

Report to Licensing sub committee
5 August 2021

Report of Environmental Health & Public Protection Manager

Subject Application for the Variation of a Premises Licence –
Pure Gold, 52 Prince of Wales Road Norwich NR1 1LL

Purpose

Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider the application for the variation of a premises licence in respect of Pure Gold, 52 prince of Wales Road Norwich NR1 1LL, following the receipt of relevant representations.

Recommendation

That Members determine the application to vary the premises licence 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, including the cumulative impact policy.

Corporate and service priorities

The report helps to meet the corporate priorities of inclusive economy and people living well.

Financial implications

None.

Ward/s: Thorpe Hamlet

Cabinet member: Councillor Jones – Safer, stronger neighbourhoods

Contact officers

Maxine Fuller, Public Protection Licensing Advisor 01603 989400

Background documents

None

Report

The application

1. The applicant is Pure Gold Limited.
2. In summary the application seeks to:
 - Extend opening hours and regulated entertainment from 0400 to 0600 hours.

Operating Schedule

3. A copy of the existing licence and operating schedule is attached at appendix A to the report.
4. A copy of the application form is attached at appendix B to the report.

Relevant representations

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

Police – no representations.

Environmental Protection – no representations.

Fire Officer – no representations.

Planning Officer – no representations.

Area Child Protection Committee – no representations.

Trading Standards – no representations.

Primary Care Trust – no representations

6. Representations objecting to application have been received from 6 local residents and 2 from councillors. Copies of the representations are attached at appendix C to the report.
7. Attached at appendix D is a Noise Monitoring Plan submitted by the agent.
8. Attached at appendix E is a location map.

Norwich City Council Statement of Licensing Policy

9. Attached at appendix F are the elements of the city council's local licensing policy, which are considered to have a bearing upon the application, including the cumulative impact policy at paragraph 29.

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

10. Attached at appendix G are the elements of the national guidance issued by the Secretary of State that are considered to have a bearing upon the application.

Summary

11. In determining the application with a view to promoting the licensing objectives the sub-committee must give appropriate weight to:
 - 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, including the cumulative impact policy.
12. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
 - Grant the application as asked;
 - Modify the conditions of the licence by altering or omitting or adding to them;
 - Reject the whole or part of the application
13. The sub-committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.
14. The representations received appear to relate to issues that fall under the licensing objectives. The sub-committee is directed to paragraphs 20 and 24 of the local licensing policy at appendix F which contain examples of factors that impact on the licensing objectives that the applicant could consider when addressing these issues. These paragraphs also contains examples of control measures that may be taken into account in operating schedules having regard to the type of premises and/or the licensable activities.
15. The sub-committee is also reminded of the contents of appendices 2, 3, 4 and 5 of the local licensing policy (not re-produced in this report) which contain pools of model conditions relating to the four licensing objectives.



Premises Licence Summary

Premises Licence Number

18/00231/PREM

Premises Details

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

Pure Gold
52 Prince Of Wales Road
Norwich
NR1 1LL

Telephone number 01603 667090

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

- Ent like live/recorded music/dance - Activity takes place indoors
- Late Night Refreshment - Activity takes place indoors
- Performances of Dance - Activity takes place indoors
- Sale by Retail of Alcohol
- Recorded Music - Activity takes place indoors

The times the licence authorises the carrying out of licensable activities

Recorded Music Every Day 20:00 - 03:45
Additional hour to allow for the end of British Summer Time.
New Years Eve 10:00 to 10:00 New Years Day.

Performances of Dance Every Day 20:00 - 04:00
Additional hour to allow for the end of British Summer Time.
New Years Eve 10:00 to 10:00 New Years Day.

Ent like live/recorded music/dance Every Day 20:00 - 04:00
Additional hour to allow for the end of British Summer Time.
New Years Eve 10:00 to 10:00 New Years Day.

Late Night Refreshment Every Day 23:00 - 03:45
Additional hour to allow for the end of British Summer Time.
New Years Eve 10:00 to 10:00 New Years Day.

Sale by Retail of Alcohol Every Day 20:00 - 03:45
Additional hour to allow for the end of British Summer Time.
New Years Eve 10:00 to 10:00 New Years Day.

The opening hours of the premises

Monday	20:00 - 04:00
Tuesday	20:00 - 04:00
Wednesday	20:00 - 04:00
Thursday	20:00 - 04:00
Friday	20:00 - 04:00
Saturday	20:00 - 04:00
Sunday	20:00 - 04:00

Additional hour to allow for the end of British Summer Time.
New Years Eve 10:00 to 10:00 New Years Day.

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

Alcohol is supplied for consumption on the Premise

Name, (registered) address of holder of premises licence

Pure Gold Limited
52 Prince Of Wales Road
Norwich
NR1 1LL

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

Registered Business Number 10967631

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

Petrit Vladi

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

The premises will provide sexual entertainment in the form of lap dancing and pole dancing. These 'exotic dance' performances will involve some nudity and semi-nudity. There will be House Rules comprising a Code of Conduct for Performers and a Code of Conduct for customers and these will accommodate conditions within Norwich City Council SEV Licence which applies to these premises.



Premises Licence

Premises Licence Number

18/00231/PREM

Part 1 – Premises Details

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Norwich
NR1 1LL

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Performances of Dance	Every Day	20:00 - 04:00
Additional hour to allow for the end of British Summer Time.		
New Years Eve 10:00 to 10:00 New Years Day.		
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Additional hour to allow for the end of British Summer Time.		
New Years Eve 10:00 to 10:00 New Years Day.		
Late Night Refreshment	Every Day	23:00 - 03:45
Additional hour to allow for the end of British Summer Time.		
New Years Eve 10:00 to 10:00 New Years Day.		
Sale by Retail of Alcohol	Every Day	20:00 - 03:45
Additional hour to allow for the end of British Summer Time.		

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

Alcohol is supplied for consumption on the Premise

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

The premises will provide sexual entertainment in the form of lap dancing and pole dancing. These 'exotic dance' performances will involve some nudity and semi-nudity. There will be House Rules comprising a Code of Conduct for Performers and a Code of Conduct for customers and these will accommodate conditions within Norwich City Council SEV Licence which applies to these premises.

Part 2

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

Pure Gold Limited
52 Prince Of Wales Road
Norwich
NR1 1LL

Electronic Mail

titvladi@hotmail.com

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

Registered Business Number

10967631

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

Petrit Vladi

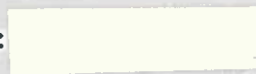


Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference:



Licensing Authority:



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 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.
- 4
 - (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).
- 5 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 6
 - (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.
- 7 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.
- 8 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.
- 9 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.
- 10 (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.
- 11 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.
- 12 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).
- 13 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 No alcoholic drink shall be sold for consumption off the premises.

3 Anyone who appears to be under the age of 25 years shall be requested to provide identification. Only photographic identification shall be accepted such as a passport, driving licence or Citizens Card with holograms. If a customer is unable to provide identification then no sale shall be made, or when adult entertainment is taking place allowed to remain on the premises.

4 **The Prevention of Crime and Disorder**

5 The licensee, that is the person in whose name the premises licence is issued, shall ensure that at all times when the premises are open for any licensable activity, there are sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.

6 No persons carrying open bottles shall be admitted to the premises at any time.

7 All bar staff will be trained in the basic law relating to the safe supply of alcohol and a record of who has received training will be kept at the premises.

8 Notice will be displayed throughout the premises stating that CCTV is in operation.

9 The licensee shall maintain a digital colour CCTV system at the premises that ensures that all public areas of then licensed premises are monitored, including all public entry and exit points, bar and all dance areas and which shall continually record whilst the premises are open to the public. Video recordings will be kept for a minimum of 31 days for inspection by the Police or other authorised responsible authority.

10 A record of staff training in relation to the sale of alcohol will be kept on the premises and available to Police or Licensing Authority on request.

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

12 There shall be a minimum of one SIA registered door supervisor present at any time when the premises are open to the public for the performance of exotic dancing. In addition, a minimum of two SIA door supervisors shall be on duty every Friday and Saturday night and any night where there is live music, dance or disco event between the hours of 21:00 and the terminal hour stated on the licence.

13 Door supervisors will be employed during the late evening and early hours of the following morning proportionate to the risk.

14 The licensee will ensure that there are sufficient staff on the premises to be able to monitor the behaviour of customers whilst inside the premises and take action to alert the Police and prevent problems escalating.

15 There will be a door supervisor signing in/off book which will include date, full SIA badge number, tour of duty and times worked. This book will be kept on the premises and available for inspection by Police or Licensing Authority on request.

16 All incidents involving door supervisors shall be recorded in a suitable log, including all refused entries. The log shall be made available for inspection on request to the Police and officers of the Local Authority.

17 The door supervisors will monitor the capacity using clickers.

18 Anyone who appears to be under the age of 25 years shall be requested to provide identification. Only photographic identification shall be accepted such as a passport, driving licence or Citizens Card with holograms. If a customer is unable to provide identification then no sale shall be made, or when adult entertainment is taking place allowed to remain on the premises.

19 Toughened glass will be used in place of regular glass.

20 A search policy will be in place and documents relating to this will be available for inspection on the premises.

21 There will be no entry/re-entry to the premises after 3am except for those using the designated smoking area.

22 Toilets will be checked every hour and a log kept of each check. The log shall be made available on request to the Police and officers of the Local Authority.

23 Breathalyser will be carried out by door supervisors on patrons deemed intoxicated, for as long as licensing officers supply the breathalyser.

24 The premises will use the link radio scheme (Alert Project 150) while this is in operation in the City Centre Night Time Economy to report incidents of disorder at the premises. Use of the link radio does not negate responsibility of the venue to report incidents to Police via other channels of a

- Police response would be reasonably required. The venue will ensure that all subscription charges are paid for the duration of the scheme. This condition is strictly only enforceable whilst the terms and conditions of Project 150 are available.
- 25 A suitably worded sign of sufficient size and clarity will be displayed at the point of entry to the premises advising customers that they may be asked to produce evidence of their age.
- 26 There shall be in place a set of House Rules made up of a Code of Conduct for performers and a Code of Conduct for customers. A copy of these Codes of Conduct will be submitted to the Police and Licensing Authority and these will not be changed without reference to these Authorities.
- 27 Each performer will sign a copy of their Code of Conduct before being allowed to commence dancing at the premises and this record is to be available on site to Police or Licensing Officers on request.
- 28 Employee records of performers will be kept and made available to the Authorities on request.
- 29 **Public Safety**
- 30 When disabled people are present adequate arrangements must exist to enable their safe evacuation in the event of an emergency. Staff must be aware of disabilities and react according to a pre determined plan.
- 31 All escape routes and exits must be kept unobstructed, in good order with non slippery and even surfaces, free from trip hazards and clearly identified.
- 32 All exit doors whenever the premises are occupied must be able to be easily opened in the case of an emergency without the use of a key, card, code or similar means.
- 33 Fire fighting equipment must be provided in the licensed premises as required by the fire authority.
- 34 In the absence of adequate daylight the lighting in any area accessible to the public, members or guests must be fully in operation when they are present.
- 35 All exit doors will be easily operable.
- 36 Means of escape will be maintained unobstructed and clearly identifiable with emergency lighting and illuminated exit signs.
- 37 All recommendations of the Norwich Fire and Rescue Service will be promptly acted upon.
- 38 All gas and electrical appliances on the premises will have current safety certificates.
- 39 The premises are well ventilated by the use of intake and extractor fans.
- 40 A log will be maintained of all incidents/accidents which may occur on the premises.
- 41 An adequate and appropriate supply of first aid equipment will be available on the premises.
- 42 The provision of the Regulatory Reform (Fire Safety) Order 2005 apply to these premises and accordingly all fire and health and safety risk assessments will be fully implemented.
- 43 **The Prevention of Public Nuisance**
- 44 Litter and detritus resulting from the business which is dropped outside will be cleared up.
- 45 Internal and external lighting provided for the purpose of customer and staff safety and for the security of the premises must be so positioned to not cause nuisance to neighbouring or adjoining properties.
- 46 Waste and refuse must be removed in a timely manner to a licensed waste disposal facility.
- 47 Suitable ventilation and extraction systems must be provided to eliminate noxious odours. Such systems must be maintained on a regular basis.
- 48 Empty bottles and other waste must be stored in a lidded skip within the curtilage of the premises prior to collection. Operationally the waste must be removed from the public area on a frequent basis and transferred to the skip. Transfer to an external skip or other waste receptacle will not be undertaken between the hours of 21:00 and 08:00 on any day.
- 49 To secure a reduction in the level of noise emanating from the premises, such that noise levels from amplified music shall not exceed 45db at 63Hz C.B.F, 40db at 125Hz C.B.F and NR30 over the frequency range from 250Hz to 8KHz as measured at position 1 metre outside any noise sensitive premises and shall not exceed 37db at 63Hz C.B.F, 30db at 125Hz C.B.F and NR20 over the frequency range from 250Hz to 8Kz as measured inside any adjoining noise sensitive premise.
- 50 Bar managers to establish a closing time management policy designed to reduce rowdy behaviour on exit at closing time, involving the use of 'notices' requesting that patrons leave and disperse quietly, plus announcements made over the address system.
- 51 Regular checks by staff of the immediate outside area and to encourage patrons to use litter bins to dispose of rubbish.
- 52 The licence holder shall not display, or allow the display of any advertisement promoting any event or providing entertainment held at the premises, in particular, unless the licence holder has complied with paragraph 1.2
- 1.1 no display of advertisement(s) shall take place on any;
- 1.1.1 structure placed on, over, in or adjacent to the highway;
- 1.1.2 public or privately owned premises or land;

1.1.3 street furniture including litter bins, seating etc;

1.2 there shall be no display of advertisements unless the licence holder has first obtained written consent from;

1.2.1 the owner of the structure, or premises or land, or street furniture and;

1.2.2 the local planning authority which has granted advertisement consent for the advertisement(s) and;

1.2.3 the highways authority (if applicable);

1.2.4 copies of all relevant consents shall be provided to the licensing authority within 14 days from the date when the request was made by the licensing authority.

1.3 the licence holder shall take all reasonable precautions and exercise all due diligence to ensure that no person promoting or providing entertainment on the premises, nor any person acting on behalf of any such person, shall display in an unlawful manner advertisement(s) promoting or providing entertainment on the premises. In particular; the licence holder will ensure any persons booking, promoting or otherwise providing entertainment on the premises will;

1.3.1 sign and date a disclaimer which will state the following;

The display of advertisement(s) such as fly posters is an offence under section 224 of the Town and Country Planning Act 1990 (as amended), if the advertisement(s) do not have express consent from the local planning authority, or if the advertisement(s) are excluded by Schedule 1 of the Town and Country Planning (Control of Advertisement) Regulations 2007. Each advertisement is considered a separate offence, the maximum fine for each offence on conviction is £2,500.

As responsible licensed premises, we do not tolerate any unlawful advertisement(s) by person promoting entertainment on our premises.

We will assist fully with any investigation relating to incidences concerning the unlawful display of advertisement(s) including fly posters, banner advertisement(s) etc. We will provide to Norwich City Council, who are the licensing authority a copy of this signed and dated disclaimer and your full contact details on request.

1.3.2 provide their full name and date of birth of any person(s) promoting or providing entertainment on the premises;

1.3.3 provide the name of their business (if applicable)

1.3.4 provide their full business or residential postal address;

1.3.5 provide their contact telephone number

1.3.6 the licence holder will ensure that all contact details have been verified by asking for and retaining a photocopy of any appropriate proof of identification such as a current passport, drivers licence or any other appropriate document that will provide proof of identity to the licensing authority's satisfaction.

1.3.7 if the contact information retained by the licence holder does not meet the criteria set out in 1.3.2 to 1.3.7 ie the details are incomplete or have not been confirmed by verifying the details of the person booking, promoting or otherwise providing entertainment on the premises the licence holder shall be in breach of these conditions.

1.3.8 the licence holder will retain contact details for a period of not less than 3 months from the date of the advertised event or entertainment. All contact details will be provided to the licensing authority within 7 days of any request made to the licence holder.

1.4 the licensing authority may require the licence holder to remove any unlawfully displayed advertisement(s) within 2 days of the date of notification. Failure to remove any unlawfully displayed advertisement(s) in accordance with such a request shall be in breach of these conditions.

1.5 the failure by a licence holder to remove any unlawfully displayed advertisement(s) will result in the licensing authority removing such unlawful advertisement(s). Any costs incurred by the licensing authority in removing such unlawful advertisements shall be recoverable from the licence holder as a debt.

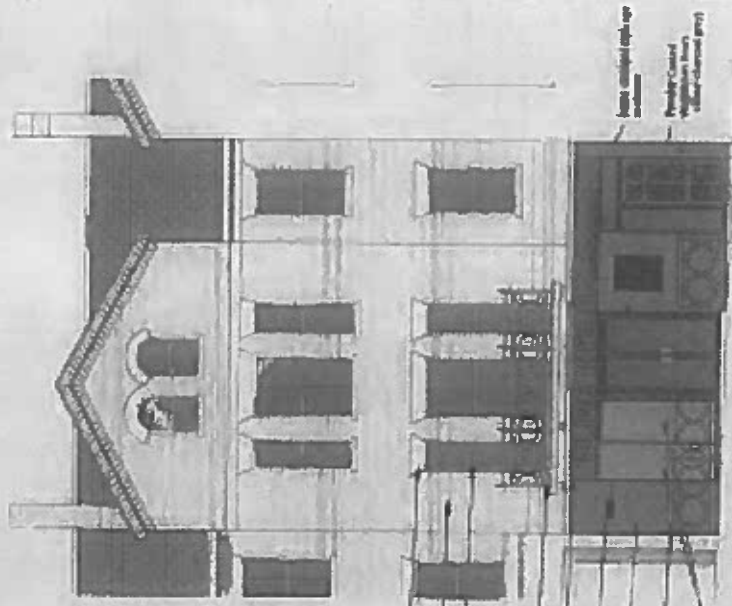
53 Except for access and egress, doors and windows will be kept closed when licensable music is being played.

- 54 The outside area to the rear of the premises shall not be open to or used by the public or customers, other than for use in the case of an emergency for example, in case of fire.
- 55 An adequate number of staff will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary especially during the terminal hour to assist in a quiet and orderly dispersal of patrons.
- 56 Volume levels from licensable music, both live and recorded will be monitored both inside and outside the premises by responsible persons with particular regard to excessive noise to neighbouring properties.
- 57 There shall be no amplified music in the application premises before the council has determined the permitted maximum sound levels expressed in dBLAeq(5min) measured at a point 2 metres from any loudspeaker forming part of the amplification system and thereafter the permitted maximum sound level shall not be exceeded at any time.
- 58 **The Protection of Children From Harm**
- 59 All members of staff at the premises will seek credible photographic proof of age evidence from any person who appears to be under the age of 25 years and who is seeking to purchase or consume alcohol on the premises.
- 60 A suitably worded sign of sufficient size and clarity will be displayed at the point of entry to the premises advising customers that they may be asked to produce evidence of their age.
- 61 No person under the age of 18 years will be allowed access to any part of the premises at a time where an activity or entertainment of a sexual nature is being provided.
- 62 Entry and exit to the premises will be controlled so that it would not be possible to see into the premises from the street at any time during a live show.

