

Report to	Licensing sub committee 2 July 2013	Item
Report of	Head of citywide services Licensing Act 2003:	3
Subject	Application for variation of a Premises Licence – The Garden House 1 Pembroke Road NR2 3HD	

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 The Garden House 1 Pembroke Road NR2 3HD following the receipt of relevant representations.

Recommendation

That members determine the application for the variation of a Premises Licence in respect of The Garden House 1 Pembroke Road NR2 3HD in accordance with the:

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

Corporate and service priorities

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

Financial implications

None.

Ward/s: All wards

Cabinet member: Councillor Stonard – Environment, development and transport

Contact officers

Ian Streeter, licensing manager

01603 212439

Background documents

None

Report

Background

1. The applicant is James Linder of JWL Taverns Ltd The Garden House Pembroke Road Norwich NR2 3HD
2. The premises licence held in respect of The Garden House 1 Pembroke Road NR2 3HD currently authorises the following licensable activities on the days and hours shown in the tables below:

Exhibition of films – (activity takes place indoors):

Monday	11:00 – 23:00
Tuesday	11:00 – 23:00
Wednesday	11:00 – 23:00
Thursday	11:00 – 23:00
Friday	11:00 – 23:00
Saturday	11:00 – 23:00
Sunday	11:00 – 23:00

Late night refreshment – (activity takes place indoors):

Monday	23:00 – 23:30
Tuesday	23:00 – 23:30
Wednesday	23:00 – 23:30
Thursday	23:00 – 23:30
Friday	23:00 – 23:30
Saturday	23:00 – 23:30
Sunday	23:00 – 23:30

Live music – (activity takes place indoors):

Monday	18:00 – 23:00
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Tuesday	18:00 – 23:00
Wednesday	18:00 – 23:00
Thursday	18:00 – 23:00
Friday	18:00 – 23:00
Saturday	12:00 – 23:00
Sunday	12:00 – 23:00

Performances of dance – (activity takes place indoors):

Monday	11:00 – 23:00
Tuesday	11:00 – 23:00
Wednesday	11:00 – 23:00
Thursday	11:00 – 23:00
Friday	11:00 – 23:00
Saturday	11:00 – 23:00
Sunday	11:00 – 23:00

Plays – (activity takes place indoors and outdoors):

Monday	10:00 – 23:00
Tuesday	10:00 – 23:00
Wednesday	10:00 – 23:00
Thursday	10:00 – 23:00
Friday	10:00 – 23:00
Saturday	10:00 – 23:00
Sunday	10:00 – 23:00

Provision of dance facilities – (activity takes place indoors):

Monday	11:00 – 23:00
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Tuesday	11:00 – 23:00
Wednesday	11:00 – 23:00
Thursday	11:00 – 23:00
Friday	11:00 – 23:00
Saturday	11:00 – 23:00
Sunday	11:00 – 23:00

Provision of music facilities – (activity takes place indoors):

Monday	11:00 – 23:00
Tuesday	11:00 – 23:00
Wednesday	11:00 – 23:00
Thursday	11:00 – 23:00
Friday	11:00 – 23:00
Saturday	11:00 – 23:00
Sunday	11:00 – 23:00

Recorded music – (activity takes place indoors):

Monday	11:00 – 23:00
Tuesday	11:00 – 23:00
Wednesday	11:00 – 23:00
Thursday	11:00 – 23:00
Friday	11:00 – 23:00
Saturday	11:00 – 23:00
Sunday	11:00 – 23:00

Sale by retail of alcohol – (for consumption both on off the premises):

Monday	11:00 – 23:00
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Tuesday	11:00 – 23:00
Wednesday	11:00 – 23:00
Thursday	11:00 – 23:00
Friday	11:00 – 23:30
Saturday	11:00 – 23:30
Sunday	11:00 – 23:00

3. The opening hours of the premises are:

Monday	10:00 – 23:30
Tuesday	10:00 – 23:30
Wednesday	10:00 – 23:30
Thursday	10:00 – 23:30
Friday	10:00 – 00:00
Saturday	10:00 – 00:00
Sunday	10:00 – 23:30

4. A copy of the current premises licence, including a plan of the premise, is attached to the report at appendix A.

Variation application

5. The application is seeking to extend the hours at the latter part of the week and at weekends for both the licensable activities and the hours the premises are open to the public, as shown in the tables below:

Recorded music – (activity takes place indoors):

Thursday	11:00 – 00:00
Friday	11:00 – 01:00
Saturday	11:00 – 01:00

Late night refreshment – (activity takes place indoors):

Thursday	23:00 – 00:00
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Friday	23:00 – 01:00
Saturday	23:00 – 01:00

Sale by retail of alcohol – (for consumption both on off the premises):

Thursday	11:00 – 00:00
Friday	11:00 – 01:00
Saturday	11:00 – 01:00

The proposed opening hours of the premises are:

Thursday	10:00 – 00:30
Friday	10:00 – 01:30
Saturday	10:00 – 01:30

6. Attached at appendix B to the report are the additional steps proposed by the licence holder to promote the licensing objectives as a result of the proposed variation. In addition to these the applicant has agreed with Environmental Protection that:

on Friday and Saturday licensable recorded music will finish at midnight instead of 0100, as proposed in the application; and

a condition be introduced stating:-

When the first floor function room is open to customers there shall be no use of the first floor emergency exit door, other than for exit in the case of an emergency, between 2300 hours and the close of business in that trading period. During this period the door will be kept closed.

Relevant representations

7. 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

8. Relevant representations have been received in respect of the application with concerns which appear to relate to all four of the licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm). Copies of the representations are attached at appendix C to the report.
9. A site map of the area identifying the application premises in relation to the relevant representation party address will be available at the meeting.

Norwich City Council Statement of Licensing Policy

10. Attached at appendix D are the elements of the City Council's local Licensing Policy which are considered to have a bearing upon the application:

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

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

Summary

12. 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.
13. 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
14. 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.
15. The representations received appear to relate to issues that fall under all four of the licensing objectives: the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The sub-committee is directed to paragraphs 20, 22, 24 and 26 of the local licensing policy at

appendix D 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.

16. 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.



NORWICH
City Council

Schedule 12

Regulation 33,34

Premises Licence

Premises Licence Number

08/00328/PREMTR

Part 1 – Premises Details

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

The Garden House
1 Pembroke Road
Norwich
Norfolk
NR2 3HD

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

Films
Late Night Refreshment
Live Music
Performances of Dance
Plays
Provision of Dance Facilities
Provision of Music Facilities
Sale by Retail of Alcohol
Recorded Music
Private Entertainment as defined under section 2 of the Private Places of Entertainment (Licensing) Act 1967

The times the licence authorises the carrying out of licensable activities

Films	Every Day	11:00 - 23:00
Late Night Refreshment	Every Day	23:00 - 23:30
Live Music	Weekends	12:00 - 23:00
Live Music	Monday to Friday	18:00 - 23:00
Performances of Dance	Every Day	11:00 - 23:00
Plays	Every Day	10:00 - 23:00
Provision of Dance Facilities	Every Day	11:00 - 23:00
Provision of Music Facilities	Every Day	11:00 - 23:00
Sale by Retail of Alcohol	Sunday	11:00 - 23:00
Sale by Retail of Alcohol	Monday to Thursday	11:00 - 23:00
Sale by Retail of Alcohol	Friday and Saturday	11:00 - 23:30
Recorded Music	Every Day	11:00 - 23:00

Non Standard/Seasonal Timings

For all Licensable activities: An additional hour on New Years Day, Christmas Day and Boxing Day.

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

The opening hours of the premises

Monday	10:00 - 23:30
Tuesday	10:00 - 23:30
Wednesday	10:00 - 23:30
Thursday	10:00 - 23:30
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 23:30

Non Standard /Seasonal Timings

An additional hour on New Years Day, Christmas Day and Boxing Day.

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

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

Alcohol is supplied for consumption both on and off the Premise

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

Part 2

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

Mr James William Linder
The Garden House
1 Pembroke Road
Norwich
NR2 3HD

Electronic Mail

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

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

Mr James William Linder
The Garden House
1 Pembroke Road
Norwich
NR2 3HD

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: 06/01788/PERS

Licensing Authority: Norwich City Council

Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under a premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3 No moving picture shall be exhibited unless: -
 - (i) it has received a "U", "PG", "12A", "15" or "18" certificate of the British Board of Film Classification; or
 - (ii) it is a current newsreel which has not been submitted to the British Board of Film Classification; or
 - (iii) the permission of the Licensing Authority is first obtained and any conditions of such permission are complied with.
- 4 No person under the age of 18 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received an "18" certificate from the British Board of Film Classification.
- 5 No person under the age of 15 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received a "15" certificate from the British Board of Film Classification.
- 6 No person under the age of 12 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received a "12A" certificate from the British Board of Film Classification.

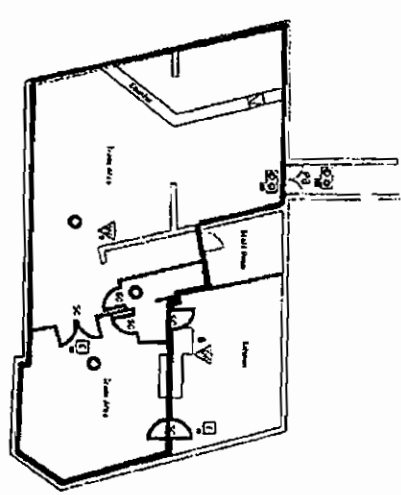
Annex 2 – Conditions consistent with the Operating Schedule

- 1 The licensee shall not advertise, promote, sell or supply alcoholic drinks in such a way that is intended or likely to encourage persons to consume alcohol to an excessive extent.
- 2 All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 18 years and who is seeking to purchase or consume alcohol on the premises.
- 3 The licensee or a responsible person will monitor patrons leaving the premises, especially during the terminal hour to assist in a quiet and orderly dispersal of patrons.
- 4 **Public Safety**
- 5 When obviously physically disabled persons are present, adequate arrangements must exist to enable their safe evacuation in the event of an emergency.
- 6 All escape routes and exits must be kept unobstructed, in good order, free of trip hazards and clearly identified.
- 7 All exit doors whenever the premises are occupied must be able to be easily opened in the case of an emergency, without the key of a key, card, code or similar.
- 8 All exit doors must be regularly checked to ensure that they function satisfactorily.
- 9 Any removable security fastenings must be removed whenever the premises are open to the public or occupied by staff.
- 10 All fire doors must be maintained effectively self-closing and must not be held open other than by approved devices.
- 11 Fire fighting equipment must be provided in the licensed premises in accordance with the risk assessment with staff suitably trained as necessary.
- 12 Adequate and appropriate equipment and materials must be provided for enabling first aid to be rendered to members of the public if they are injured or become ill whilst at the licensed premises.
- 13 In the absence of adequate daylight, the lighting in any area accessible to the public must be in operation when they are present.
- 14 All licensed premises must have a means of giving warning to persons in the event of an outbreak of fire or other emergency. Where determined by the risk assessment that a mains electrical fire alarm is required, this must be designed to and installed in accordance with British Standard 5838 Current Edition.
- 15 Fire safety signs must be adequately illuminated.
- 16 In the interest of public safety, the management policy is to close the doors to restrict further entry when this is necessary to prevent overcrowding. This does not compromise the means of escape in case of fire.
- 17 **The Prevention of Public Nuisance**
- 18 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.
- 19 Suitable ventilation and extraction systems must be provided to eliminate noxious odours. Such systems must be maintained on a regular basis.
- 20 Premises must remove their waste and refuse in a timely manner to a licensed waste disposal facility.
- 21 Premises must enter into a waste removal agreement with a licensed waste disposal contractor and keep documented evidence of the agreement.
- 22 Empty bottles must be stored in a lidded skip within the curtilage of the premises prior to collection. Operationally bottles must be removed from the public area on a frequent basis and transferred to the skip. Transfer to an external skip must not be undertaken after 23:00 to minimise noise disturbance to adjoining properties.
- 23 There must be clear and legible notices displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting and slamming car doors. The sounding of car horns must also be discouraged and, as already stated, patrons exiting from the premises will be supervised during the hour before closing.
- 24 All windows and doors to be kept closed in that part of the premises where amplified live or recorded music is being played as a licensable activity. Background music as incidental music, and thus not licensable, is excluded from this condition.

- 25 Volume levels from licensable music, both live and recorded, will be monitored by responsible
persons throughout the period both inside and outside the premises with particular regard to
26 excessive noise to neighbouring properties.
- 26 Films, performances of dance, the provision of music facilities, the provision of dance facilities and
the provision of late night refreshment are permitted indoors only on the premises.
- 27 **The Protection of Children From Harm**
- 28 A suitably worded sign of sufficient size and clarity must be displayed at the point of entry to the
premises and in a suitable location at any points of sale, advising customers that they may be asked
to produce evidence of their age.
- 29 All members of staff at the premises shall be trained to seek "credible photographic proof of age
evidence" from any person who appears to be under the age of 18 years and who is seeking to
purchase or consume alcohol on the premises.
- 30 No person under 18 years to be allowed in that part of the premises if any adult entertainment is
being performed.
- 31 No patrons shall be allowed to leave the curtilage of the premises whilst in the possession of any
drinking vessel or open glass bottle whether empty or containing any beverage.
- 32 A suitably worded sign of sufficient size and clarity must be displayed at the point of entry to the
premises and in a suitable location at any points of sale, advising customers that they may be asked
to produce evidence of their age.
- 33 The licensee and designated premises supervisor shall ensure that there are effective management
arrangements in place to enable them to know how many persons there are in the premises at all
times when the premises are open for a licensable activity.
- 34 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.
- 35 **The Prevention of Crime and Disorder**
- 36 There will be a 30 minute "chill out"/wind down period after all licensed activities (except for late
night refreshment) have ended.
- 37 **General - all four licensing objectives**
- 38 All bar staff will be trained in the basic law relating to the sale/supply of alcohol.

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

- 1 Recorded music and live music are permitted indoors only on the premises.
- 2 There will be no public use of the garden to the premises after 23:00 on any day.



PEMBROKE ROAD

GROUND

Q. What is the name of the square?

0708 11218N30

FIRST FLOOR

- ☐ - Sale of Asset
- After asset liquidation
- Securities Transferor
- ☐ - Registered Live Trust
- Consistent of action

☐ **A** *Antenna*
☐ **B** *Battery*
☐ **C** *Cable*
☐ **D** *Device*
☐ **E** *Engine*
☐ **F** *Fuel*
☐ **G** *Gear*
☐ **H** *Horn*
☐ **I** *Indicator*
☐ **J** *Jack*
☐ **K** *Key*
☐ **L** *Lamp*
☐ **M** *Magnet*
☐ **N** *Noise*
☐ **O** *Oil*
☐ **P** *Pump*
☐ **Q** *Quartz*
☐ **R** *Radiator*
☐ **S** *Switch*
☐ **T** *Terminal*
☐ **U** *Unit*
☐ **V** *Valve*
☐ **W** *Water*
☐ **X** *X-ray*
☐ **Y** *Yield*
☐ **Z** *Zinc*

1876

FINANZIERUNG / ABBILDUNG:

**Euridea Impact
Subscription List**

05/06

100

5

Continued from previous page...

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Online application, will post licence.

Section 16 of 17

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

We have a proven track record with our current licence that we are responsible operators, we adhere to the licensing laws by which we are governed extremely closely. We have won recognized industry standard awards for our procedures. We were one of the first pubs in Norwich to receive the Best Bar None accreditation

b) The prevention of crime and disorder

We have many security procedures in place including CCTV outside lighting. The staff are all trained in our crime prevention policies including a zero tolerance to drugs, and the responsible retail of alcohol.

c) Public safety

Public safety is paramount, we have a full set of risks assessments for all areas of the pub. High lighting all risk to the public and staff

d) The prevention of public nuisance

We have policies in place to make sure that there is no public nuisance. Areas in particular are: noise, safety of the public both in and around the pub and littering.

e) The protection of children from harm

We maintain a strong relationship with parents who wish to bring children onto the premises, to ensure their safety. All areas of potential harm eg cellar and kitchen are located away from the public area with no access to the public or their children. Whilst we would like to extend the hours children are allowed on the premises this is for dining and function purposes only.

Section 17 of 17

PAYMENT DETAILS

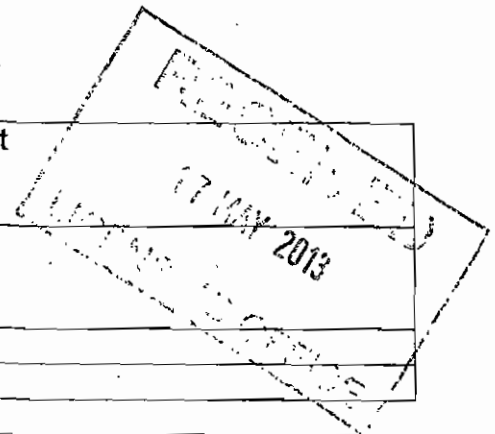
This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

Norwich City Council Licensing Authority Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	Helen Durrant, local resident
Postal address	82 Earlham Road Norwich
Email address	
Contact telephone number	



Name of the premises you wish to support or object to	Garden House Pub
Address of the premises you wish to support or object to.	1 Pembroke Rd Norwich, Norfolk NR2 3HD

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	Late night disturbance from people leaving the pub I fully support that the Garden House is a well run pub. But there is noise and rowdy behaviour from people going home from the pub. I would be concerned if later licensing on Thursday Friday and Saturday were allowed because of the disturbance in the street as people make their way home. Thursday Night is a particular concern because we have work and school on Friday
To protect children from harm	

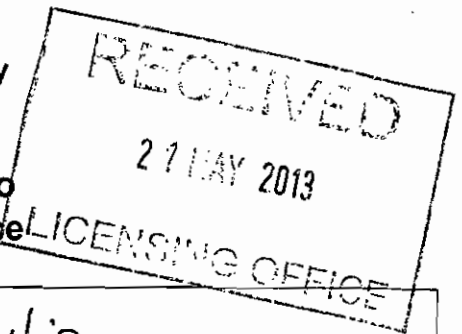
Please suggest any conditions which would alleviate your concerns.	Please do not extend the opening hours on Thursday Friday and Saturday
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Signed: H Durrant Date: 17 May 2013

Please see notes on reverse

Norwich City Council Licensing Authority
Licensing Act 2003

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



Your name/organisation name/name of body you represent (see note 1)	Patricia Holis
Postal address	30 Park Lane, NR2 3EE
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The garden house
Address of the premises you wish to support or object to.	Denbigh Rd / (Pembroke Rd)

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	I object to late night opening - it attracted non-local people who left syringes etc in our gardens previously.
Public safety	
To prevent public nuisance	Late night means more drinking, more noise, more shouting and fighting in the Park Lane + knifing cars - as happened before.
To protect children from harm	their garden means we cannot open bedroom windows in the summer because of rowdy behaviour and noise.

Please suggest any conditions which would alleviate your concerns.	Limited hours - refuse extension, which attracts non-local people late at night.
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Signed: ' '

Date: 18 May 2013

Please see notes on reverse

Fuller, Maxine

From: Sandra Gibson (MED)
Sent: 21 May 2013 13:07
To: Licensing
Subject: representation form
Attachments: Representationform.doc

Dear sir/madam,

Please find attached my completed representation form regarding the application to change the licensing for the Garden House, Penbrook Street, Norwich.

Will I be notified which committee meeting this will be discussed at so as I can arrange attendance?

Thank you

Sandra

21/05/2013

name/name of body you represent (see note 1)	
Postal address	22 Denbigh Road Norwich NR2 3AA
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Garden House 1 Penbrook Road Norwich NR2 3HD
Your support or objection must relate to one of the four licensing objectives (see note 2)	
Licensing objective	Please set out your support or objections below. Please use separate sheets if necessary.
To prevent crime and disorder	
Public safety	The area in which the Garden House is situated is a very quite residential area with many families with children and a junior school near by. It is not uncommon that I have to remove pub glasses and alcohol bottles from my garden wall and front garden in the mornings, and there are many dotted around other walls and gardens. Children use the streets on which the Garden House is situated and surrounding area as a direct route to school. The school opens for pupils at 8:00 am (breakfast club) and extending opening hours during weekdays will increase the glass debris (as it does on the weekends) which is already a hazard on the way to school. There is very limited parking for the Garden House, which is situated on the corner of two narrow streets. At present the parking spaces are too short for most cars and therefore they usually completely block the pavement on the Denbigh Road side. This is a daily occurrence. Pedestrians wishing to use the pavement have to step onto the road to pass the parked cars. In darker evenings this is extremely hazardous, and extending the use of the establishment will not only increase the parking requirements but also the blocking of pavements.
To prevent public nuisance	
To protect children from harm	Allowing music to be played after 11pm on week nights. I am one of a number of parents in the area with children at junior school who go to bed prior to 11pm, and extending the hours that music can be played during weeknights will exasperate the nuisance already caused by noise from this establishment. The noise has already caused my child interrupted and disturbed sleep with the knock on effect that this has during school the next day. This is a particularly problem in the warmer weather when the Garden House has it's windows open and I have mine open. I cannot underestimate the disturbance interrupted sleep, because of noise, has on a young child's daily routine. In the past year I have complained directly to the Garden House about loud music on a number of occasions, one occasion was so bad that I had to report the nuisance to the council

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

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

Your name/organisation name/name of body you represent (see note 1)	CLARE AND PHILIP KERRISON
Postal address	41 PARK LANE, NORWICH NR2 3GF.
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Garden House,
Address of the premises you wish to support or object to.	1 Pembroke Rd, NR2 3HD

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	<div style="border: 2px solid black; padding: 10px; margin: 0 auto; width: 150px;"> <p style="font-size: 1.2em; margin: 0;">RECEIVED</p> <p style="margin: 0;">24 MAY 2013</p> <p style="margin: 0;">LICENSING OFFICE</p> </div>
Public safety	
To prevent public nuisance	Noise and disturbance arising from extended hours would be unacceptable. Our bedroom overlooks the pub and we would be unable to sleep until after 1pm on Fridays and Saturdays
To protect children from harm	we would also be disturbed by late music. Our daughter's bedroom overlooks the pub - her sleep would be adversely affected by increased noise and disturbance

Please suggest any conditions which would alleviate your concerns.	I feel the Committee should refer to the Committee's decision after a similar application in 2006 and keep the current hours and conditions as they are.
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Signed:

Date: 18/5/2013

Please see notes on reverse

please see attached letter for further info.

41 Park Lane
Norwich
NR2 3EF

18 May 2013

Dear Mr Streeter

Re. The Garden House

Thank you for your letter outlining proposed changes to the current licensing arrangements at the Garden House public house in Pembroke Road, Norwich. I would like to voice my concern about the proposed extension to the Garden House's opening hours. **The pub is located in a residential area and I feel that the increase in noise and disturbance which would undoubtedly arise from extended opening hours would be unacceptable. It can be noisy when customers leave the pub and if the pub were to open until midnight on Thursdays and 1 am on Fridays and Saturdays, the resulting noise and disturbance could well extend until 12.30 on Thursdays and 1.30 on Fridays and Saturdays.**

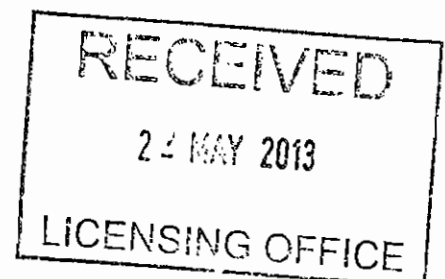
The application also requests permission for recorded music to be played during these extended hours. It should be noted that **the local topography causes noise from the pub to travel straight to our house and music can often be heard quite clearly.** The upstairs function room is often used and, whilst I recognise that it is fair for the pub to hold events earlier on in the evening, **our family life would be disrupted by loud noise into the early hours. (It is also important that the current requirement for everyone to vacate the pub garden by 11 pm continues** as noise from the garden can be heard quite clearly from our house and it would be particularly disturbing if it continued into the night.)

As stated earlier, this is a residential area and residents have jobs to get up for. **Children living nearby would also have their sleep disrupted by later opening hours.** My daughter sleeps in the loft of our house and her windows overlook the pub – so the proposed extension could severely affect her sleep.

I have tried to summarise these points within the form you sent. I would also like to remind you of the Committee's conclusions the last time a variation of premises license was applied for in 2006. *'The Committee noted that the premises were situated in an area with dense residential housing... members of the Committee were concerned at the statements made by local residents by which it appears that the use of the garden, especially in the late evening, was a significant source of public nuisance. In addition, persons leaving the premises caused noise nuisance and disturbed residents... It was felt to be inevitable that if opening hours were extended nuisance by way of disturbance would then be caused to local residents ...'* I feel that these points still apply and the current opening hours and conditions should not be changed.

Yours sincerely

CLARE KERRISON



RECEIVED

23 MAY 2013

LICENSING OFFICE

Norwich City Council Licensing Authority
Licensing Act 2003

RECEIVED

23 MAY 2013

LICENSING OFFICE

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

Your name/organisation name/name of body you represent (see note 1)	LINDA MACAVORAY ALLEN
Postal address	Pembroke Road NORWICH NR2 3HD
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House
Address of the premises you wish to support or object to.	1 Pembroke Road, Norwich

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	Primarily this is a residential area with working + school age families - We believe the extended opening hours and allowing children in the garden until 10pm will increase noise + disturbance to residents. We are particularly concerned about the days
To protect children from harm	the extended period of customers leaving the premises and ensuing disturbance into the early hours

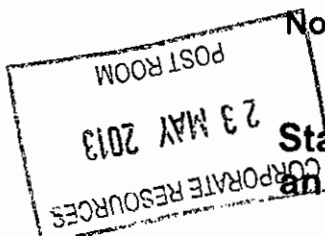
Please suggest any conditions which would alleviate your concerns.	Under 18's are not in garden after 9pm. No change to existing operational times + opening hours.
--	---

CORPORATE RESOURCES
23 MAY 2013
POST ROOM

Signed:

Date: 18.5.2013

Please see notes on reverse



Norwich City Council Licensing Authority
Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	JON DRACUP
Postal address	FLAT 3, 35 PARK LANE, NORWICH, NR2 3EE.
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE GARDEN HOUSE PUB
Address of the premises you wish to support or object to.	1 PEMBROKE ROAD, NORWICH, NR2 3HD.

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	LONGER OPENING HOURS, MEANS MORE NOISE, AS I LIVE NEXT DOOR, IT'S ALREADY NOISY ENOUGH DURING THE SUMMER MONTHS. THAT I DON'T WANT TO SUFFER EVEN MORE DISTURBANCE. MORESO WHEN PATRONS GET TURFED-OUT AT CLOSING TIME BUT THEN SIMPLY CONGREGATE OUTSIDE THE PUB OR AT THE
To protect children from harm	ENTRANCE NEAR MY FLAT, SOMETIMES FOR OVER AN HOUR, DRINKING, SHOUTING, SCREAMING AND GENERALLY BEING LOUD, NOISY AND ANTI-SOCIAL. I AM THEREFORE VEHEMENTLY AGAINST ANY EXTENSION OF THE OPENING HOURS OF THIS PUB!!



Please suggest any conditions which would alleviate your concerns.	A POLICE PRESENCE, OR OTHER SIMILAR CONTROL MEASURE TO MAKE SURE PATRONS LEAVE THE AREA AT CLOSING TIME, AND LEAVE QUICKLY AND QUIETLY. HOWEVER HOWEVER, I WOULD STILL BE AGAINST ANY EXTENSION OF THE OPENING HOURS!
--	--

Signed:

Date: 12TH MAY 2013

Please see notes on reverse

Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development

23 MAY 2013

Post Room

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

Your name/organisation name/name of body you represent (see note 1)	PROF. RALPH YARROW
Postal address	7 PEMBROKE RD. NORWICH NR2 3HD
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House
Address of the premises you wish to support or object to.	1 Pembroke Rd / NR2 3HD

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

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

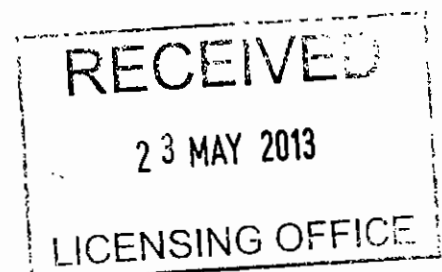
Please suggest any conditions which would alleviate your concerns.	Retain current licensing hours. (no objection to changes re. under 18)
--	---

Signed:

Date:

17/05/13

Please see notes on reverse

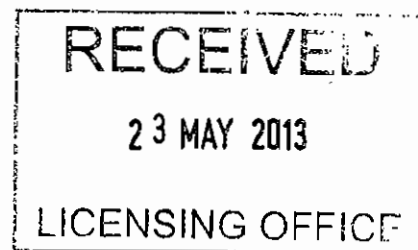


Re: *The Garden House*: Objection to extension of licensing hours

Previous (upheld) objections have signalled the residential character of the area, which remains the case. Many residents need to get up early for work etc., and this particularly relates to the application to extend hours on Thursday and Friday; additionally, the closing time of 0130 on two nights is extremely late and seems out of character for such an area.

The later people leave a pub, the more chance there is – even if they profess the contrary – that they will linger in the area, engage in relatively loud conversation and possibly cause other kinds of disturbance. Guests in my house (a few doors from The Garden House) who have slept at the front (next to the street) have not infrequently reported being disturbed by noise as clients leave. Moreover, on many occasions I have had to 'recycle' items kindly deposited on the wall of my front garden or thrown into the garden itself – e.g. bottles, glasses, some partially full. Most recently I had to collect the shattered fragments of a pint glass with care, in order to avoid accidents to myself and others when weeding my garden. It seems to me that incidents of this kind are only likely to increase with later opening hours.

Ralph Yarrow



Norwich City Council Licensing Authority
Licensing Act 2003



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

Your name/organisation name/name of body you represent (see note 1)	S. Simpson
Postal address	1 Park Lane, Norwich NR2 3EE
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Garden House
Address of the premises you wish to support or object to.	1 Pembroke Rd, NR2 3HD

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	<div style="border: 2px solid black; padding: 10px; text-align: center;"> RECEIVED 24 MAY 2013 LICENSING OFFICE </div>
Public safety	
To prevent public nuisance	<p>Extended hours could increase late night noise as customers leave the pub.</p> <p>2. Extended likelihood of using private property as toilets.</p>
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	<p>NOT to extend licensing hours in this densely populated residential area</p>
--	---

Signed:

Date: 22.05.13

Please see notes on reverse

Norwich City Council Licensing Authority
Licensing Act 2003

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

CORPORATE RESOURCES
24 MAY 2013
POST ROOM

RECEIVED
24 MAY 2013
LICENSING OFFICE

Your name/organisation name/name of body you represent (see note 1)	Anna Reckin
Postal address	Flat 4 35 Park Lane, Norwich
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House
Address of the premises you wish to support or object to.	1 Pembroke Road

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	<p>I welcome the idea of making the pub more family-friendly by extending the period when under 18s can be on the premises. However, I would like to be assured that the longer opening hours overall will not mean more noise and nuisance in the street. See below.</p>
To prevent public nuisance	
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	<p>Please can the pub do a better job of ensuring that customers leave the premises quietly and promptly. There's a problem (especially in the summer) with a large group of people gathering in the carpark</p>
--	--

Signed:

Date: 22/5/13

Please see notes on reverse

and in the street and being very noisy. If people want to socialise outside, they should be in the excellent garden.

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

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

RECEIVED

24 MAY 2013

LICENSING OFFICE

Your name/organisation name/name of body you represent (see note 1)	Clare Currie
Postal address	3 Park Lane Norwich NR23EE
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House
Address of the premises you wish to support or object to.	1 Pembroke Rd Norwich

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	Frequent (Friday – Sunday nights) loud drunken altercations occur outside my house late at night. Extending the licensing hours will only exacerbate this behaviour.
Public safety	I am already loath to walk down my road at night (on my way home) because of drunken gangs making their way along my street. If the hours are extended, then the problem will be increased :- longer hours = more drunken groups over a longer period.
<u>To prevent public nuisance*</u>	My objection to the extensions requested are principally based around the fact that this is a very quiet residential area where residents do not stay up late carousing. I am already regularly awoken by noisy throngs of people making their way along my road late at night. Later opening will only make this worse.
To protect children from harm	How can allowing children into pubs late in the evening be protecting them from harm? The noise from the garden in summer is already considerable – such that it can be heard at times at my end of the street.

Please suggest any conditions which would alleviate your concerns.	Rather than extending the hours, I would prefer them to be reduced. I live on the "Stagger Route" need I say more? *A back-street pub such as this should not be allowed to become a late-night drinking den, or quasi club. This is not the right place for such an establishment.
---	---

Signed: _____

Date: 22nd May 2013

Please see notes on reverse

CORPORATE RESOURCES
24 MAY 2013
POST ROOM



Norwich City Council Licensing Authority
Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	MRS. V. STRIKER
Postal address	29 PARK LANE NORWICH NR2 3EE
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE GARDEN HOUSE
Address of the premises you wish to support or object to.	1 PEMBROKE ROAD, NORWICH NR2 3HD

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

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



Please suggest any conditions which would alleviate your concerns.	Remain with existing opening hours.
--	-------------------------------------

Signed:

Date: 22 May 2013

Please see notes on reverse

**Statement of Objection to the application for extended opening hours at The Garden House, 1
Pembroke Road, Norwich NR2 3HD**

To Prevent Public Nuisance

The Garden House is situated in the heart of a residential area. The majority of the customers, however, are not local residents. There is already a significant level of noise generated from the Garden House throughout the week, particularly during the summer months when customers use the large garden, and also at closing time when they leave the premises. They regularly gather in numbers outside the pub and nearby area when it closes and are often extremely noisy. The proposed extension to opening hours will mean that local residents will be disturbed by unacceptable noise levels in the early hours of the morning in the latter part of the week and at weekends. I wish to register my objection to any increase in opening hours at the Garden House pub.

To Prevent Crime and Disorder

Customers leaving the Garden House are frequently very noisy, and there are often loud angry exchanges and swearing and occasionally fights have broken out in the street. Extended opening hours will provide the opportunity for customers to consume alcohol for a longer period of time, especially at weekends, and this is likely to lead to an increase in crime and disorder. On these grounds I wish to object to any increase in opening hours at the Garden House pub.



Fuller, Maxine

From: margaret prime
Sent: 25 May 2013 14:05
To: Licensing
Subject: Garden House Application

Hello

I am the Landlord/lady of a house, 35B Park Lane, the rear of which is directly opposite the 2 x entrance doors of the Garden House Pub.

The house has been converted into 4 x self-contained flats.

Three of the bedrooms of these flats look out directly on to the pub. The present tenants are all quiet and professional people. They are happy to make separate objections to this application if this will help. One long-stay tenant gets up at 5 am to go to work and has complained many times about late night disturbances even with the present opening hours because he is unable to get to sleep until the early hours. It will be impossible for these tenants to open their bedroom windows at night if/when it's warm weather because of the disturbance.

The distance between the pub and these flats is only a few metres.

I have **strong objections** to the licensing hours of this pub being extended as this would inevitably cause major disruption to my tenants and many other near-by residents. Even if asked to be quiet when leaving the premises, customers drinking in the pub and leaving after 1.30 am up to maybe 2 am before they actually leave may be rowdy, noisy, laughing etc and there would be additional traffic noise, maybe taxis etc

There have already been disturbances in nearby Park Lane late at night by drunks leaving the pub and then vandalising parked cars, damaging windscreen wipers, aerials and wing mirrors. It's likely that the more alcohol people consume the more likely-hood of anti-social behaviour, this is clear in Prince of Wales Rd where Police have to maintain a constant presence. What is your department thinking of even considering this application?? especially after all the robust objections you had the last time they made similar applications.

This is a quiet residential area - NOT a night-club area. There are children and elderly people living near-by!

Please take this into consideration when considering this application.

Also, please advise me of any forthcoming meetings which might be held regarding this application.

I really don't know what your department is thinking of even considering this, especially after the robust objections you had the last time!!!

Thank you

Margaret Prime

35B Park Lane
NR2 3EF

28/05/2013

Norwich City Council Licensing Authority
Licensing Act 2003

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

Organisational Development
28 MAY 2013
Post Room

Your name/organisation name/name of body you represent (see note 1)	JOY EMERY
Postal address	45 Pembroke Road NORWICH NR2 3HD.
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House, 1 Pembroke Rd NR2 3HD
Address of the premises you wish to support or object to.	

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder drunkenness & noise walk along Pembroke Rd. Often broken bottles & rubbish thrown around	Longer hours will result in more groups of noisy, drunk people
Public safety	These large drunken groups are intimidating.
To prevent public nuisance shouting, screaming & loud laughter	I sleep at the front of my house. Noise late at night disturbs my sleep. Often
To protect children from harm many families with school aged children. Longer hours result in more noise & will disturb children's sleep.	This is a residential area, with school aged children. Longer hours result in more noise & will disturb children's sleep.

Please suggest any conditions which would alleviate your concerns.	I have no objection to children on premises until 10pm, but object to longer hours for above reasons.
--	---

Signed:

Date: 23.5.13

Please see notes on reverse

RECEIVED
28 MAY 2013
LICENSING OFFICE

Organisational Development
30 MAY 2013
Post Room

Norwich City Council Licensing Authority
Licensing Act 2003

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

RECEIVED
30 MAY 2013
LICENSING OFFICE

Your name/organisation name/name of body you represent (see note 1)	MR & MRS ANDREWS
Postal address	53 PARIL LANE, NORWICH, NR2 3EF
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE GARDEN HOUSE
Address of the premises you wish to support or object to.	1 PEMBROKE ROAD, NORWICH, NR2 3HD

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	OBJECT TO EXTENDED OPENING HOURS DUE TO INCREASED DRUNKENESS LEADING TO MORE DAMAGE TO PARKED CARS (EG. WING MIRRORS)
Public safety	OBJECT TO EXTENDED OPENING HOURS AS THIS WILL ENCOURAGE MORE GROUPS TO GATHER WITH INCREASED DRUNKENESS AND INTIMIDATION OF THE PUBLIC AND RESIDENTS.
To prevent public nuisance	OBJECT TO EXTENDED OPENING HOURS AS CURRENTLY WOKEN UP REGULARLY BY LATE NIGHT DISTURBANCE. NOISE FROM GARDEN IN SUMMER MEANS WINDOWS SOMETIMES NEED TO BE SHUT.
To protect children from harm	OBJECT TO ANY CHANGE IN THE CURRENT HOURS OF USE FOR THE GARDEN.

Please suggest any conditions which would alleviate your concerns.	NO PUBLIC USE OF THE GARDEN AFTER 10:30 PM.
--	---

Signed: 

Date: 29 MAY 2013

Please see notes on reverse



NORWICH
City Council

Norwich City Council Licensing Authority
Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	J. J. D. Barber
Postal address	19 Pembroke Road Norwich NR2 3HD
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House 1 Pembroke Rd Norwich NR2 3HD
Address of the premises you wish to support or object to	

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary.
To prevent crime and disorder	
Public safety	
To prevent public nuisance	Please see separate sheet and copy of "Notice of Determination dated 23 Nov 2005"
To protect children from harm	

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

Signed :

Date : 25 May 2013

Please see notes on reverse



NORWICH
City Council

Notice of Determination

Date of Hearing: 23 November 2005

Licence Type: Premises Licence

Name of Applicants: Jack Towler and Julie Paston

Name of Premises: The Garden House

Postal Address of Premises (or description of premises):

1 Pembroke Road
Norwich
NR2 3HD

Licensing Sub-Committee: Cllr Hume (chair), Cllr Brociek-Coulton,
Cllr Ferris

Determination –

The Committee's decision

The application as varied at the hearing was granted as follows:-

- Part B – films restricted to six times per year to show promotional material only.
- Part E – live music.
- No live or recorded music to be played outside in the open air at any time.
- Live music – inside the buildings on the licensed premises.
Friday – 18.00 to 23.00
Saturday – 12.00 to 23.00
- Part F – Recorded music
Recorded music permitted indoors only on the licensed premises from 11 am to 11 pm.
- Part G - Performance of dance
Dance will only be ancillary to disco music.

The Committee's reasons

The reasons for the committee's decision were:-

Members took into account the fact that there were no representations from any responsible authorities. Members considered carefully the representations from interested parties and the evidence given that the hearing is to crime and disorder. Members sympathised with the problems recounted by the objectors but found that in terms of crime and disorder, few of the incidents given in evidence were directly attributable to the licensed premises. Where that was so, for example the road traffic accident referred to by the Kerrison, the matter would be covered by the existing law, in this case the offence of serving persons with alcohol who were already intoxicated.

Members also took into account the national guidance under Section 182 of the Licensing Act 2003 to the effect that conditions should be proportionate and not deal with matters outside the reasonable control of the licensee.

Members then gave consideration to the licensing objective of the prevention of public nuisance. Members considered the evidence put forward at the hearing, and found that, without doubt, the activities on the licensed premises had in the past constituted a public nuisance and that the situation was, from the evidence, likely to recur.

Members therefore found it necessary to impose the conditions mentioned above in order to meet the licensing objective of the prevention of public nuisance.

Right of a Party to appeal against the determination of the Authority

For your information, applicants and any party who made a relevant representation, or submitted an objection notice, who is aggrieved by the decision, or the imposition of any term, condition or restriction, have a right of appeal to the Magistrates' Court within 21 days of the date on which they are notified of the decision.

Norwich City Council Licensing Authority
Licensing Act 2003

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



Your name/organisation name/name of body you represent (see note 1)	Morten Hviid + Catherine Waddams
Postal address	12 Park Lane Norwich NR2 3EE,
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House
Address of the premises you wish to support or object to.	1 Pembroke Road

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	We object to the changes proposed. Longer licensing hours will extend the nuisance caused by patrons returning noisily home - most patrons are not local and disrupt the peace of
To protect children from harm	the residential neighbourhood when they leave the premises.

Please suggest any conditions which would alleviate your concerns.



Signed: _____

Date: 27.5.13

Please see notes on reverse

enc.



19 Pembroke Road
Norwich
NR23HD
25 May 2013

Re: Application for variation of Premises Licence
The Garden House
1 Pembroke Road Norwich NR23HD

We consider that as the Garden House is situated in a wholly residential area, any extension of opening hours should not be allowed. In this context the Licensing Sub-Committee in November 2005 also took this view, in limiting the hours that these premises could be open and serving alcohol.

Also I would refer the committee to the article "last orders for late drinking" in the Spring 2013 edition of the "Norwich Citizen", as supporting evidence for not allowing any extension of opening hours.

Yours faithfully Joan and John Barber

Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development
30 MAY 2013
Post Room

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

Your name/organisation name/name of body you represent (see note 1)	MRS A. J. O'DONOVAN RESIDENT
Postal address	35A PARK LANE NORWICH NR2 3EF
Email address	N/A
Contact telephone number	

Name of the premises you wish to support or object to	GARDEN HOUSE PUBLIC HOUSE
Address of the premises you wish to support or object to.	1 PEMBROKE ROAD NORWICH NR2 3HD

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary	
To prevent crime and disorder		<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>RECEIVED</p> <p>30 MAY 2013</p> <p>LICENSING OFFICE</p> </div>
Public safety		
To prevent public nuisance	<p>I am elderly and in poor health The noise from the pub carries at 12 midnight keeping me awake</p>	
To protect children from harm		

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

Signed:

Date: 26 - 5 - 2013

Please see notes on reverse

RECEIVED

30 MAY 2013

Norwich City Council Licensing Authority
Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	STEPHEN LEWIS
Postal address	FLAT 3, 35B PARK LANE NORWICH NR2 3EF. (overlook pa
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	GARDEN HOUSE PUB
Address of the premises you wish to support or object to.	1, PEMBROKE RD NORWICH NR2 3HD

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	MORE DRINKING LEADS TO MORE DRUNKS A QUIET RESIDENTIAL AREA. ALREADY CHRS HAVE BEEN DAMAGED MALICIOUSLY
Public safety	SCARY for people walking home late at night especially women.
To prevent public nuisance	Residents nearby disturbed by very late nights and early hours of morning. I can get to sleep already because of late night no one have to get up at 5am to go to work
To protect children from harm	cannot open bedroom window at night children do not need late nights in a adult drinking environment.

Please suggest any conditions which would alleviate your concerns.	KEEP TO EXISTING HOURS PLEASE its bad enough already! No time extensions for
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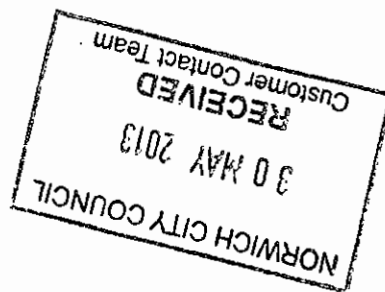
Signed:

Date:

23/5/13

quiet residential area

Please see notes on reverse



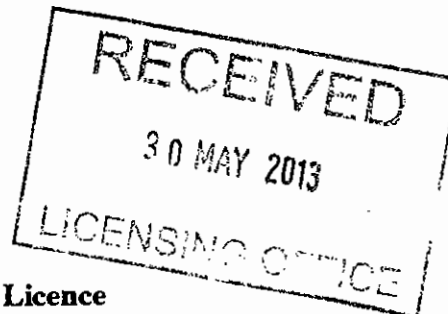
39 Park Lane,
Norwich NR2 3EF

28th May 2013

The Licensing Manager,
Norwich City Council

Dear Mr Streeter,

**Re: The Garden House
1 Pembroke Road
Application for Variation to Premises Licence**



*Amended
front page.*

I would like to make my feelings and views to be taken into account when deciding this application.

Current situation.

In 2006 a similar application was made for changes and the current set of times drawn up, based on views expressed by residents through letters and the follow-on meeting. Objections to the application fell into **two main categories**: the passage of customers through the surrounding streets and the disturbance they caused; and the noise caused in the immediate surroundings by customers in the garden and upstairs room. Both problems affect us, but I propose to deal with the most disruptive, which is noise from garden and upstairs room. I am sure other respondents, who live slightly further away, will make their views felt regarding the first.

Particular problems for us caused by the garden.

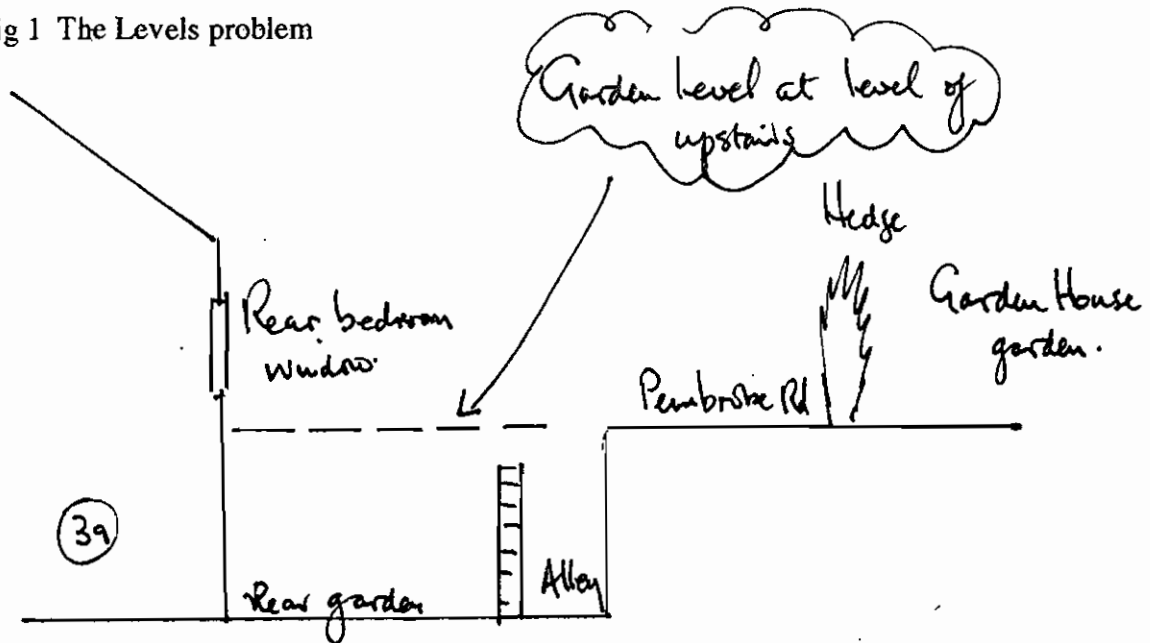
Many pubs in the city of Norwich have a garden, which have the potential to be disruptive to the neighbourhood. These problems have no doubt been raised in other similar applications. However there are three special aspects that make the The Garden House garden a particular nuisance to us.

The garden is a particular feature of The Garden House. The very name gives this away and the board outside the pub advertises the garden as 'the best beer garden in Norwich'. When full it holds a very large number of customers. Consequently the noise from the garden, even when drinkers are simply conversing, can be loud. Later at night, especially in hot weather there can be an extraordinary level of noise.

The lie of the land (topology) Most pubs locally are positioned on fairly level ground in relation to the surrounding properties. This is not so with The Garden House. Park Lane lies along a river valley (and is designated a flood plain accordingly). To each side of the road the land rises very sharply for a great distance. Consequently the pub is on an elevated position in relation to our house. The garden is pretty much level with the first floor of our house. Put another way, our rear bedroom (the one we sleep

in) is on the same level as the garden. This of course greatly increases the passage of sound through our window. We have fitted double-glazing to reduce this but noise levels are still high (especially for transient loud sounds such as shouting). There is a high hedge separating us from the garden but it is not sufficiently dense to reduce sound by much (it does however reduce some of the light level from the illumination in the garden).

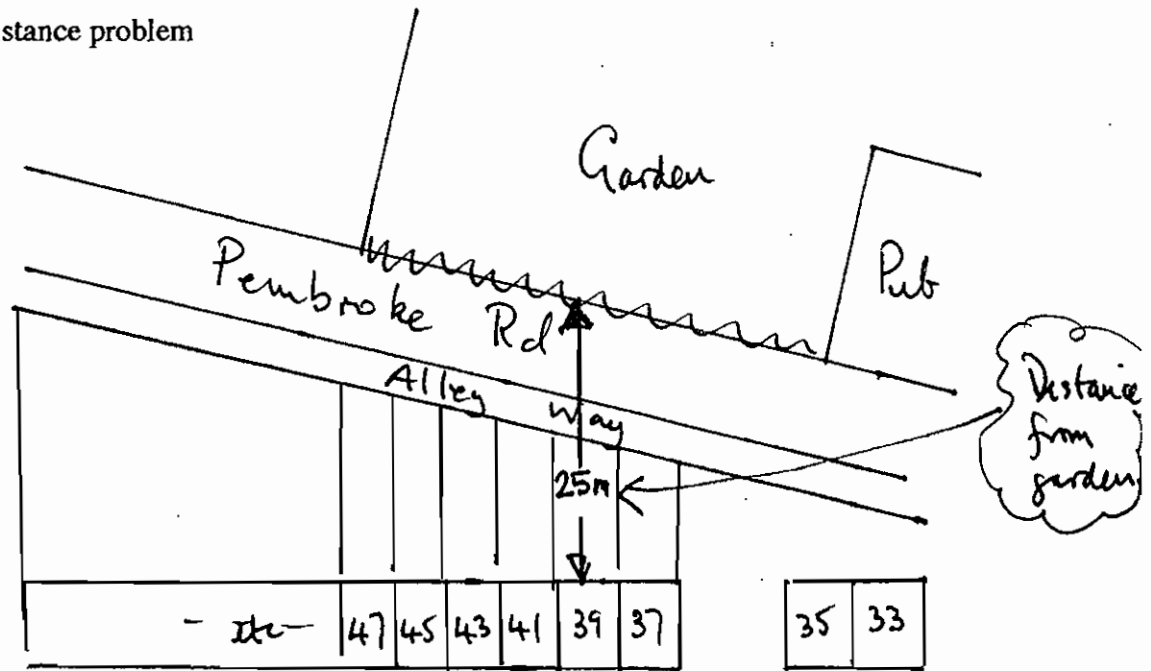
Fig 1 The Levels problem



The parcel of land (geography) Our terrace consists of 16 houses lying along the central part of Park Lane. There is also a pair of semi-detached houses next to the North end of the terrace. Unusually, the piece of land these houses were built on is triangular. Because the gardens at the North end of the terrace (our end) lie on the thin end of the wedge they are considerably shorter than those at the South end. The first six terraced houses and the semi-detached houses (all with the shortest gardens) are adjacent to the boundary of the Garden House garden.

The rear bedroom window of our house is only **25 metres** from The Garden House garden boundary with nothing but a hedge to separate us. As sound level is a function of distance the problem can be readily understood.

Fig 2 The Distance problem



Conclusion For the reasons discussed above, the last Application resulted in a **special ruling** in regard to the garden.

"There will be no public use of the garden to the premises after 23:00 on any day"

The landlord has on the whole stuck to this requirement.

I request that a similar ruling is applied again. Should the hours be extended- and those of the garden along with them- it will be very difficult for our family and many others to get the proper amount of sleep. Customers turning out around 11pm to 12 pm is manageable- though not desirable- but around 1.30 am to 2 am is not fair to residents who have their own lives to live and whose problems can only be exacerbated by lack of sleep.

I look forward to having my views considered at the meeting to follow.

Yours sincerely,

Nigel Bawden

Norwich City Council Licensing Authority
Licensing Act 2003

CORPORATE RESOURCES
30 MAY 2013
POST ROOM

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

Your name/organisation name/name of body you represent (see note 1)	Peter + Rosaline Wills
Postal address	57 Park Lane NORWICH NR2 3EF
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House
Address of the premises you wish to support or object to.	1, Rembrandt Rd. Norwich

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	Extending hours between Thurs + weekends will lead to noise up to 1.0am & beyond disturbing people who are neighbours trying to sleep.
To protect children from harm	Especially during the summer.

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

Signed:

Date:

26/5/13

Please see notes on reverse

RECEIVED
30 MAY 2013
LICENSING OFFICE

RECEIVED

30 MAY 2013

LICENSING OFFICE

Norwich City Council Licensing Authority
Licensing Act 2003

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

NORWICH CITY COUNCIL

30 MAY 2013

RECEIVED

Customer Contact Team

Your name/organisation name/name of body you represent (see note 1)	Mrs Jane Morgan
Postal address	26 Denbigh Road Norwich, NR2 3AA
Email address	/
Contact telephone number	/

Name of the premises you wish to support or object to	Garden House Pub.
Address of the premises you wish to support or object to.	1 Rembroke Rd, Norwich NR2 3HD.

