objectives and particularly in respect of applications which, might be regarded as contentious. Representations must be evidentially based and the organisation should attend any hearing when the application is being considered.

4.2 The Council will consider all representations from any "Interested Party" (see Appendix 7), or their representative, which should preferably be evidentially based and supported by attendance at any hearing at which the application is being considered.

4.3 A representation, will only be accepted by the Council if it is 'relevant', in that it must relate to the likely effect of granting the licence on the promotion of at least one of the four licensing objectives. Representation's, which are regarded as being frivolous or vexatious, will not be considered, and in the case of a review of a licence, any representation which is regarded as repetitious, will also not be considered. A decision as to whether a representation is frivolous, vexatious or repetitive will be made by an officer of the Council.

5.0 Conditions attaching to Licences

5.1 Where relevant representations are made, the Council will make objective judgments as to whether conditions may need to be attached to the premises licence to secure achievement of the licensing objectives. Any conditions arising as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises, on those attending the premises, and members of the public living, working or engaged in normal activity in the area concerned, and will cover matters that are within the control of individual licensees.

5.2 All applications will be considered on an individual basis and any condition attached to such a licence, will be tailored to each individual premises, in order to avoid the imposition of disproportionate or burdensome conditions on those

premises. Therefore, mandatory conditions, will only be imposed where they are necessary for the promotion of the licensing objectives.

11.0 Reviews of Licences and Certificates

11.1 A Licence or Certificate will be reviewed if valid representations are received by the Council. 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 party 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 and Interested Parties give early notice to licence holders of any concerns about problems identified at premises and of the need for improvement, requests for a review 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 Party will provide an evidentiary basis to support their application for a review of a premises licence.

LICENSING OBJECTIVES

20.0 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 in the vicinity of 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 on crime and disorder have been considered. These include:

Underage drinking

Drunkenness on premises

Public drunkenness

Keeping Illegal activity like drug taking and dealing, offensive weapons and sales of contraband or stolen goods away from the premises.

Preventing disorderly and potentially violent behaviour on and outside the premises.

Reducing Anti-social behaviour and Disorder inside and outside the premises

Litter

Unauthorised advertising

Protecting people and property from theft, vandalism and assault

Guard against glasses and bottles being used as weapons or causing accidents.

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;

Adoption of best practice guidance e.g. Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit, Minor Sales Major Consequences, Clubbing against Racism and other voluntary codes of practice, including those relating to drinks promotions e.g. The Point of Sale Promotions published by the British Beer and

Pub Association (BBPA), Security in Design published by BBPA and Drugs and Pubs, published by BBPA;
 Acceptance of accredited 'proof of age' cards e.g. Portman proof of age cards, Citizencard, Connexions Card and/or 'new type' driving licences with photographs, or passports;
 Provision of effective CCTV in and around premises;
 Employment of Security Industry Authority licensed door staff to manage the door and minimize disorder;
 Ensure glasses are collected on an on going basis, make regular inspections for broken glass and clear up;
 Provision of toughened or plastic drinking vessels and bottles;
 Provision of 'bottle bins' inside the premises and near exits;
 Provision of secure, deposit boxes for confiscated items i.e. Operation Enterprise Drug and Weapon Amnesty Safe's;
 Information displayed for staff and customers on Drug Awareness including the 'spiking' of drinks with drugs;
 Provision of litterbins and other security measures, such as lighting, outside premises;
 Membership of local 'Pubwatch' schemes or similar accreditation schemes or organizations ie Operation Enterprise;
 Responsible advertising;
 Distribution of promotional leaflets, posters etc;
 Drug Seizure Kits (available from Norfolk Police Operation Enterprise);
 Member of the 'NiteLink' radio scheme;
 Working in partnership with the SOS Bus scheme;
 Ban known offenders and share information with other licensed premises in the area;
 Implement a dispersal policy;
 Introduce a 'closed door' policy, with attendance prohibited for new customers 2-3 hours before licensable activities finish;

26. Objective – protection of children from harm

- 26.1 The council will consult with the appropriate area child protection committee for consideration of all applications for licences.
- 26.2 With a view to the promotion of the licensing objective relating to the protection of children from harm the council will work closely with the police and trading standards authority to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol products to children (for Minor Sales Major Consequences information please contact trading standards on 0844 800 8013 trading.standards@norfolk.gov.uk).
- 26.3 Applicants should be aware that the protection of children from harm includes the protection of children from moral, psychological and physical harm and this includes the protection of children from exposure to strong language, sexual expletives and gambling. In certain circumstances children are more vulnerable and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, the unpredictability of their age and their lack of understanding of danger.

- 26.4 There should be no presumption of giving children access nor any presumption of preventing their access to licensed premises. Where no licensing restriction is necessary, the admission of children will remain entirely a matter for the discretion of the individual licensee or club, or person who has given a temporary event notice.
- 26.5 Applicants must ensure that children will not be allowed access into premises when licensable activities involving eg topless female bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language. The council has given particular consideration to the types of entertainment referred to above, and has included within this policy their expectations of applicants in section A, paragraph 17.
- 26.6 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and the licensable activities for which a licence is being sought.**
- 26.7 While children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration and no policy can anticipate every situation. **When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that may particularly impact on harm to children have been considered.** These include:
- where entertainment or services of an adult or sexual nature are commonly or regularly provided
 - where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
 - where there has been a known association with drug taking or dealing
 - where there is a strong element of gambling on the premises
 - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- 26.8 The council commends the Portman Group code of practice on the naming, packaging and promotion of alcoholic drinks. The code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years or older. **The council will expect all licensees to agree not to replenish their stocks following notification of a retailer alert bulletin by the Portman Group in relation to any product that is in breach of that code. Commitment to that code should be included in operating schedules.**
- 26.9 The following examples of control measures are given to assist applicants and are considered to be amongst the most essential that applicants should take account of in their operating schedule, having regard to their particular type of premises and/or activities:
- Effective and responsible management of premises.
 - Provision of a sufficient number of people employed or engaged to secure the protection of children from harm.

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

These examples can be adopted in any combination.

National Guidance

(issued under section 182 of the Licensing Act 2003)

CRIME AND DISORDER

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will

usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises

IMPOSED CONDITIONS

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations.

10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

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Proportionality

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives

THE REVIEW PROCESS

11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

11.3 An application for review may be made electronically, provided that the licensing authority agrees and the applicant submits a subsequent hard copy of the application, if the licensing authority requires one. The licensing authority may also agree in advance that the application need not be given in hard copy. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.

11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.

11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.

11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation

in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.

11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 14 of this Guidance.

11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.

11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.

11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

REPETITIOUS GROUNDS OF REVIEW

11.12 A repetitious ground is one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
- representations considered by the licensing authority when the premises licence or certificate was granted; or
- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a

reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.

11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.

11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website (www.legislation.gov.uk). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

REVIEWS ARISING IN CONNECTION WITH CRIME

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to

attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

REVIEW OF A PREMISES LICENCE FOLLOWING CLOSURE ORDER

11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;

- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).

REVIEW OF A PREMISES LICENCE FOLLOWING PERSISTENT SALES OF ALCOHOL TO CHILDREN

11.30 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate