

Licensing sub committee

Date: **Thursday, 31 July 2014**
Time: **10:15**
Venue: **Westwick room, City Hall, St Peters Street, Norwich,
NR2 1NH**

For further information please contact:

Committee Members:

Councillor Button
Councillor Maxwell
Councillor Woollard

Committee officer: Lucy Green
t: (01603) 212416
e: lucygreen@norwich.gov.uk

Democratic services
City Hall
Norwich
NR2 1NH

www.norwich.gov.uk

Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

AGENDA

- 1 Apologies**
To receive apologies for absence
- 2 Declaration of interest**
(Please note that it is the responsibility of individual members to declare any interest prior to the item if they arrive late for the meeting)
- 3 Licensing Act 2003 - application for the grant of a premises licence - 31 St Stephens Road Norwich** **4 - 47**
Purpose - Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider the application for the grant of a Premises Licence in respect of 31 Stephens Road Norwich NR1 3SP following the receipt of relevant representations.
- 4 Licensing Act 2003 - application for variation of a premises licence - Unit 12 Earlham House shops** **48 - 71**
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 Unit 12 Earlham House Shops Earlham Road Norwich NR2 3PD following the receipt of relevant representations.

Exempt items:

(During consideration of these items the meeting is not likely to be open to the press and the public.)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part 1 of Schedule 12 A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, members are asked to decide whether, in all circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

Date of publication: **Tuesday, 07 October 2014**

Report to	Licensing sub committee 31 July 2014	Item
Report of	Head of citywide services Licensing Act 2003:	3
Subject	Application for the Grant of a Premises Licence – 31 Stephens Road Norwich NR1 3SP	

Purpose

Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider the application for the grant of a Premises Licence in respect of 31 Stephens Road Norwich NR1 3SP following the receipt of relevant representations.

Recommendation

That members determine the application to grant a premises licence in respect of 31 Stephens Road Norwich NR1 3SP 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 Harris – portfolio holder customer services

Contact officers

Ian Streeter, licensing manager

01603 213232

Background documents

None

Report

The application

1. The applicant is Ali Kemal Kop of 95 St Mark's Road Enfield London EN1 1BS.
2. The application seeks to allow the licensable activity of the sale by retail of alcohol for consumption off the premises.
3. The proposed standard days and hours for the licensable activity is:

the sale by retail of alcohol (for consumption off the premises)

Monday	0700 – 2300
Tuesday	0700 – 2300
Wednesday	0700 – 2300
Thursday	0700 – 2300
Friday	0700 – 2300
Saturday	0700 – 2300
Sunday	0900 – 2200

4. The opening hours requested are:

Monday	0700 – 2300
Tuesday	0700 – 2300
Wednesday	0700 – 2300
Thursday	0700 – 2300
Friday	0700 – 2300
Saturday	0700 – 2300
Sunday	0900 – 2200

5. The steps proposed to promote the licensing objectives together with a plan of the premises are attached at appendix A to the report.

Background

6. These premises have previously held a Licensing Act 2003 premises licence which was the subject of a review application submitted by Trading Standards and was considered by the licensing authority's licensing sub-committee on 21 June 2013. The sub-committee resolved to remove the Designated Premises Licence Supervisor, suspend the licensable activity of the sale of alcohol at the premises for a period of three months and imposed a number of conditions. A copy of the decision notice is attached at appendix B to the report.
7. The sub-committee's decision was subsequently appealed to the Norwich Magistrates' Court who determined that the premises licence should be revoked. A copy of the Magistrates' Court judgement is attached at appendix C to the report.
8. An application for the grant of a further premises licence was considered by the Licensing sub-committee on 17 April 2014. This application was refused and a copy of the determination notice is attached at appendix D to the report.

Relevant representations

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

Police – representations received (see appendix E).

Environmental Protection – no representations.

Fire Officer – no representations.

Planning Officer – no representations.

Area Child Protection Committee – no representations.

Trading Standards – representations received (see appendix F).

Primary Care Trust – no representations

10. Three representations objecting to the application have been received in respect of the application with concerns which appear primarily to relate to the licensing objectives of the prevention of crime and disorder and the protection of children from harm and two representations have been received in support of the application. Copies of these representations are attached at appendices G and H to the report respectively.

Norwich City Council Statement of Licensing Policy

11. Attached at appendix I 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)

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

Summary

13. 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.
14. 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
15. 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.
16. The representations received appear to relate to issues that fall under the licensing objectives of the prevention of crime and disorder and the protection of children from harm. The sub-committee is directed to paragraphs 20 and 26 of the local licensing policy at appendix I 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.
17. 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.

Local Policy considerations

1.0 Introduction

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

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

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

2.0 Consultation and Links to other Policies and Strategies

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

3.0 Applications for Licences

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

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

4.0 Representations

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

application is being considered. Representations can be made in opposition to, or in support of, an application.

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

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

13.0 Management of licensed premises

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

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

LICENSING OBJECTIVES

20.0 Objective - prevention of crime and disorder

- 20.1 Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on the City Council, and others, to consider crime and disorder reduction in the exercise of all their duties. The Licensing Act 2003 reinforces this duty for local authorities.
- 20.2 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of

their premises, relevant to the individual style and characteristics of their premises and the licensable activities at those premises.

- 20.3 When addressing the issue of crime and disorder, the applicant should demonstrate that all those factors that impact on crime and disorder have been considered. These include:

Underage drinking

Drunkenness on premises

Public drunkenness

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

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

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

Litter

Unauthorised advertising

Protecting people and property from theft, vandalism and assault

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

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

Effective and responsible management of premises;

Training and supervision of staff;

Employ sufficient numbers of staff to keep numbers down of people awaiting service;

Provide sufficient seating for customers;

Patrols of staff around the premises;

Ensure sufficient lighting and visibility, removing obstructions if necessary, to discourage illegal activity;

Introduce an entry policy – making people aware of it – and apply it consistently and fairly;

Implement a search policy to prevent drugs, offensive weapons etc being brought onto the premises;

Implement effective management of entrance queues – incorporating barriers if necessary;

Adoption of best practice guidance e.g. Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit, Minor Sales Major Consequences, Clubbing against Racism and other voluntary codes of practice, including those relating to drinks promotions e.g. The Point of Sale Promotions published by the British Beer and Pub Association (BBPA), Security in Design published by BBPA and Drugs and Pubs, published by BBPA;

Acceptance of accredited 'proof of age' cards e.g. Portman proof of age cards, Citizencard, Connexions Card and/or 'new type' driving licences with photographs, or passports;

Provision of effective CCTV in and around premises;

Employment of Security Industry Authority licensed door staff to manage the door and minimize disorder;

Ensure glasses are collected on an on going basis, make regular inspections for broken glass and clear up;

Provision of toughened or plastic drinking vessels and bottles;

Provision of 'bottle bins' inside the premises and near exits;

Provision of secure, deposit boxes for confiscated items i.e. Operation Enterprise Drug and Weapon Amnesty Safe's;

Information displayed for staff and customers on Drug Awareness including the 'spiking' of drinks with drugs;

Provision of litterbins and other security measures, such as lighting, outside premises;

Membership of local 'Pubwatch' schemes or similar accreditation schemes or organizations ie Operation Enterprise;

Responsible advertising;

Distribution of promotional leaflets, posters etc;

Drug Seizure Kits (available from Norfolk Police Operation Enterprise);

Member of the 'NiteLink' radio scheme;

Working in partnership with the SOS Bus scheme;

Ban known offenders and share information with other licensed premises in the area;

Implement a dispersal policy;

Introduce a 'closed door' policy, with attendance prohibited for new customers 2-3 hours before licensable activities finish;

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.

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 J

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.

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.

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.

Section 18 of 19

LICENSING OBJECTIVES

APPENDIX A

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

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

List here steps you will take to promote all four licensing objectives together.

The applicant will accept the follow conditions. The alcohol only will sale in operation hours and the alcohol will be consumed off the premises. CCTV will be installed to the premises, installed the CCTV system that meet the standard in 'UK police requirements for digital CCTV system'. Emergency lighting will be provided. Smoke detector will be installed. The premises operates the "challenge 21" the proof of age scheme. The premises will open and shut at its permitted hours and the sale of alcohol or any other permitted licensing activity will not be carried out at any other time than its permitted opening hours.

b) The prevention of crime and disorder

A CCTV system shall be installed, operated and maintained at the premises.

1. Cameras must be sited to observe the entrance and exit doors inside and the alcohol displays, and floor areas.
2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i. e. capable of identification.
3. Cameras viewing till areas must capture frames not less than 50% of screen.
4. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
5. Cameras must capture a minimum of 16 frames per second.
6. Be capable of visually confirming the nature of the crime committed.
7. Provide a linked record of the date, time, and place of any image.
8. Provide good quality images – colour during opening times.

Continued from previous page...

9. Operate under existing light levels within and outside the premises.
10. Have the recording device located in a secure area or locked cabinet.
11. Have a monitor to review images and recorded picture quality.
12. Be regularly maintained to ensure continuous quality of image capture and retention.
13. Have signage displayed in the customer area to advise that CCTV is in operation.
14. Digital images must be kept for 31 days.
15. Police will have access to images at any reasonable time.
16. The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.

c) Public safety

Emergency light will be installed and fire extinguisher will be installed. The fire exit is free of any impediment or obstacle at all time of the operating hours.

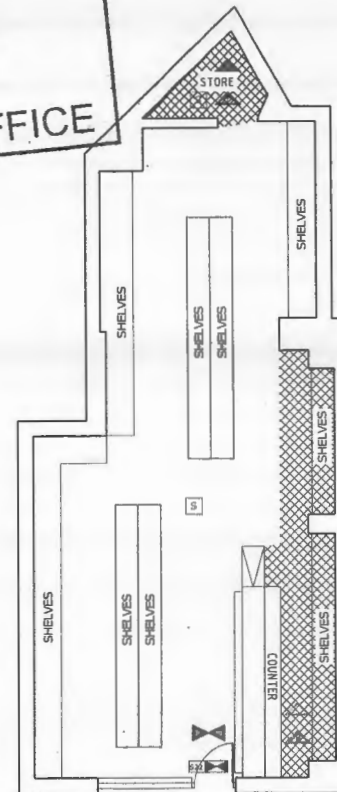
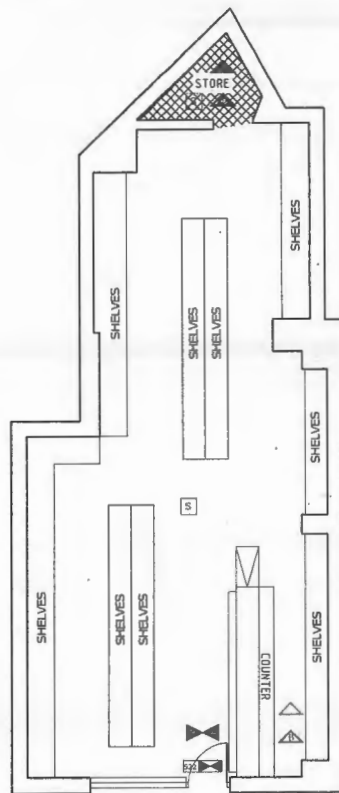
d) The prevention of public nuisance

For public nuisance there will not allow any alcohol drink at inside and outside. All occasions when persons have been refused service will be recorded in a refusals book, which shall be kept at the premises for not less than 12 months. Suitable signage will be displayed at the point of exit advising customers leave the premises quietly. Deliveries to the premises shall only be made during normal working hours. Bins shall not be emptied outside the premises in the late evening, night or early morning.

e) The protection of children from harm

We will be very strict to not sell alcohol to children and under age. Any alcohol must be sold by DPS or a person authorised be the DPS at all times. All staff who sells alcohol will be trained in the role by the DPS with regular refresher training. Records of training will be kept and made available for examining officers of the relevant authorities. Where a person appears to be under the age 21, identification in the form of passport, photo driving licence or a proof of age card bearing the pass hologram will be sought and if not provided service of alcohol will be refused. Suitable signage will be displayed at the point of entry and at the service area advising customers that the premises operates the "challenge 21" proof of age

RECEIVED
- 6 JUN 2014
LICENSING OFFICE



LEGEND

- AMBIT OF LICENSED PREMISES
- LIQUOR SALES
- STORAGE
- WC, PASSAGEWAY, ETC
- SAFETY LIGHTING
- HEAT DETECTOR
- SMOKE DETECTOR
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9 LT. WATER FIRE EXTINGUISHER
- FOAM
- FIRE BLANKET
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
- 30min FIRE RESISTANCE DOOR (FIRE DOOR TO HAVE INTUMESCENT STRIPS AND SELF CLOSER)

ALL DIMENSIONS TO BE VERIFIED ON SITE	
Client: Mr. Ali Kemal Kop	
Address: 31 St. Stephens Road, Norwich NR1 3SP	
Existing and Proposed Ground Floor Scale: 1/100	
SCALE: 1/100 @A3	REF NO: 024714.04
DATE: MAY. 14	DRG BY: E.C.
PLANNING LICENSING CONSULTANCY	
33b Grand Parade, Green Lanes, Haringey, London N4 1LG Telephone: (020) 8809 2320 Mobile: (078) 4241 0527 E-Mail: info@archpl.co.uk Website: www.archpl.co.uk	

0 1m 2m 3m 4m 5m 10m



NORWICH
City Council

NOTICE OF DETERMINATION

Date of Hearing: 21 June 2013

Licence Type: Review of a premises licence

Name of Applicant: Norfolk County Council (Trading Standards)

Name of Premises: Norwich Mini Market and Off Licence.

Postal address of Premises: 31 St Stephens Road, Norwich NR1 3SP

Licensing Sub-Committee: Councillors Button (Chair) Henderson and Maxwell

Other Persons Present: Mr Ali Capti, Mr Mehmet Sert; Mr Duncan Harris and Mr Matthew Lucking of Trading Standards, Norfolk County Council and Jeremy Brown and Michelle Bartrum of Norfolk Constabulary; Mr Tony Shearman of the Environmental Protection Section of Norwich City Council, Mr Ian Streeter (Licensing Manager); Mr D Lowens and Ms R Thompson of nplaw

DETERMINATION

1. The application to vary the premises licence to specify Mr Mehmet Sert as the designated premises supervisor and the application to transfer the premises licence to Mr Mehmet Sert, both opposed by the Norfolk Constabulary, were withdrawn by Mr Ali Capti prior to being considered.
2. The sub-committee then heard the application by Norfolk County Council, Trading Standards service to review the premises licence in respect of 31 St Stephens Road, Norwich.

Councillors heard from Mr Ian Streeter who presented the report regarding this application to review the premises licence. He referred the councillors to their range of powers and noted that the matter was previously listed for a review on 24 April but was unable to proceed on that day due to that sub-committee not being certain that the respondent to the review had been properly served.

Norfolk County Council, Trading Standards service (Duncan Harris) then addressed the committee regarding the reasons for this review being their concern regarding a number of criminal offences involving the sale of alcohol to under age children covering the last two

years and more and summarised the matters contained on pages 32 and 33 of the agenda, emphasising an incident which occurred on Thursday 25 June 2009 when a 15 year old male volunteer was able to purchase two cans of Fosters lager, an incident on 16 February 2011 when counterfeit bottles of Smirnoff Vodka were discovered behind kick boards for the shelving units, together with the discovery of cigarettes, hand rolling tobacco, spirits and wine where it was believed the duty had been evaded, an incident on 22 February 2011 when a 13 year old female volunteer was able to purchase a bottle of WKD Original Blue and an incident in December 2012 when a 17 year old girl was able to purchase a bottle of vodka from these premises and due to its consumption subsequently required medical intervention at hospital. Mr Harris spoke regarding the warnings given to the business, including warning letters issued in both English and Turkish and mentioned that during a visit on 9 March 2012 to deliver a warning letter to the premises (given to Mr Sert) officers noted the sale of alcohol to a person who appeared to be under age without any challenge being made by Mr Sert. Comments made by Mr Sert during his interview on 17 June 2011 were also noted. Mr Harris also mentioned the difficulties which had been found attempting to serve Mr Capti with papers due to difficulty in obtaining his correct location.

It was agreed that on 8 June 2012 one young volunteer was refused service of alcohol.

Mr Harris mentioned that it was the experience of Norfolk County Council trading standards that Mehmet Sert has held himself out to be the sole trader and the person responsible for these premises in discussions with trading standards.

The councillors then heard from the Norfolk Constabulary who confirmed that they supported the need for a review of these premises because the premises were not being run correctly. Information continued to be received, prompting test sales to take place. In the police's view the sale of vodka to the hospitalised child was not a one off mistake but part of a series of problems indicating that there needed to be changes to management and stated the information from the 17 year old who had purchased the vodka was that she had visited the shop on four separate occasions when she was 16 without being requested to provide identification. The police referred councillors to their proposed conditions.

Mr Ali Capti when asked if he wished to ask questions of Trading Standards or Norfolk Constabulary following their presentations said that he did not wish to do so in either case.

Mr Ali Capti then spoke to Committee and in response to a question from nplaw (D Lowens) confirmed (after speaking to Mr Sert in Turkish) that it was correct that on 25 June 2009 a fixed penalty notice had been issued to a member of staff regarding illegal sale of alcohol, it was agreed that on 16 February 2011 concealed bottles and cigarettes had been found, it was agreed that on 22 February 2011 a member of staff at the premises had sold alcohol to an under age person, it was agreed that Mr Sert had confirmed when questioned by Trading Standards that at that date no formal process to record refusals existed (though one has subsequently been prepared) and that no formal training to members of staff existed and Mr Sert confirmed via Mr Capti that these were the answers he had given. Mr Capti agreed that a 17 year old had been able to purchase vodka from the premises in December 2012 and this had led to a further fixed penalty notice being issued to a member of staff in respect of the illegal sale of alcohol to an under age person. Mr Capti was directed to the conditions presented by the Norfolk Constabulary on page 69 of the agenda and by the Trading Standards service of Norfolk County Council on page 33 of the agenda and disputed whether it was appropriate for all staff working at the premises involved in the sale of alcohol to undertake the national certificate for personal licence holders or similar before being allowed

to serve alcohol. Other than the insertion of words ensuring that the electronic till prompt mechanism proposed by Trading Standards under (c) related to alcohol sales Mr Capti was happy to accept these proposed conditions.

Mr Capti was questioned by councillors regarding the amount of time he spends at the premises and problems regarding his correct address were mentioned as had been detailed by the representative for Trading Standards. A councillor noted that one employee had been responsible for two under age sales and heard from Mr Capti regarding his reasons for not wishing to have staff undertaking the national certificate for personal licence holders or similar. Mr Capti mentioned that he had tried to give some training on this matter.

Mr Capti did not wish to speak further to members of the Sub-Committee and had no comments to make regarding the powers available to the Sub-Committee.

Members considered their decision in private.

The Sub-Committee's Decision

The Sub-Committee removed the current designated premises supervisor Mr Ali Capti from the premises licence, suspended the licensable activity of the sale of alcohol at the premises for a period of three months and imposed the following conditions:

1. All staff working at the premises involved in the sale of alcohol must undertake the national certificate for personal licence holders or similar before being allowed to serve alcohol.
2. An electronic till prompt mechanism for alcohol sales shall be installed at the premises within three months.
3. A CCTV system covering all areas of the shop where alcohol is displayed, the counter area and the store room shall be present and the footage shall be retained for 30 days.
4. There will always be a member of staff on duty who is conversant with the CCTV system and able to download CCTV footage for police or other authorised persons upon request.
5. The premises licence holder shall ensure that adequate training shall be carried out and documented in relation to dealing with an incident, prevention of crime and disorder, sale of alcohol to under age persons, persons over 18 purchasing for under age persons and to a person who is drunk. This training shall be given before a person is authorised to sell alcohol at the premises.
6. The training records shall be kept on the premises and produced to a police officer or licensing authority authorised person upon request.
7. Refresher training shall be completed every six months and documented in the training records.
8. A refusal/incident book will be kept to record all refusals and incidents. The log will include date, time, product, gender, approximate age and description of the customer and shall be completed as soon as practicable after the sale is refused.