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
① To prevent crime and disorder	to cars that are scrapped with keys/money Windscreen wipers pulled forward. Noise after closing time, swearing etc.
② Public safety	Have problems as open bins - abuse, vandalizing, moving bins into the road
③ To prevent public nuisance	Noise, (litter) - travels at night - do residents want to hear noise & pick up litter from their gardens. If I got a £1 for every car, glass, crisp pcks dumped in my front garden, I'd be rich enough to move.
④ To protect children from harm	children shouldn't be at a pub at night!
Please suggest any conditions which would alleviate your concerns.	Simple - leave things as they are & give residents some peace

Signed: L

Date: 29/05/13

Please see notes on reverse

In one word OBJECTION

I thought the Government were trying to stop alcoholism!!

Norwich City Council Licensing Authority
Licensing Act 2003

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



Your name/organisation name/name of body you represent (see note 1)	Mr. T. W. HILDITCH
Postal address	19 PARK LANE NORWICH NR23EE
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE GARDEN HOUSE
Address of the premises you wish to support or object to.	1 PEMBROKE ROAD

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

Licensing Objective	Please set out your support objections below. Please use separate sheets if necessary
To prevent crime and disorder	The adjoining street suffers from vandalism especially to vehicles when the customers leave the pub. This will be highly increased.
Public safety	
To prevent public nuisance	Noise, litter, bottles, glasses, cans, etc. are thrown into surrounding garden. This will increase and continue until at least 2 a.m. with the proposed extension.
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	NONE. The licence should not be changed in a completely residential area. The pub is surrounded by houses and flats
--	---

Signed: /

Date: 27.5.2013

Please see notes on reverse

RECEIVED

31 MAY 2013

LICENSING OFFICE

Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development

31 MAY 2013

Post Room

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

Your name/organisation name/name of body you represent (see note 1)	TOM + DIANA TOWNSEND
Postal address	74 PARK LANE, NORWICH, NR2 3EF
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE GARDEN HOUSE P.H.
Address of the premises you wish to support or object to.	1 PEMBROKE ROAD, NORWICH, NORFOLK NR2 3HP

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	WE OBJECT TO LATER AND LONGER HOURS FOR DRINKING AT ANY TIME. IT WILL MEAN MORE NOISE AND CRIMINAL DAMAGE TO CARS PARKED ALONG PARK LANE UNTIL LATER INTO THE NIGHT.
Public safety	
To prevent public nuisance	MORE NOISE LATER IN THE EVENING AND NIGHT WOULD DISRUPT RESIDENTS ON PARK LANE WHO LIKE TO GET A DECENT NIGHT'S SLEEP BEFORE GETTING UP TO WORK. I OFTEN WORK ON SATURDAYS.
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	NONE. I SIMPLY DO NOT WISH TO SEE THE ALREADY ADEQUATE OPENING HOURS EXTENDED!
--	--

Signed: -

Date: 28/05/2013.

Please see notes on reverse

Fuller, Maxine

From: Andrew Bangham
Sent: 31 May 2013 09:42
To: Licensing
Subject: Garden House Public House
Attachments: RepresentationformGardenHousePublicHouse.doc

Dear Sir/Madam

Please find the attached objection to increase licensing hours for the Garden House Pub.

Regards

Andrew Bangham

31/05/2013

Norwich City Council Licensing Authority Licensing Act 2003



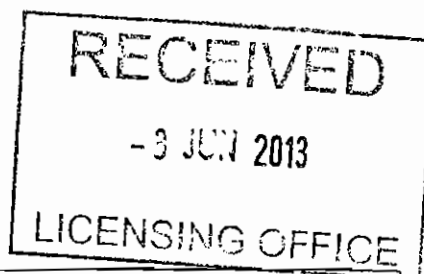
NORWICH
City Council

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

Your name/organisation name/name of body you represent (see note 1)	James Andrew Bangham
Postal address	26 Park Lane Norwich NR2 3EE
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	The Garden House, 1 Pembroke Road, NR2 3HD
Your support or objection must relate to one of the four licensing objectives (see note 2)	
Licensing objective	Please set out your support or objections below. Please use separate sheets if necessary.
To prevent crime and disorder	
Public safety	
To prevent public nuisance	At present customers of the Garden House are often a public nuisance: intimidating to us (residents) as we walk home at night, groups are noisy enough to wake us particularly on Friday/Saturday nights. Extending opening hours would extend the problem.
To protect children from harm	
Please suggest any conditions which would alleviate your concerns	
Signed: J. Andrew Bangham	Date: 31 May 2013

Norwich City Council Licensing Authority
Licensing Act 2003

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



Your name/organisation name/name of body you represent (see note 1)	Martin and Ruth PORTER
Postal address	49 Park Lane, Norwich NR2 3EF
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House
Address of the premises you wish to support or object to.	1 Pembroke Road, Norwich

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

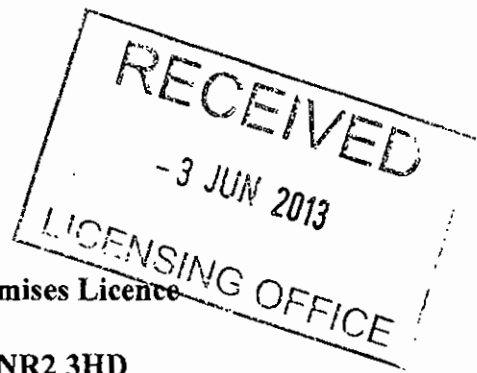
Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	We have experienced criminal damage that we are certain is alcohol related - smashed garden pots, car vandalism etc. This will only increase if licensing hours increase.
Public safety	
To prevent public nuisance	The big nuisance is noise. There is also loutish behaviour - urinating in the street, broken glass etc. This will increase if the licensing hours are extended.
To protect children from harm	Children in the area are kept awake by the pub noise. (ours was). Longer licensing hours will make this worse.

Please suggest any conditions which would alleviate your concerns.	Not extending the hours. Preventing The Garden House from insistently reopening these applications.
--	---

Signed:

Date: 1 June 2013

Please see notes on reverse



**Application for Variation of Premises Licence
The Garden House
1 Pembroke Road, Norwich NR2 3HD**

We live in sight and sound of this pub, which is only fifty yards away, and are consequently keenly interested parties.

We strongly oppose any extension of the current opening hours, which seem adequate for a pub situated in what has always been a quiet residential area - a mixed community comprising young people, families with children, and older and retired people. It is an area people enjoy living in, and the disturbances there have been - noise late at night, shouting, aggressive behaviour and vandalism - have been carried out largely by people who don't live in the area and come in from elsewhere, often increasing the already acute parking difficulties experienced by locals.

We have to keep our bedroom windows shut on hot summer nights until noise in the road has died down, which is usually some half an hour after pub closing time - the proposal to extend opening at weekends to 1.30 a.m. would mean waiting for peace and quiet until 2 a.m.

The variation that is being applied for is simply the opportunity to provide profitable city-centre, Riverside-style entertainment: - it is totally unsuited to a closely-packed residential area, and would be against the wishes of local residents, whose lives would be affected

If invited to do so, we would be keen to speak when the application goes before the committee.

John and Grace Granger
34 Park Lane
NR2 3EE

30 May 2013

Norwich City Council Licensing Authority
Licensing Act 2003



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

Your name/organisation name/name of body you represent (see note 1)	JOHN GRANGER
Postal address	34 PARK LANE, NR2 3EE
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	GARDEN HOUSE PUBLIC HOUSE
Address of the premises you wish to support or object to.	1 PEMBROKE ROAD, NORWICH

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	POLICE ADVICE ESSENTIAL
Public safety	ACCESS FOR PUBLIC SERVICES VEHICLES DIFFICULT BECAUSE OF NUMBER OF STREET-PARKED CARS USED BY PUB CUSTOMERS
To prevent public nuisance	PLEASE SEE SEPARATE SHEET
To protect children from harm	SLEEP DEPRIVATION

Please suggest any conditions which would alleviate your concerns.	NO MUSIC IN GARDEN AND COMPLETE SOUND-PROOFING OF PREMISES
--	--

Signed:

Date: 30th May 2013

Please see notes on reverse

Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development

03 JUN 2013

Post Room

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

Your name/organisation name/name of body you represent (see note 1)	A. J. ANDERSON
Postal address	62 PARK LANE NORWICH NR2 3EF
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE GARDEN HOUSE
Address of the premises you wish to support or object to.	1 PLUMBOKE ROAD NR2 3H1

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	<p>AN OBJECTING TO THE EXTENSION OF OPENING HOURS ON FRI/SAT DUE TO THE INEVITABLE INCREASE IN LATE NIGHT NOISE + PETTY 'NUISANCE' WHEN PEOPLE LEAVE THE PREMISES. IT IS VERY FRIGHENING TO BE WOKEN UP BY DRUNKEN PEOPLE IN THE EARLY HOURS OF THE MORNING. THIS IS A RESIDENTIAL AREA FIRST + FOREMOST</p>
Public safety	
To prevent public nuisance	
To protect children from harm	

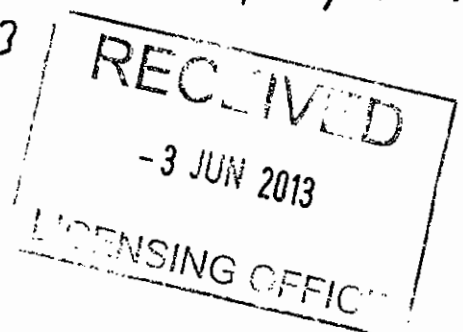
Please suggest any conditions which would alleviate your concerns.	however I DO FEEL THE CHILDREN SHOULD BE ALLOWED TO STAY LATER FOR DINING + FUNCTION PURPOSES.
--	--

Signed:

Date:

1/6/13

Please see notes on reverse



Norwich City Council Licensing Authority
Licensing Act 2003

Organisation

03 JUL

Post Room

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

Your name/organisation name/name of body you represent (see note 1)	GERALD O'HAGAN
Postal address	5 PARK LANE NORWICH NR2 3EE
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE GARDEN HOUSE
Address of the premises you wish to support or object to.	1 PEMBROKE ROAD, NORWICH NR2 3HD

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	<div style="text-align: center;"> <p>RECEIVED</p> <p>3 JUN 2013</p> <p>LICENSING OFFICE</p> </div>
Public safety	
To prevent public nuisance	Some people are very noisy when they leave the pub at closing time. Later closing times will create later noise outside our house.
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	Not granting the application.
--	-------------------------------

Signed:

Date:

29/5/13

Please see notes on reverse

Norwich City Council Licensing Authority
Licensing Act 2003



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

Your name/organisation name/name of body you represent (see note 1)	Ms. J. P. BOWER
Postal address	43 PEMBROKE ROAD NORWICH NR2 3HD
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House, 1 Pembroke Road NORWICH NR2 3HD
Address of the premises you wish to support or object to.	