Annex 3 – Conditions attached after a hearing by the licensing authority


Annex 4 – Plans

The floor plan shows a large central corridor running horizontally. To the left of the corridor, there is a large room labeled 'Lecture Hall' and a smaller room labeled 'Lecture Hall'. To the right of the corridor, there is a large room labeled 'Lecture Hall' and a smaller room labeled 'Lecture Hall'. The plan also shows several other rooms, including a 'Reception' area, a 'Waiting' area, and a 'Restroom' area. The layout is symmetrical around the central corridor.

[illegible]

- DRAWING KEY**
- New & In-filled walls
- Licensed Area
- Fire Call Point
- Fire Extinguisher
- Fire Exit Sign
- Accident Book
- Closed Circuit T.V
- Smoke Detector
- Emergency Lighting
- First Aid Station
- Fire Alarm Control Panel

Project No.	52 Prince Of Wales Road		
Location	Proposed Change of Use		
Tract No.	Plans & Elevation		
Tract No.	As Proposed		
CP-18-07-003	CP-18-07-003	CP-18-07-003	CP-18-07-003
Owner	As shown	As shown	As shown
City	City	City	City
County	County	County	County
Post Year	2017	2017	2017



C&G
Architectural Services

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/We Pure Gold Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

18/00231/PREM

Part 1 – Premises Details

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

Pure Gold
52 Prince of Wales Road

Post town Norwich

Postcode

NR1 1LL

Telephone number at premises (if any)

Non-domestic rateable value of premises £14,000.00

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

Post town

Postcode

RECEIVED
10 JUN 2021
LICENSING OFFICE

Part 3 - Variation

Please tick as appropriate

☐ No

DD		MM		YYYY			

☐ No

Current Condition	Proposed amendment
Door supervisors will be employed during the late evening and early hours of the following morning proportionate to the risk.	Door supervisors will be employed during the late evening and early hours of the following morning proportionate to the risk, and will remain until all customers have vacated the premises.
There will be no entry/re-entry to the premises after 3am except for those using the designated smoking area.	There will be no entry or re-entry to the premises after 0345 hrs except for those using the designated smoking area.
N/A	Between the hours of 0400 – 0600 hrs, there will always be a Personal Licence holder on duty.

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input checked="" type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input checked="" type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input checked="" type="checkbox"/>

Provision of late night refreshment (if ticking yes, fill in box I) ☐

Supply of alcohol (if ticking yes, fill in box J) ☐

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for performing plays (please read guidance note 6)		
Wed					
Thur					
			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue					
			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Wed					
Thur					
			<u>Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Wed					
Thur					
			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon	0400	0600			
Tue	0400	0600			
Wed	0400	0600	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur	0400	0600			
Fri	0400	0600			
			<u>Non-standard timings. Where you intend to use the premises for the</u> <u>performance of live music at different times to those listed in the</u> <u>column on the left, please list (please read guidance note 7)</u>		
Sat	0400	0600			
Sun	0400	0600			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	0400	0600			
Tue	0400	0600			
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed	0400	0600			
Thur	0400	0600			
			Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	0400	0600			
Sat	0400	0600			
Sun	0400	0600			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	0400	0600			
Tue	0400	0600			
			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed	0400	0600			
Thur	0400	0600			
			Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	0400	0600			
Sat	0400	0600			
Sun	0400	0600			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing.		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	0400	0600		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	0400	0600	Please give further details here (please read guidance note 5)		
Wed	0400	0600			
Thur	0400	0600	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri	0400	0600			
Sat	0400	0600	Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun	0400	0600			

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed					
Thur					
			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon					
Tue					
Wed					
			<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

Lap dancing activities for patrons at the premises.

L

Hours premises are open to the public. Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	2000	0600	
Tue	2000	0600	
Wed	2000	0600	
Thur	2000	0600	
Fri	2000	0600	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Sat	2000	0600	
Sun	2000	0600	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Current Condition	Proposed amendment
Door supervisors will be employed during the late evening and early hours of the following morning proportionate to the risk.	Door supervisors will be employed during the late evening and early hours of the following morning proportionate to the risk, and will remain until all customers have vacated the premises.
There will be no entry/re-entry to the premises after 3am except for those using the designated smoking area.	There will be no entry or re-entry to the premises after 0400 hrs except for those using the designated smoking area.
N/A	Between the hours of 0400 - 0600 hrs, there will always be a Personal Licence holder on duty.

Please tick as appropriate

- I have enclosed the premises licence



- I have enclosed the relevant part of the premises licence

☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

b) The prevention of crime and disorder

Door supervisors will be employed during the late evening and early hours of the following morning proportionate to the risk and will remain until all customers have vacated the premises.

There will be no entry or re-entry to the premises after 0345 hrs except for those using the designated smoking area.

Between the hours of 0400 – 0600 hrs, there will always be a Personal Licence Holder on duty.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or


☐

- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	10 June 2021
Capacity	Agent on behalf of the applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Rob Edge
Licence Leader Ltd
25 Hemyock Road
Selly Oak

Post town Birmingham

Post code B29 4DG

Telephone number (if any)

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



LICENSING & MARKETS

From: Cllr Haynes, Ash
Sent: 13 July 2021 11:24
To: LICENSING
Subject: Objection to extension application by Pure Gold, Prince of Wales Road

I'm objecting specifically to the extension of the hours from 4am to 6am on the following grounds:

Public Nuisance

The premises is in very close proximity to residential properties and an extension of opening hours from 4am to 6am would cause significant nuisance to the residents in those flats. People living along Prince of Wales Road expect some noise, but for this to be throughout the night with no break is excessive.

Additionally, residents in surrounding streets report noise and nuisance outside their homes when clubs close, and extending this to 6am extends the hours that this will be experienced on the surrounding streets. Residents in the area already report feeling intimidated to report issues.

Extending the last time of entrance to the club will also cause additional nuisance with people entering up until 3.45am, directly outside residential properties. In particular, I'm concerned about the effect of people leaving other establishments on the street and causing noise and disturbance outside the premises entering at a late hour of the morning. Many of these patrons will have been drinking for hours at this point. With this extension and the extension of the licensing hours, people may be turning up at 4am when other places close, and causing a nuisance in being turned away from the venue.

The application makes no proposals about how they will mitigate the increased likelihood of public nuisance from the extension, and I cannot see how the application for the extension can be granted without some effort on their part to answer this.