9. The premises licence holder shall mark all alcohol products so that their point of origin of sale can be identified.
10. The shop shall operate a Challenge 25 policy in relation to alcoholic products, therefore any person appearing to be under 25 years of age must produce photographic ID before being allowed to purchase alcohol. Notices stating this policy will be displayed at the entrance to the premises and at the counter area.

The Sub-Committee's reasons

Councillors found that the management of the premises was unsatisfactory and that despite warnings being given a series of sales of alcohol to under age persons had taken place. Councillors were also concerned regarding the hidden counterfeit items found. Councillors noted Mr Capti had not raised any challenges to the responsible authorities following the representations made by Norfolk County Council Trading Standards and the Norfolk Constabulary other than in respect of one condition. Councillors thought the designated premises supervisor was not in sufficient control of the premises to enable compliance with all the licensing objectives and noted the agreed admissions made as to the lack of formal training to staff and the lack of a refusals book and the length of time problems have been shown to exist. The designated premises supervisor has been at fault, failing to ensure the licensing objectives of the protection of children from harm and the prevention of crime and disorder are sufficiently supported at these premises.

Due to the poor management the Sub-Committee felt it was necessary to order the DPS removed and felt it was necessary to add the conditions mentioned above in order to assist with compliance with the licensing objectives. Members had considered adding the requested condition from the Norfolk Constabulary regarding the sale of beers/ciders over 6.5% alcohol by volume but felt that this was not necessary to deal with the issues arising from this review.

These were very serious matters and the failure over a long period and despite warnings to ensure the protection of children from harm required the significant penalty of a three month suspension which would also allow the necessary changes to the premises and the training of staff to take place. This was an appropriate and proportionate response to the seriousness of the matters agreed, the detrimental effect on the community which took place regarding sales of alcohol to under age persons and the vulnerability of the persons affected by such sales.

Those present were given details of their right to appeal.

Right to appeal against the determination of the Authority:

Applicants, the premises licence holder and any person who has submitted a relevant representation who is aggrieved by the decision or the imposition of any term or 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.

Dated this 12 July 2013

IN THE NORWICH MAGISTRATES COURT

IN THE MATTER OF THE LICENSING ACT 2003

BETWEEN

MR. ALI CAPTI

AND

NORWICH CITY COUNCIL

LICENSING APPEAL AGAINST SUSPENSION OF OFF-LICENCE

Norfolk County Council

David Lowens

Justices

Paul Allen

Nigel Stringer

Richard Howard

Legal Adviser

Esther Tan-Worthington-Chapman

Evidence heard from

Doreen Cochrane

Ian Streeter

Duncan Harris

Matthew Lucking

PC Spinks

Ali Capti

Mehmet Sert

Issues To Be Decided

1. Was the Decision made by the Licensing Committee wrong?
2. Was the Decision to suspend the off-licence wrong?
3. Was the business at the Norwich Mini Market ,St. Stephens Road managed in compliance with the licensing objectives set out in s. 182 of the Licensing Act 2003?
4. The Particular Objective in question being the persistent sale of alcohol to children and Whether there is a Fundamental breach of the Objective of Child Protection from underaged sales by the Apellant

Facts not in Dispute

It was acknowledged in evidence that a number of licensing offences were committed at the premises which included underaged alcohol sales and presence of counterfeit alcohol. It was accepted that fixed penalty tickets had been issued and accepted at the premises by those operating on the premises.

Facts in Dispute

Was Mr. Capti responsible for staff selling alcohol to underaged children ?

Was Mr. Capti responsible for mismanagement of the premises by allowing the sales to take place without adequate measures to counteract such offences taking place?

Has Mr. Capti as the designated Premise Supervisor with the attendant responsibility for day to day control of the premises taken reasonable and adequate steps to comply with the licensing objectives set out under s.182 of the Licensing Act 2003?

Was Mr. Capti, the licensee responsible for the acts or omissions by Mehmet Sert who owns and runs the off-licence?

Facts Found

We found on the evidence that:

Mr. Capti, as the designated premise licence holder had full management responsibility for the day to day running of the shop.

All his staff whether part-time or full-time including Mr. Sert should have been fully trained in the relevant area of licensing sales to the public or at the very least properly instructed to comply with licensing laws.

Mr. Capti in his evidence stated he found out about most of these offences at the Licensing Committee meeting on the 21.6.2013 and had no knowledge of these prior to the meeting.

Mr. Capti stated he was not responsible for the illicit alcohol found concealed on the premises stating it was Mr. Sert's responsibility and that most of the time he was not

present at the premises when the supply of alcohol to underaged customers occurred which gave rise to the offences under the Licensing Act 2003.

Mr. Sert in his evidence stated he did not tell Mr. Capti about the penalty notices and that he knew nothing about the sale of alcohol to the 13 year old girl.

He stated that Mr. Capti had nothing to do with these matters and both attach blame to the part-time employee who had worked there.

In response to the question as to why the illegal alcohol was hidden behind boards, he stated that most of it had been seized and that he had hidden the remainder behind the boards in case the officers return for them again.