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

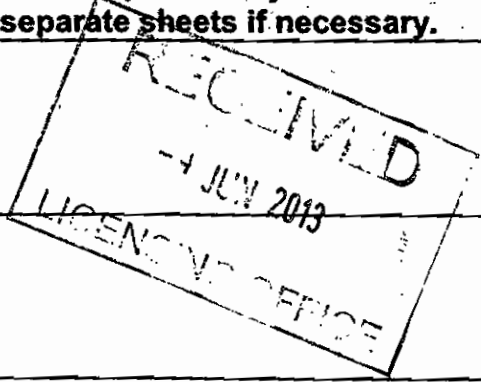
Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	On the basis that people are not always on their best behaviour when they have had a few drink and that they are likely to drink more if the licensing hours are extended and on past experience living on this road we had damage to cars, vomit in the front garden.
Public safety	
To prevent public nuisance	Noise. Even though I live halfway down the road, the noise carried, particularly in the summer when the garden is used. Music also carries. I have to get up early so I like to go to sleep at a reasonable time. A lot of noise when the residents go home.
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	I have explained to the owners that, unfortunately they cannot control what their customers do when they leave the premises and ensure they behave responsibly. The last few years have seen a great improvement in consideration for local residents and I see no reason to change this.
--	---

Signed:

Date: 20/5/13

Please see notes on reverse

Your name/organisation name/name of body you represent (see note 1)	Peter & Suzanne Handsley
Postal address	15 Park Lane Norwich NR2 3EE
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	The Garden Hose, 1 Pembroke Road, Norwich NR2 3HD
Your support or objection must relate to one of the four licensing objectives (see note 2)	
Licensing objective	Please set out your support or objections below. Please use separate sheets if necessary.
To prevent crime and disorder	
Public safety	
To prevent public nuisance	As local residents we already experience significant disturbance due to shouting, raised voices and bad language from groups of people leaving the premises and walking along Park Lane after 11pm especially at weekends. Our main bedroom is situated at the front of the house. While we can accept noise around normal pub closing time as an unavoidable consequence of living in an urban residential area, it would be intolerable if this were to take place in the early hours of the morning since this type of intermittent disturbance would inevitably break our sleep pattern and that of many of our neighbours in a dense residential area.
To protect children from harm	
Please suggest any conditions which would alleviate your concerns	
Signed: P R Handsley	Date: 4 June 2013

Notes

Norwich City Council Licensing Authority
Licensing Act 2003

CORPORATE REC

04 JUN 2013

POST ROOM

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

Your name/organisation name/name of body you represent (see note 1)	SONJA & NEIL MITCHELL
Postal address	36 PARK LANE NORWICH NR2 3EF
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Garden House Pub.
Address of the premises you wish to support or object to.	1 Pembroke Road, Norwich

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

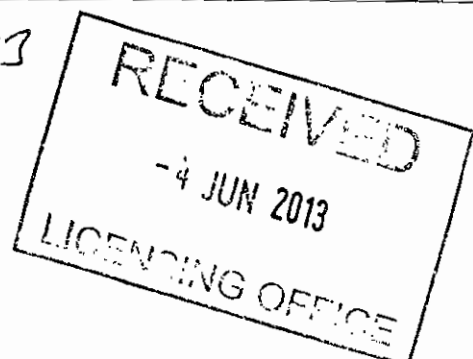
Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	We see windowless cipers pulled up, beer glasses stuck in hedges, weeing in hedges...
Public safety	Broken glasses. Drunk people standing in the road
To prevent public nuisance	Regularly see beer glasses - sometimes broken left out. Lots of loud shouting / arguments / laughter as they wait at junction of Park Lane before dispersing.
To protect children from harm	Allowing children around very drunk people - with poor language - is not healthy or proper.

Please suggest any conditions which would alleviate your concerns.	Do not extend hours as the situation is bad already.
--	--

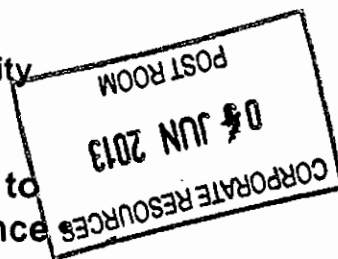
Signed:

Date: 3. 6. 13

Please see notes on reverse



Norwich City Council Licensing Authority
Licensing Act 2003



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

Your name/organisation name/name of body you represent (see note 1)	PAM KERRY GRANGER.
Postal address	27 PARK LANE, NORWICH.
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE GARDEN HOUSE
Address of the premises you wish to support or object to.	1, PEMBROKE RD. NORWICH.

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	Extending licensing hours would encourage more crime in residential area due to amount of alcohol consumed.
Public safety	Problems with parking in residential area - very congested parking already 24hrs - would create more problems.
To prevent public nuisance	Extending licensing hours would create more noise & disorder on park lane into early hours - already a problem at weekends.
To protect children from harm	Children between ages of 16-18yrs. often cause more noise & problems than more mature adults also encourages more under-age drinking.
Please suggest any conditions which would alleviate your concerns.	Maintain present licensing hours.

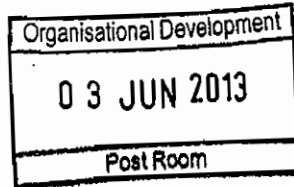
Signed:

Date: 02.06.13.

Please see notes on reverse



1060441



33 Park Lane
Norwich NR2 3EE

31 May 2013

The Manager
Licensing Section
City Hall
Norwich NR2 1NH

Dear Manager

Re Garden House, 1 Pembroke Road

I enclose my completed statement of support or objection. I have not read the application displayed on the premises and in the local press. I understand that the Garden House is now under new management.

I have objected to previous applications for increased hours and provision.

The present application re-introduces the issue that increased numbers of people leaving a large pub building and garden inevitably create unacceptable routine week-end disturbance for residents in closely surrounding roads.

Yours faithfully

Cicely Haines

Norwich City Council Licensing Authority
Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	CICELY HAINE
Postal address	33 PARK LANE
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	GARDEN HOUSE
Address of the premises you wish to support or object to.	1 PEMBROKE RD NR2 3HD

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	Pub leaves damage home property, bikes and parked cars.
Public safety	Pub leaves do not use pavements, liable to cause road traffic accidents at poorly lit junction of Park Lane and Eastham Road.
To prevent public nuisance	Pub leaves dump glasses along garden wall and vomit in entry. Sleep seriously disturbed.
To protect children from harm	Extension of hours to 10pm for children do not prevent damage to them.

Please suggest any conditions which would alleviate your concerns.	Conditions of existing licence addressed the above concerns which repeat my previous objections.
--	--

Signed:

Date: 31 May 2013

Please see notes on reverse

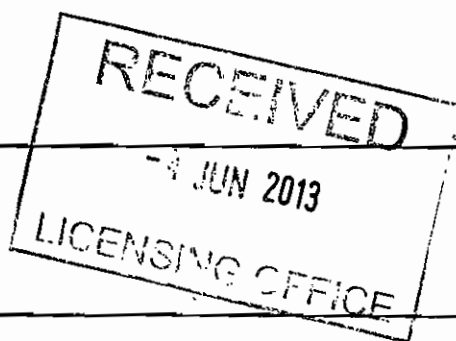
Norwich City Council Licensing Authority Licensing Act 2003



NORWICH
City Council

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

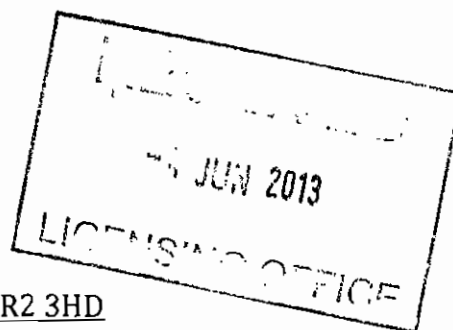
Your name/organisation name/name of body you represent (see note 1)	Alan Howarth	CORPORATE RESOURCES 04 JUN 2013 POST ROOM
Postal address	28 Park Lane Norwich NR2 3EE	
Email address		
Contact telephone number		
Address of the premises you wish to support or object to	The Garden House 1 Pembroke Road Norwich NR2 3HD	
Your support or objection must relate to one of the four licensing objectives (see note 2)		
Licensing objective	Please set out your support or objections below. Please use separate sheets if necessary.	
To prevent crime and disorder	See separate sheet	
Public safety	See separate sheet	
To prevent public nuisance	See separate sheet	
To protect children from harm	See separate sheet	
Please suggest any conditions which would alleviate your concerns	No objection to allowing children onto the premises later for dining and function purposes	
Signed:	Alan Howarth	Date: 2 June 2013



Garden House application, 2013

To: Norwich City Council Licensing Authority

From: Alan Howarth
28 Park Lane
Norwich NR2 3EE



The Garden House, 1 Pembroke Road, Norwich NR2 3HD

Living in the vicinity of the Garden House, I wish to object to the proposed extensions of hours for entertainment activity and for the supply of alcohol on all four permitted grounds of objection.

I am not a killjoy or Puritan, and I have no objection to a genuine local pub operating on traditional lines and for traditional hours as is appropriate in a residential area.

The Garden House, however, is not a "local", but a public house ambitious to develop its business as an entertainment centre for Norwich and the surrounding area. It is inappropriate for such a business to be located in a residential area, as opposed to an area specifically envisaged under planning policy for evening and late night entertainment. If the Garden House is open until very late from Thursday to Sunday it will be inevitable that people will come there from far and wide after other pubs and bars have stopped serving, causing greatly increased traffic and disturbance in the surrounding streets.

The area around the Garden House is home to many families that include children and elderly people. They ought to be able to enjoy tranquil conditions in the evenings and at night. People want and need to be up early to go about their business and should not have been kept awake until unnecessarily late. As local residents we already suffer unacceptably from the effects of the Garden House in our midst. Shouting in the surrounding streets, vomiting and littering go beyond what is acceptable during and after the already lengthy opening hours of the pub. While I have no proof of it, I also have no doubt that acts of vandalism to cars and property are perpetrated by customers of the Garden House. These kinds of disorderly conduct are distressing to local residents and particularly to elderly people and children. Children, in particular, should not be kept awake until late, with the associated damage to their development, to enable the proprietors of this business to make larger profits.

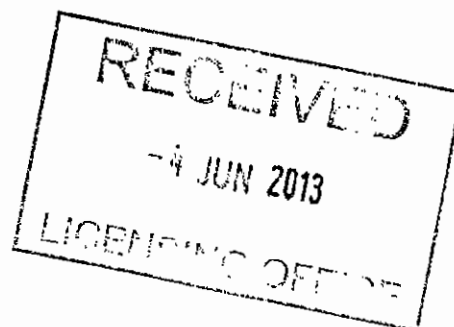
Against this background it cannot be right that the Garden House should be permitted to extend its hours and activity as proposed, with the obvious risks that its patrons will consume more alcohol and that objectionable behaviour patterns will be intensified and extended to midnight and well beyond. Not just the increase in alcohol consumption, but the noise pollution caused by playing of recorded music until late at night would be offensive and damaging.