Prevention of crime and disorder

Increasing the hours that patrons will be allowed to drink will increase the likelihood of crime and disorder outside the venue. Particularly I am concerned about extending the hours of the disorder to 6am, meaning no let-up for residents nearby, and the impact of increased drinking hours on the likely inebriation of patrons.

Protection of children from harm

Extending premises open hours until 6am pushes problems related to noise and anti-social behaviour into the hours children are likely to be awake.

Additionally to these points, section H is not properly filled out and it's unclear if the premises is applying for anything in this section. There's also a lack of detail in many other sections of the application, making it difficult for residents to understand what is being applied for.

Cllr Ash Haynes
Thorpe Hamlet ward
Green Party
Norwich City Council

LICENSING & MARKETS

From: Cllr Grahame, Lesley
Sent: 13 July 2021 12:13
To: LICENSING
Subject: Pure Gold - Objection to extension of hours

Dear colleagues

I object to the extension of hours from 4-6 applied for by Pure Gold, on the basis of extending public nuisance to surrounding residents, and harm to children from the disturbance, particularly from late night music. The applicant does not appear to have a plan for mitigating this.

It is my experience as a councillor that music volumes are poorly controlled and cause considerable distress to families living nearby, and therefore harm to children, when the quiet gap is insufficient. Although in the Late Night Activity Zone, the area is increasingly home to residents, some of whom live directly above Pure Gold, potentially including families. Late night disturbance is harmful to children living nearby. A quiet gap between noisy times makes all the difference between noise to be expected by city centre residents, and public nuisance.

Extending drinking hours can only add to the noise, nuisance and anti-social behaviour experienced by residents who live nearby and on the route home for clubbers, some of whom are seriously inebriated and give the rest a bad name

If the extension were to be granted, I would ask for it to be restricted to weekends, as sleep disturbance would be even more intolerable if it were late every night.

Residents reported an improvement when the clubs agreed to all close at 5, avoiding the noisy, intimidating mass migration of people moving to the venues that are open latest. Some people will have been drinking for hours and will be turned away if too drunk to admit, adding to the noise, nuisance and risk of crime on the street.

While a single closing time may not be enforceable at present, it may be something we'd want to encourage. Allowing this unilateral extension of hours would undermine our efforts to meet the licensing objectives now and in future.

Lesley

Lesley Grahame

Green Party Councillor,
Thorpe Hamlet Ward, Norwich

Call

Send SMS

Add to Skype

You'll need Skype Credit

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 12 July 2021 13:27
To: LICENSING
Subject: Licensing - Representation Form

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Richard Yallop
Postal address	50 St Faiths Lane, Norwich, NR1 1NN
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Pure Gold Prince of Wales Rd 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	We live in St Faiths Lane behind Pure Gold club. We already have disturbed sleep on club nights as the noise continues throughout the early morning till 4am, not only from the music but from customers as they leave the premises. This is already unacceptable and results in loss of sleep at weekends, which has an effect on our wellbeing. To increase this situation by extending the opening hours to 6am is unreasonable for local residents who already suffer enough from the so called night time economy. With the ever increasing conversion of property in this area to residential, and the

	intention to improve the look and reputation of Prince of Wales Road it seem counter productive to increase the current situation. Apart from residents, any visitors to this Fine City must be shocked at being greeted with scruffy buildings, and strip clubs reminiscent of Soho in the 1970s. We strongly oppose this application.		
To protect children from harm			
Please suggest any conditions which would alleviate your concerns			
Full name:	Richard Yallop	Date:	12/07/2021

LICENSING & MARKETS

From: noreply_xforms@norwich.gov.uk
Sent: 02 July 2021 13:33
To: LICENSING
Subject: Licensing - Representation Form

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Fran Felton
Postal address	58 St Faiths Lane, Norwich, NR1 1NN
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	52 Prince of Wales Road

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	The proposed business hours will be extended until 6 am in the morning EVERYDAY, which means noise and disturbance will continue throughout the night and cause great harm on the health and wellbeing of residents who live in the neighbourhood area. Besides, by the time the nightclub closes, people are normally very drunk and do not leave quietly. Instead, they often hang around in the residential area shouting and fighting, which will cause more disturbance and interruption to local residents. We are only human and do need sleep daily.
To protect children from harm	

Please suggest any conditions which would alleviate your concerns

Full name:

Fran Felton

Date:

02/07/2021

LICENSING & MARKETS

From: noreply_xforms@norwich.gov.uk
Sent: 02 July 2021 13:56
To: LICENSING
Subject: Licensing - Representation Form

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Michael McDonnell
Postal address	24 St Faiths Lane, Norwich, NR1 1NN
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Pure gold

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	Better to close at 2am to prevent crime and disorder.
Public safety	Better to close at 2am to minimise coronavirus risk.
To prevent public nuisance	Better to close at 2am.
To protect children from harm	
Please suggest any conditions which would alleviate your concerns	Closing at 2am is better.
Full name:	Michael McDonnell
Date:	02/07/2021

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 02 July 2021 16:35
To: LICENSING
Subject: Licensing - Representation Form

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Syeda Rizvi
Postal address	4 Britannia House 51, Prince Of Wales Road, Norwich, NR1 1BL
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Object to: Pure Gold extending hours

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	In the past 8 months, the building has been trespassed by homeless people more than 15 times (I had to call the police on three separate occasions)
Public safety	EVERY SINGLE NIGHT there is a fight on Prince of Wales Road. EVERY SINGLE NIGHT I wake up to the sound of people screaming and swearing at each other. Sometimes it is 1 am sometimes it is 3am but the people having the fights don't care.
To prevent public nuisance	On a Friday/Saturday night, I understand people will be rowdy and want to have a good time BUT why do the same people want to be annoying and disruptive during the week when everyone has

	work in the morning. People as they come out of the clubs and bars sing loudly and laugh loudly which disrupts my sleep. I am awoken on average ONCE in the middle of the night from noise by people leaving the nightclubs.		
To protect children from harm	People are already binge drinking WAY TOO MUCH. The NHS doesn't need more people in A&E from alcohol induced stupidity. The responsible thing to do would be to close all the bars at 1am, NOT EXTEND them. With freedom comes responsibility. Just because you can sell alcohol doesn't mean you should until 6am to 18 years who don't know any better.		
Please suggest any conditions which would alleviate your concerns	To stop the hours being extended to ALL nightclubs and bars in this area. It attracts some seedy side business as well (drugs and prostitution)		
Full name:	SYEDA RIZVI	Date:	02/07/2021