He stated he does not understand whether it was counterfeit alcohol or not and that he had paid £3000 to £4000 to someone from London for the alcohol and believed the goods to be legal.

He stated this was a seller who is a stranger to him and that he had got £6000 from friends and relatives on that day to purchase the alcohol without knowing the identity of the person who sold the alcohol to him.

We find the evidence of Mr. Capti and Mr. Sert not credible and that as a fact the premises had been mismanaged persistently and there are fundamental breaches of the licensing objectives which caused us grave concern.

Decision

We find that the Licensing Committee Decision of the 21.6.2013 was not wrong.

We had regard to all the evidence given by those present and attach appropriate weight accordingly including the new evidence given by Doreen Cochrane.

We find that the evidence given today establishes a tolerance for criminal activity on the premises in addition to the underaged sales of alcohol and that the objectives of the Prevention of Crime and Disorder and the Protection of Children from Harm under the Licensing Act 2003 can only be met by a revocation of the Premise Licence.

In coming to our decision, we had regard to the Local Authority's statement of Licensing Policy and the Guidance.

We had regard to the decision of the Licensing sub-committee on the 21.6.13.

We had full consideration of the promotion of the licensing objectives under s.182 of the Licensing Act 2003.

We had regard to our powers under s.181 of the Licensing Act 2003 Schedule 5 Par 8(1) for revocation of the Premise licence.

We had regard to Art. 6 of the Human Rights Act 1998 on the Appellant's Right to a Fair trial and Proportionality of the Decision made by this Bench.

We had regard to Caselaw in the Hope and Glory case , Merlot case and Bassetlaw DC case as submitted by the Council.

30.1.14

Paul Allen
Nigel Stringer
Richard Howard



NOTICE OF DETERMINATION

Date of Hearing: 17 April 2014

Licence Type: Application for the grant of a premises licence

Name of Applicant: Mrs Gunay Sert

Name of Premises/Postal Address of Premises: 31 St Stephens Road, Norwich NR1 3SP

Licensing Sub-Committee: Councillors Stammers (Chair), Maxwell and Button

Responsible authorities : Michelle Bartram, Tom Munday and Richard Spinks of Norfolk Constabulary Licensing Team and Duncan Harris on behalf of Trading Standards

Other persons present: on behalf of the applicant – Gunay Sert, Mehmet Sert and Mehir Kilic (legal advisor/translator)

Also present were: Michael Shaw, Dogan Terbas, Deborah Budd, Ian Streeter (Norwich City Council Licensing Manager), David Lowens (nplaw Solicitor) and Doreen Cochrane (local resident and objector)

DETERMINATION:

Prior to the start of Committee the councillors carried out an unaccompanied site visit to 31 St Stephen's Road where councillors had noted the presence of bottles of 'Frosty Jacks' white cider by the door to the premises and present within the shop display area with wrapping in a condition that indicated one bottle had been removed from this bundle.

In addition Councillor Maxwell mentioned that she had been contacted by a person regarding this application but as this person was unwilling to provide any comment in writing, the legal advice given at committee was that no weight whatsoever should be placed upon this information. Councillor Maxwell confirmed that she was not pre-determined in respect of this matter, retaining an open mind.

Mr Streeter then presented the report and provided a plan to committee showing the location of the application premises and the location of those persons who had written in support of and in opposition to the application.

The applicant assisted by Mr Kilic who acted as her translator then presented the application and in addition to those matters proposed as the operating schedule shown on

appendix A of the agenda offered additional conditions during the presentation and questioning as follows:

1. Mr Mehmet Sert shall not work behind the counter as a cashier and shall not otherwise serve customers at 31 St Stephen's Road.
2. Condition 14 of the proposed conditions in Appendix A was amended to read "a personal licence holder which shall not be Mr Mehmet Sert shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol".
3. This premises licence shall not come into effect until at least one other member of staff than Mrs Gunay Sert (which cannot be Mr Mehmet Sert) holds a personal licence.

During the application it was confirmed that Mrs Gunay Sert was the applicant and that the intention was to sell alcohol for consumption off the premises between 8.00 am and 11.00 pm. A copy of the personal licence held by her was available if needed. It was confirmed to be correct that she had worked at the premises under the previous management. The applicant noted that the decision of the committee had been to suspend the premises licence for three months rather than to revoke the premises licence and mentioned that the suspension was felt to be appropriate. The applicant mentioned the decision of the Magistrates Court was currently being appealed. The applicant confirmed that since 13 January 2014 the premises had stopped serving or displaying alcohol. Regarding the bottles of alcohol noted at the site visit, the applicant mentioned that their CCTV system could be examined to confirm that no sales had taken place and it was possible that the alcohol had been purchased from other premises and dumped at 31 St Stephens Road. The applicant noted the conditions being suggested and noted that condition 3 (CCTV) was already implemented at the premises. The applicant also mentioned that a till prompt system was installed, prompting the person at the till to ask for identification when an age related product was being sold and further mentioned the stock control system, the intention being to mark with ultra violet ink the date of purchase of alcohol to enable the product to be identified against the necessary invoice of that date so as to confirm where the particular stock had arrived from. The applicant confirmed that Mr and Mrs Sert were aware of the conditions proposed and they were willing to co-operate with Trading Standards and the Norfolk Constabulary in respect of the licensing objectives.