The Home Secretary's guidelines state that the aim of the relevant legislation is "to build a fair... society... in which the rights of individuals, families and communities are properly balanced." It would be wrong of the licensing authority to tip the balance further against local residents by approving this application. Nor, I believe, is it right that the community should be pressurised by the licensee repeatedly attempting to wear down well founded opposition to what he wants.

I have no objection to children being allowed onto the premises later until 10pm for dining and functions.

I would be grateful if the considerations I have put forward could be taken fully into account by the Licensing Authority as it makes its decision.

Alan Howarth
2 June 2013



APPENDIX D

Local Policy considerations

1.0 Introduction

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

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

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

2.0 Consultation and Links to other Policies and Strategies

2.7 So far as possible, the council will avoid duplication with other regulatory regimes, and will not to use its powers under the Licensing Act 2003 to achieve outcomes that can be achieved by other legislation and other enforcement agencies. 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’, ie 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;

22. Objective – public safety

- 22.1 The safety of any person visiting or working in licensed premises must not be compromised. **Applicants are expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and the licensable activities for which the licence is being sought.**
- 22.2 Applicants must ensure that they carry out their responsibilities under the Regulatory Reform (Fire Safety) Order 2005 and liaise with the Norfolk Fire and Rescue Service where necessary. Further information is available from

<http://www.norfolkfireservice.gov.uk/firesafetyinbusinesspremises.html>

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

These include:

- the age, design and layout of the premises
- the nature of the licensable activities to be provided, in particular the sale or supply of alcohol and/or the provision of music and dancing and including whether those activities are of a temporary or permanent nature
- the hours of operation (differentiating the hours of opening from the hours when licensable activities are provided, if different)
- customer profile (eg age, disability)
- the use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc
- the safety of electrically powered equipment brought onto their premises
- having public liability insurance.

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

- suitable and sufficient risk assessments
- effective and responsible management of premises
- provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- effective management of number of patrons within different parts of the premises
- determine sensible occupancy limits according to the nature of the premises and activities being carried out
- impose occupancy limits rigorously, employing registered doorstaff as necessary. In order to manage occupancy effectively, consider automated systems like electronic door counters
- appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons
- adoption of best practice guidance (eg Guide to Fire Precautions in Existing Places of Entertainment and Like Premises (further advice can be obtained from the Norfolk
- Fire Service on 01603 810351 www.norfolkfireservice.gov.uk The Event Safety Guide, Safety in Pubs published by the BBPA)
- provision of effective CCTV in and around premises
- provision of toughened or plastic drinking vessels
- implementation of crowd management measures
- the provision of suitable electrical cut outs for use with electrical appliances which are brought onto the premises (such as amplifiers, microphones etc). Such cut-outs should be of a residual current device with a rated tripping current of 30ma in 30 milliseconds (applicants should have regard to HSE Publication INDG 24 7 Electrical safety for entertainers)
- proof of regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety.

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.

26. Objective – protection of children from harm

- 26.1 The council will consult with the appropriate area child protection committee for consideration of all applications for licences.
- 26.2 With a view to the promotion of the licensing objective relating to the protection of children from harm the council will work closely with the police and trading standards authority to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol products to children (for Minor Sales Major Consequences information please contact trading standards on 0844 800 8013 trading.standards@norfolk.gov.uk).
- 26.3 Applicants should be aware that the protection of children from harm includes the protection of children from moral, psychological and physical harm and this includes the protection of children from exposure to strong language, sexual expletives and gambling. In certain circumstances children are more vulnerable and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, the unpredictability of their age and their lack of understanding of danger.
- 26.4 There should be no presumption of giving children access nor any presumption of preventing their access to licensed premises. Where no licensing restriction is necessary, the admission of children will remain entirely a matter for the discretion of the individual licensee or club, or person who has given a temporary event notice.
- 26.5 Applicants must ensure that children will not be allowed access into premises when licensable activities involving eg topless female bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language. The council has given particular consideration to the types of entertainment referred to above, and has included within this policy their expectations of applicants in section A, paragraph 17.
- 26.6 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and the licensable activities for which a licence is being sought.**
- 26.7 While children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration and no policy can

anticipate every situation. **When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that may particularly impact on harm to children have been considered.** These include:

- where entertainment or services of an adult or sexual nature are commonly or regularly provided
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
- where there has been a known association with drug taking or dealing
- where there is a strong element of gambling on the premises
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

26.8 The council commends the Portman Group code of practice on the naming, packaging and promotion of alcoholic drinks. The code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years or older. **The council will expect all licensees to agree not to replenish their stocks following notification of a retailer alert bulletin by the Portman Group in relation to any product that is in breach of that code. Commitment to that code should be included in operating schedules.**

26.9 The following examples of control measures are given to assist applicants and are considered to be amongst the most essential that applicants should take account of in their operating schedule, having regard to their particular type of premises and/or activities:

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

These examples can be adopted in any combination.

26.10 In the case of film exhibitions, licence and certificate holders and those who have given notice of a temporary event within the terms of the 2003 Act should implement measures that restrict children from viewing restricted films classified according to the recommendations of the British Board of Film Classification or the council.

26.11 In premises where there may be children unaccompanied by adults any supervisors must have undergone appropriate checks through the Criminal Records Bureau.

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 E

National Guidance

(issued under section 182 of the Licensing Act 2003)

CRIME AND DISORDER

2.1 The steps any licence holder or club might take to prevent crime and disorder are as varied as the premises or clubs where licensable activities take place. Licensing authorities should therefore look to the police as the main source of advice on these matters. They should also seek to involve the local Community Safety Partnership (CSP).

2.4 The essential purpose of the licence or certificate in this context is to regulate behaviour on and access to premises where this relates to licensable activities and the licensing objectives. Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of, the premises as they seek to enter or leave. Examples of measures which may encourage swift and effective dispersal from licensed premises include quietening down periods at the end of the night, security training in reminding patrons to leave quietly and signage on the premises reminding people of this.

2.5 Licence conditions should not replicate offences that are set out in the 2003 Act or other legislation. For example, a condition that states that a licence holder shall not permit drunkenness and disorderly behaviour on the premises would be superfluous because this is already a criminal offence. A condition that states that a licence holder shall not permit the sale of controlled drugs on the premises would be similarly superfluous.

2.6 Conditions are best 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.

2.7 Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.8 Radio links and ring-round phone systems allow managers of premises and clubs to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises. The inclusion of

these systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises.

2.9 However, while this may be appropriate and effective in certain parts of a licensing authority's area, it may be less effective or even inappropriate in others. Licensing authorities must remember that only appropriate conditions, which are within the control of the licence holder or club, may be imposed.

2.10 A condition must also be capable of being met. For example, while beer glasses may be available in toughened glass, wine glasses may not. Licensing authorities should carefully consider conditions of this kind to ensure that they are not only appropriate but both practical and achievable. Further guidance on determining whether a condition is appropriate is given in Chapter 10 of this guidance.

2.16 Conditions on a premises licence are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will", is encouraged. Conditions on licences must:

- be precise and enforceable;
- be unambiguous;
- not duplicate other statutory provisions;
- be clear in what they intend to achieve; and,
- be appropriate, proportionate and justifiable.

PUBLIC SAFETY

2.17 As a part of their duties under the 2003 Act, licence holders have a responsibility to ensure the safety of those using their premises. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.18 A number of matters should be considered in relation to public safety. These may include:

- Fire safety (see paragraphs 2.20 – 2.23);
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.8 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);

- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.11, 2.28 to 2.30, Chapter 10 and 10.41 and 10.42.
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.6 above, this may also assist with promoting the crime and disorder objective).

2.19 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.36 to 8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

FIRE SAFETY – SPECIAL PROVISIONS IN RESPECT OF LICENSED PREMISES

2.20 The Regulatory Reform (Fire Safety) Order 2005 (the 2005 Order) came into force on 1 October 2006 and applies to practically all non-domestic premises. Under it, a ‘responsible person’ (usually the employer, owner or occupier) is required to carry out a fire risk assessment and put in place suitable and sufficient fire precautions to ensure that the risk to life in the event of a fire is minimised.

2.21 To help ‘responsible persons’ comply with the 2005 Order, the Department for Communities and Local Government (DCLG) makes available a range of technical guidance which explains the risk assessment process and offers detailed practical advice on the range of fire safety measures which will need to be considered to deliver compliance. This, along with information on the law, is available on the DCLG website at: www.communities.gov.uk/firesafety.

2.22 The 2005 Order contains special provisions for consultation between the enforcing authority and the licensing authority in respect of licensed premises. These require the licensing authority to give the enforcing authority the opportunity to make representations before issuing a licence. Once a licence is issued, the enforcing authority is required to notify the licensing authority of any enforcement action that it takes in relation to premises which have been licensed. These provisions do not apply in the limited circumstances (i.e. designated sports stands) where the licensing authority and the enforcing authority are the same.

2.23 A licence issued by the licensing authority cannot impose any term, condition or restriction relating to fire safety. Fire safety needs to be considered by the responsible person as part of the risk assessment process required by the 2005 Order and enforced by local fire and rescue authorities. In the case of licensed premises, and irrespective of the number of employees on it, the responsible person is required by the 2005 Order to keep a record of the significant findings of their fire safety risk assessment.

PUBLIC NUISANCE

2.33 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.

2.34 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.

2.35 Conditions relating to noise nuisance will normally 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.

2.36 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where the provisions of the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005 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.

2.37 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.

2.38 Measures to control light pollution will also require careful thought. Bright lighting outside premises 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.

2.39 In the context of preventing public nuisance, it is again essential that conditions are focused on measures within the direct control of the licence holder or club. Conditions relating to public nuisance caused by the anti-social behaviour of customers once they are beyond the control of the licence holder, club or premises management cannot be justified and will not serve to promote the licensing objectives. However, premises should have adequate dispersal policies (where appropriate) in place to ensure that customers leave the premises promptly and with minimal disruption to those in the surrounding area.

2.40 Beyond the immediate area surrounding the premises, these are matters for 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 and to respect the rights of people living nearby to a peaceful night.

PROTECTION OF CHILDREN FROM HARM

2.41 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment).

2.42 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.43 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm.

2.44 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.45 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.46 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

PROPOSED CONDITIONS

10.6 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.

10.7 In order to minimise problems and the necessity for hearings, it would be sensible for applicants and clubs to consult with responsible authorities when schedules are being prepared. Proper liaison may avoid the need for representations.

10.8 Conditions should be appropriate, proportionate and justifiable in meeting the licensing objectives. They should be written in a prescriptive format and be readily understood and enforceable.

10.9 It is also 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. Conditions should be appropriate for the promotion of the licensing objectives and easily enforceable.

CONSISTENCY WITH STEPS DESCRIBED IN OPERATING SCHEDULE

10.10 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.

10.11 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

10.12 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.

10.13 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

10.14 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.

10.15 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. Consideration should also be given to wider issues such as conditions already in place that address the potential negative impact on the promotion of the licensing objectives and the track record of the business. The physical safety of those attending such events should remain a primary objective.

Hours of trading

10.11 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.

10.12 Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this

would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.

10.13 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

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.