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 30 June 2021 15:53
To: LICENSING
Subject: Licensing - Representation Form - DONE (MF)

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Ugne Masiulyte
Postal address	8 Grosvenor House 112 - 114, Prince Of Wales Road, Norwich, NR1 1NS
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Pure Gold - Prince of wales

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	I was assaulted once already in this street by drunk people and I do not wish for any premises to have extended opening time as it will increase more incidents
Public safety	
To prevent public nuisance	
To protect children from harm	

Please suggest any conditions which would alleviate your concerns	Nothing as it shouldn't be opened till this time- people live around here. We have to wake up early in the morning and we have already enough noise by drunk people shouting around our flats		
Full name:	Ugne Masiulyte	Date:	30/06/2021

Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 04 July 2021 17:27
To: LICENSING
Subject: Licensing - Representation Form

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Richard Mitchell
Postal address	24 Stuart Gardens, St Faiths Lane, Norwich, NR1 1JG
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Pure Gold nightclubs

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	Prince of Wales Rd has long been a haven for drug dealing and the planned changes to the licensing laws will only add to this .
Public safety	Prince of Wales Rd has now become a safer place for those of us who live in the vicinity especially when walking home at night . Long may it remain so .
To prevent public nuisance	Prince of Wales Rd has , over the past few months , returned to something like it was before the entertainment business took it over . It has been a disgrace in the past especially as it is the first thing visitors see when they leave the station . The planned conversion of several old clubs into accommodation can only be a good thing for the city as a whole .
To protect children from harm	No comment

**Please suggest any conditions
which would alleviate your
concerns**

I would like to see building owners made more responsible for the outside appearance of their properties when not in use . Several of them pose a threat to both health and safety

Full name:

Richard Mitchell

Date:

04/07/2021

Pure Gold -

Noise Management Plan

1. Purpose of the Noise Management Plan

This noise management plan is to consider the management and control of noise from events at Pure Gold.

The management team of this premises are committed to proactive management of noise and the purpose of this document is to identify and implement procedures, which will minimise disturbance to residents and other noise sensitive receptors. The intentions of those responsible to manage noise is shown in this commitment.

This plan is a “live document” which will evolve as time rolls on. Any review will be undertaken in full consultation with the relevant regulatory authorities to ensure compliance with the relevant licensing objectives in the longer term.

The Licensing Act 2003

The Act introduced a single integrated system for regulating the sale by retail of alcohol, the provision of entertainment and late-night refreshment. The provision of regulated entertainment to the public is relevant in terms of noise and in doing so those responsible must carry out their functions with the view to promoting the prevention of public nuisance being relevant in this instance.

In Summary

Overall, the approaches set out above are designed to balance the potential disturbance in the local community against the enjoyable experience of the audience. The Regulated Entertainment will always be conducted to allow customers to hold a conversation, without the need to raise their voices – therefore the music will always be at a very reasonable level.

Noise Monitoring Procedure

Throughout the time that Regulated Entertainment takes place, staff will ensure that they carry out regular noise monitoring; and these will be recorded at Annex A. This will be carried out by conducting subjective / objective measurements at predetermined locations both internally on the site, and externally at the boundaries.

People / Crowd Noise

Whilst there is no formal mechanism for evaluating or controlling crowd noise, consideration will be given to minimising such as critical points such as during arrival and dispersal from the venue.

Staff and SIA will always monitor the entrance and egress from the premises including the behaviour of those within the vicinity of the premises. This will help achieve orderly arrival and departure of persons and will reduce the risk of nuisance occurring.

Signage will also be in place requesting that patrons leave quietly and respect neighbours.

Procedure for Responding to and Dealing with Enquiries

Should any noise complaints be received, a member of staff will investigate the complaint and if noise levels are deemed unacceptable, immediate action will be taken to reduce the levels of the noise source.

Conclusion

The implementation of this Noise Management Plan is a pragmatic way of bringing the venue to life, understanding its relationship with neighbours. Likewise, it also looks to proactively engage with the community and relevant Responsible Authorities.

Pure Gold – Noise Monitoring

Annex A.

Noise Observation Reporting

Monitoring Location	Date and Time	Subjective Assessments Measurements	Remedial Action Required and Taken
E.G., main site entrance	01/06/2021 2330 hrs	Noise from the venue, largely inaudible, occasional low bass beat detectable between lulls in traffic noise – unlikely to be audible to residential units	No action taken, but will continue to monitor at intervals

Complaints received

Complainants address	Date and Time	Nature of complaint	Subjective assessment	Time of Visit	Remedial Action Required and Taken
E.G., xxxxxxxxxx	01/06/2021 2330 hrs	What are they hearing, when and how affecting property? If this is regular, how long has it been happening		1. 2200 hrs 2. 2045 hrs 3. 2230 hrs	No action taken, action taken to reduce noise levels to minimise any potential impact as levels at source can accommodate such reductions.

Rob Edge - Licence Leader Ltd



APPENDIX F

Local Policy considerations

1.0 Introduction

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

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

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

2.0 Consultation and Links to other Policies and Strategies

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

3.0 Applications for Licences

3.2 Applicants must address the four licensing objectives in their operational plan. The operating plan must have regard to the nature of the area where the premises are situated, the type of premises, the licensable activities to be provided, operational procedures and the needs of the local community. The operating schedule must demonstrate how the premises will be "good neighbours" both to residents and to other venues and businesses.

3.3 Applicants must provide evidence that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style, location and characteristics of their premises and activities. They must also indicate if additional measures will be taken on an occasional or specific basis, such as when a special event or promotion is planned, which is, for example, likely to attract larger audiences.

4.0 Representations

4.1 "Responsible Authorities" (see Appendix 7) will be asked to consider all applications and to make representations to the council, if they relate to the promotion of the four licensing objectives and particularly in respect of applications which, might be regarded as contentious. Representations must be

evidentially based and the organisation should attend any hearing when the application is being considered. Representations can be made in opposition to, or in support of, an application.