There was discussion following questions from the councillors regarding the nature of Mrs Sert's interest at the time of the previous committee hearing and at the time of the magistrates court decision to revoke the premises licence.

It was confirmed that Mr Capti had not had day to day management of the premises and though theoretically in charge had a limited role only. He had effectively left control of the premises to others three or four years ago. It was agreed that Mrs Sert became DPS following the decision of the licensing sub-committee but prior to the appeal being heard by the Norwich Magistrates Court. She stated she had not been DPS when the instances of underage sales occurred or when the counterfeit items were found on the premises. She confirmed in response to questions that she had not sold any alcohol at these premises since 13 January 2014. In respect of those bottles of Frosty Jacks cider noted on the premises this morning, she mentioned that these may have been forgotten but were

not for sale. Councillors noted that these appeared to be in the wrapping for a pack of six bottles with one bottle missing and had been on display.

The applicant mentioned that she was intending to be at the premises 11.00 am to 3.00 pm and then again from 7.00 pm until close and another member of staff was intended to cover other occasions who would be obtaining a personal licence. The applicant responded to questions as to how she would enforce an age challenge scheme in the case of an English language speaker and some practical difficulties were noted regarding English language skills in this situation. The applicant's representative confirmed that her personal licence training had been undertaken in Turkish and a certificate of this training was also available. The applicant said that Mr Mehmet Sert would not be working at the shop but would be helping with the obtaining of alcohol via cash and carry purchases. The applicant offered a condition that Mr Sert would not be involved behind the counter and confirmed that his personal licence would not be used.

In response to questions from the licensing manager, the applicant confirmed that Mr and Mrs Sert were operating this business and that if the application was granted it would be Mrs Sert who would manage the business but Mr Sert would have a financial interest in the business. It was confirmed that Mrs Sert would not be able to complete any incident book in English. Mrs Sert mentioned that she had previously cleaned the shop and was involved in the business in that way and it was agreed that from time to time Mrs Sert had sold alcohol at these premises.

Following questions the responsible authorities then provided their representations, the Norfolk Constabulary noting that their concern was that the management of the premises had not effectively changed and they mentioned the views of the Norwich Magistrates Court. They felt the new application was made too soon and was a way of manipulating the licensing process and noted that under the old management significant problems had occurred and damage to the licensing objectives had taken place. Problems had occurred with obtaining CCTV and the constabulary requested that if the councillors were minded to grant a licence, a condition be imposed requiring all members of staff to be able to access the CCTV system. The constabulary mentioned that the location of these premises was close to a school. The constabulary view was that the premises had no strong management structure and the councillors needed to exercise caution and consider the history of this matter when considering this application.

The Trading Standards department of Norfolk County Council (Mr Duncan Harris) noted the concerns of trading standards and asked the committee to give great weight to the protection of children from harm and the crime and disorder objectives, noting that at the time of the magistrates court hearing Mrs Sert was DPS and Mr Sert was in day to day management of these premises. Trading Standards was concerned that shops improvement tended to be temporary when they were under investigation but this did not lead to a long term improvement. Trading Standards had little reason to believe a new name would have significant affect upon the necessary promotion of the licensing objectives and continued their formal objection to the grant of a new licence.

The applicant questioned the responsible authorities and it was agreed that the Norfolk Constabulary was unaware of any further incident since the magistrates hearing and Trading Standards confirmed that a test purchase exercise in October 2013 had taken place when the intended purchase had been refused. The constabulary noted that following the revocation of the premises licence they had visited on 31 January and had seen that alcohol was still present in the public areas of the premises although it was agreed that they had not witnessed any sale.

Mrs Cochrane a local resident then spoke to Committee noting her concerns regarding youngsters drinking in the area of these premises and mentioning the length of time that this had occurred. She confirmed that she was able to see persons proceeding to and leaving the premises and noted that she had seen persons in school uniform from the Hewitt School in possession of alcohol which she felt had been obtained from these premises. She noted that since the licence had been revoked the area was now peaceful and quiet with a significant reduction in anti-social behaviour compared to the situation which had existed when the premises were able to sell alcohol.

The applicant summarised her application noting that it was Mrs Sert who had refused a test purchase in October and there had been no instances regarding the sale of alcohol to minors for a significant period. The applicant had demonstrated that she could run the premises well.

Councillors asked for clarification of the involvement of Mr Sert in the intended running of the premises and the applicant responded that Mr Sert would be helping out regarding purchases from wholesalers but would not have day to day control. He would still be involved, this being a husband and wife business but would not be managing the premises.

Decision of the Licensing Sub-Committee

The application was refused.

Reasons for the Councillors decision

The Councillors took account of the s182 National Guidance and their Local Guidance as well as the matters raised before them and the written representations.

They were very concerned regarding the proposed management of these premises from the point of view of promotion of the licensing objectives. It was not in dispute that the sale of alcohol to children was a significant breach of the licensing objectives.