- 4.2 The council will consider all representations from any “Interested Party” (see Appendix 7), or their representative, which should preferably be evidentially based and supported by attendance at any hearing at which the application is being considered.
- 4.3 A representation will only be accepted by the council if it is ‘relevant’, i.e. it must relate to the likely effect of granting the licence on the promotion of at least one of the four licensing objectives. Representations, that are regarded as being frivolous or vexatious, will not be considered, and in the case of a review of a licence, any representation which is regarded as repetitious, will also not be considered. A decision as to whether a representation is frivolous, vexatious or repetitive will be made by an officer of the council.
- 5.0 Conditions attaching to Licences
 - 5.1 Where relevant representations are made, the council will make objective judgments as to whether conditions may need to be attached to the premises licence to secure achievement of the licensing objectives. Any conditions arising as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises, on those attending the premises, and members of the public living, working or engaged in normal activity in the area concerned, and will cover matters that are within the control of individual licensees.
 - 5.2 All applications will be considered on an individual basis and any condition attached to such a licence, will be tailored to each individual premises, in order to avoid the imposition of disproportionate or burdensome conditions on those premises. Therefore, mandatory conditions, will only be imposed where they are appropriate for the promotion of the licensing objectives.
- 8.0 The Impact of Licensed Premises
 - 8.1 When considering whether any licensed activity should be permitted, and a relevant representation has been received, the likelihood of it causing unacceptable adverse impact will be assessed by taking into account relevant matters including:
 - the type of use, the number of customers likely to attend the premises and the type of customers at the time of the application;
 - the proposed hours of operation;
 - the level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that will be used by the customers;
 - the means of access to the premises including the location of customer entrances and exits;
 - the provision of toilet facilities;
 - the frequency of the licensable activity.

With any adverse impact it may be possible to take steps to mitigate or prevent the impact and if such measures are reliable an activity may be licensed.

13.0 Management of Licensed Premises

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

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

LICENSING OBJECTIVES

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;

24.0 Objective - prevention of public nuisance

24.1 Licensed premises can potentially have a significantly adverse impact on communities through public nuisances that arise from their operation. The amenity of residents and occupiers of other businesses should be maintained and protected from the potential consequence of the operation of licensed premises, whilst recognising the valuable cultural, social and business importance that such premises provide.

24.2 Public nuisance will be interpreted in its widest sense, and will take it to include such issues as noise, light, odour, litter and antisocial behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

24.3 Applicants should be aware that stricter conditions, including controls on licensing hours for all or some licensable activities will be applied, where licensed premises

are in residential areas or where their activities may impact on residents or other business premises, and where relevant representations have been received. Conversely, premises for which it can be demonstrated have effective measures to prevent public nuisance, may be suitable for longer opening hours.

- 24.4 The council will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons such as disturbance or disorder attributable to the location and/or the premises, and relevant representations have been made.
- 24.5 The council believe that the impact a licensed premises can have on a neighbourhood is significantly influenced by the times when those licensed premises are open, and the times when licensable activities are taking place. Consequently, the council has adopted a policy on hours of trading, (section E) and in so doing, has given full consideration to the secretary of state's guidance on hours of trading.
- 24.6 **Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events. For example, the increasing business requirement for licence holders to provide live or recorded music in premises where this has not previously been the case is especially pertinent, and should be fully assessed on the application.**
- 24.7 When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include:
- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices, care homes and places of worship
 - the hours of opening, particularly between 11pm and 7am
 - the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises
 - the design and layout of premises and in particular the presence of noise limiting features
 - the occupancy capacity of the premises
 - the availability of public transport
 - wind down period between the end of the licensable activities and closure of the premises
 - last admission time
 - preventing litter and refuse becoming an eyesore
 - consideration of local residents that they are not upset by loud or persistent noise or by excessive light
 - preventing cars attending an event or premises from causing a noise nuisance and congestion, and from taking up local people's parking spaces
 - avoid early morning or late night refuse collections
 - avoiding emptying bins into skips, especially if they contain glass, either late at night or early in the morning

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

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

- Effective and responsible management of premises.
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance, eg to ensure customers leave quietly.
- Fit prominent signs requesting that customers respect local residents and leave quietly.
- Control of operating hours for all or parts (eg garden areas) of premises, including such matters as deliveries ie not too early in the morning.
- Adoption of best practice guidance (eg Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics, Licensed Property: Noise, published by BBPA).
- Installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices.
- Management of people, including staff, and traffic (and resulting queues) arriving and leaving premises.
- Liaison with public transport providers.
- Siting of external lighting, including security lighting.
- Management arrangements for collection and disposal of waste, empty bottles etc.
- Effective ventilation systems to prevent the emission of unwanted odours.
- Take away packaging to include the name and address of the premises on it.
- Capacity levels for fast food outlets.
- Introduce a chill out area with coffee and mellow music where customers can settle before leaving.
- Introduce a closed door policy, with attendance prohibited for new customers 2 to 3 hours before licensable activities finish.

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

Section D – cumulative impact special policy

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

29.2 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that the licensing authority can take into account. This should not, however, be confused with 'need' which concerns the commercial demand for a particular type of premises e.g., a pub, restaurant or hotel. The issue of 'need' is

therefore primarily a matter for the market to decide and does not form part of this licensing policy statement. (see paragraph 7 of Section A)

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

- planning controls;
- positive measures to create a safe and clean environment in partnership with local businesses, transport operators and others;
- the provision of CCTV;
- powers to designate parts of the city as places where alcohol may not be consumed publicly;
- confiscation of alcohol from adults and children in designated areas;
- police enforcement of the law with regard to disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- enforcement action against those selling alcohol to people who are drunk;
- police powers to close some premises for up to 24 hours on the grounds of disorder, the likelihood of disorder or excessive noise; and
- the power of police, local businesses or residents to seek a review of the licence or certificate.

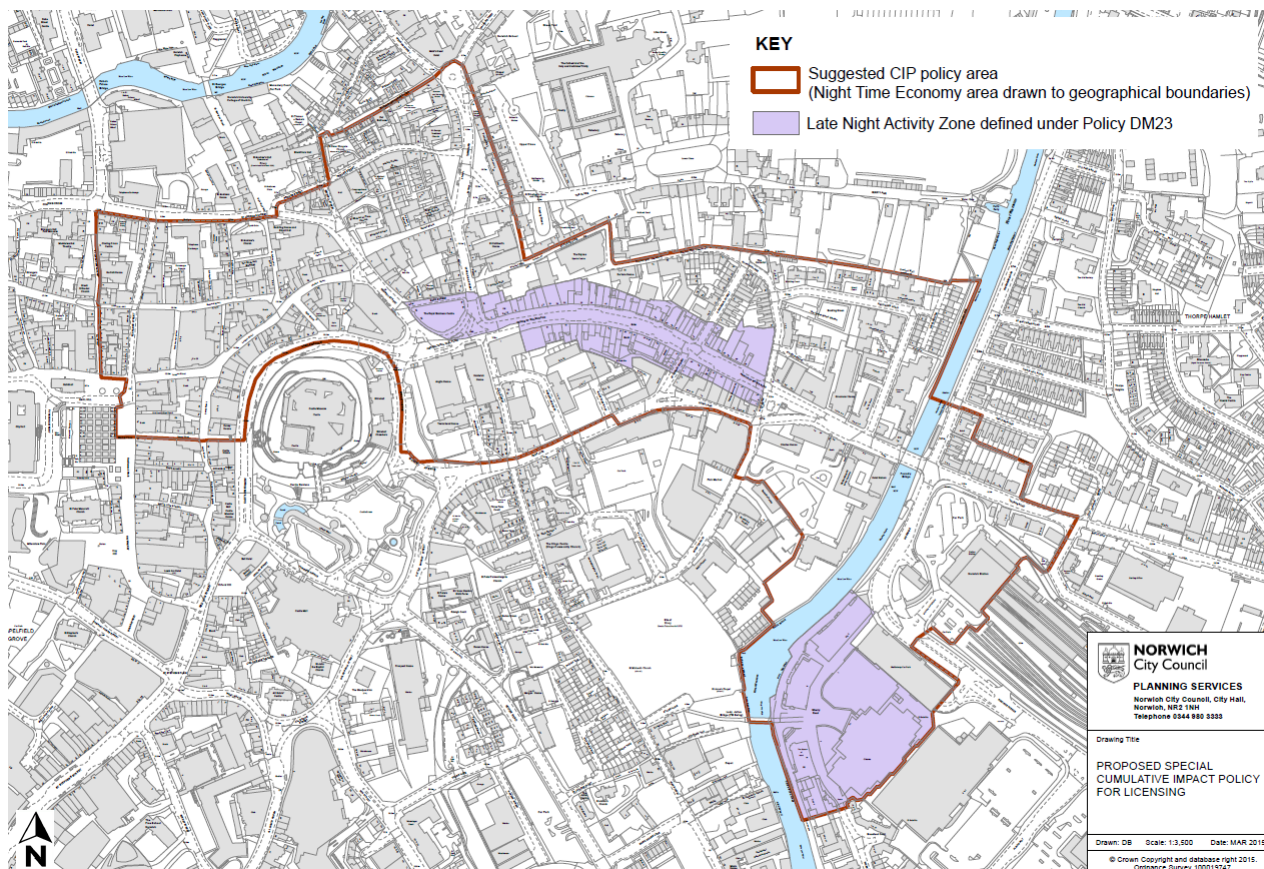
Adopted special policy on cumulative impact

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

29.5 The licensing authority received representations from Norfolk Constabulary that the high concentration of premises licensed to sell alcohol and/or provide late night refreshment between the hours of 2100 and 0600 within the police's late night economy public order policing zone produced a detrimental impact upon the licensing objectives.

29.6 The special cumulative impact policy applies to those premises applying for the grant or variation of a licence seeking any of the following licensable activities, between the hours of 2100 and 0600 and within the area indicated on the map shown below:

- the sale by retail sale of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- the provision of late night refreshment.



Applications

29.7 The cumulative impact policy creates a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates in respect of premises that fall within the designated cumulative impact area will normally be refused if relevant representations are received, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

29.8 An applicant wishing to obtain a new or varied licence for premises falling within the cumulative impact area must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.

29.9 To assist this process applicants are encouraged to submit a full and thoroughly considered application at the earliest opportunity. The onus is on the applicant to demonstrate to the responsible authorities the suitability and detail for their site. The applicant is encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have particular regard to the guidance issued by the Home Office under section 182 of the Act.

29.10 Despite the presumption against grant or variation, responsible authorities and other persons will still need to make a relevant representation before the council may lawfully consider giving effect to its cumulative impact policy.

29.11 The council recognises that a cumulative impact policy should not be absolute. The circumstances of each application will be considered properly and application for

licences that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its cumulative impact policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that necessary conditions would be ineffective in preventing the problems involved.

29.12 This special policy will not be used:

- as a ground for revoking an existing licence or certificate when representations are received about problems with those premises;
- to justify rejecting applications to vary an existing licence or certificate except where those modifications are directly relevant to the policy (for example, an application to vary a licence with a view to increasing the capacity limits of the premises) and are strictly necessary for the promotion of the licensing objectives;
- to impose quotas - based on either the number of premises or the capacity of those premises - that restrict the consideration of any application on its individual merits. Quotas have no regard to individual characteristics of the premises concerned. Proper regard will be given to those differences and the differing impact they will have on the promotion of the licensing objectives

29.13 This special policy will be reviewed regularly to assess whether it is still needed or should be expanded.

SECTION E - Hours of Trading

30.7 Consideration will always be given to an applicant's individual case and if the matter of trading hours has been raised in a representation, the council will take into account any proposals the applicant has to minimise the risk of nuisance or disorder being caused or exacerbated by customers departing from the premises. It is however, unlikely that statements such as the premises being well-managed, or that the applicant is of good character or that the style of the premises is intended and likely to attract a discerning clientele, will alone be sufficient to demonstrate that restrictions on hours of trading should not be applied.

APPENDIX G

National Guidance

(issued under section 182 of the Licensing Act 2003)

Licence conditions – general principles

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

Each application on its own merits

1.17 Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

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).

2.3 Conditions should be targeted on deterrence and preventing crime and disorder. 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.

2.6 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. 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.

2.7 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. However, licensing authorities must ensure that they do not stray outside their powers and duties under the 2003 Act. This is important to ensure the portability of the personal licence and the offences set out in the 2003 Act and to ensure, for example, that the prevention of disorder is in sharp focus for all managers, licence holders and clubs.

Public nuisance

2.18 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

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

persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

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

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

2.22 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early-morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave.

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

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

Determining actions that are appropriate for the promotion of the licensing objectives

9.41 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or

other persons, and representations made by the applicant or premises user as the case may be.

9.42 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.43 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

Conditions attached to premises licence

General

10.1 This chapter provides further guidance in relation to conditions attached to premises licences and club premises certificates. General principles on licence conditions are set out in Chapter 1 (see paragraph 1.16).

10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by a fine of up to £20,000 or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.

10.3 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below.

Proposed conditions

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps

recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

Consistency with steps described in operating schedule

10.6 The 2003 Act provides that where an operating schedule or club operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence or certificate must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required under the 2003 Act.

10.7 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.

Imposed conditions

10.8 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

10.9 It is possible that, in certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions are appropriate to promote the licensing objectives.

Proportionality

10.10 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. 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.

Hours of trading

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

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

The need for licensed premises

13.18 There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.