The management of the premises at the time of the decision by the Norwich Magistrates Court Licensing Bench that the licensing objectives could only be upheld by the revocation of the premises licence involved both Mr and Mrs Sert. Mrs Sert had been the designated premises supervisor at that stage. The Norwich Magistrates Court had heard evidence from a local resident in respect of concerns regarding underage sales and this evidence was valid as at the date of the magistrates' court appeal hearing, rather than at the date of the committee hearing. The evidence of the local resident Mrs Cochrane therefore related in part to a period when Mrs Sert had been designated premises supervisor and involved in the management of the premises as well as Mr Sert.

The councillors primary concern was that Mr Sert would still be involved in the management of the premises albeit less directly than previously and noted the significant problems in respect of his behaviour noted both by the previous licensing sub-committee and by the Norwich Magistrates Court. Councillors were not satisfied that the management structure was sufficient to uphold the licensing objectives, due to the likely influence of Mr Sert upon the running of these premises.

The councillors concerns with the management of the premises were so significant that even the proposed conditions were felt likely to be insufficient to uphold the licensing objectives due to concerns regarding whether they would be upheld.

The councillors gave weight to the concerns of Trading Standards and the Norfolk Constabulary that the controlling mind at this business was likely to remain that of Mr Sert.

Noting that the premises had a store room, there was no adequate explanation as to why alcohol was on display in the retail area of these premises during the morning site visit and this indicated at best poor management control.

Right of the party to appeal against the decision of the Licensing Sub-Committee.

For your information, applicants and any persons who have made relevant representations who are aggrieved by the decision or the imposition of any condition, term or restriction, may within 21 days of the date on which they receive notification of the decision, appeal to the magistrates court.

Dated this 17th April 2014

Posted this April 2014.



NORFOLK

CONSTABULARY

Our Priority is You

Mr Ian Streeter
Licensing Manager
Norwich City Council
St Peters Street
Norwich

Date: 3rd July 2014

The Licensing Team

Bethel Street Police Station
Norwich
Norfolk
NR2 1NN

Tel:

Fax:

Email:

www.norfolk.police.uk

Non-Emergency Tel: 0845 456 4567

Dear Mr Streeter

Application for a premises licence – Norwich Mini Market, 31 St Stephens Norwich

I can confirm that the Police have received a copy of the premises licence application for St Stephen's Mini Market, 31 St Stephens Road, Norwich in the name of Mr Kop.

This application has been submitted following the permanent revocation of the previous premises licence as a result of underage sales of alcohol, under the previous management. The determination was made following a Licensing Committee Hearing and upheld at the appeal to Magistrates Court.

The Magistrates in fact considered it appropriate to revoke the premises licence permanently as the court was of the view that there was a tolerance for criminal activity due to underage sales of alcohol, based on the evidence and representations made.

A further application was received for these premises from the spouse of the previous manager and following representations from Police and Trading Standards in respect of concerns as to the controlling mind effectively being the previous manager. The Licensing hearing refused the application.

This new licence application for the sale of alcohol is in the name of Mr Ali Kemal Kop. We are aware that this person currently resides in London and has no permanent address in Norwich. A Licensing enquiry visit was carried out at the shop on the 1st July 2014, Mr Kop was on site at the time of the visit, however he was unable to produce anything in writing to confirm that he had or was in the advance stages of purchasing the leasehold interest in the business on a permanent basis.

Mr Kop informed Police that he was currently staying with a friend and has personal commitments in London. He appears not to have any address or permanent links to Norwich save for this application. Norfolk Police are concerned that there is no independent evidence that the leasehold to this business is currently in the process of being transferred into Mr Kop's name, which would effectively mean that the current leaseholder/management will remain in place and overall control. This would clearly be contrary to the previous revocation and cause significant concerns in light of the previous

underage sales.

Without such evidence, the Police are concerned that if the application is granted, it may effectively subvert the previous determination of the Committee and Magistrates Court, as the existing leaseholders and previous management will still be in control. In which case the Police are concerned as to the previous issues of underage sales, thus undermining the licensing objectives, in particular the prevention of crime and disorder and protection of children from harm.

The Police licensing team have contacted the applicant's Solicitors for clarification of the current position in relation to the leasehold transfer; the solicitors have confirmed that they have only received initial instructions and a file was opened on 12 May 2014. The matter has not been progressed any further at this time and this is clearly a concern to the Police as seven weeks have passed since that time. This is inconsistent with the information provided.

Enquires have been made with the freehold owners of the property and the Police have been advised that they are unaware of any proposed change in leaseholders and the lease is not due to be renewed until November 2015, which again raises concerns with this matter and is again inconsistent with the information provided by Mr Kop. The Police have again written to the Solicitors to clarify the position further, however at this time we remain concerned.

There are concerns that once this Premises Licence has been granted, that Mr Kop may return to London leaving the previous management to remain managing the premises which will undermine the licensing objectives, in particular the prevention of crime and disorder and protection of children from harm.

I hope the committee will consider the points raised.

Yours faithfully,

Michelle Bartram
Licensing Officer

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)	Duncan Harris / Norfolk County Council Trading Standards Service
Postal address	Trading Standards, County Hall; Martineau Lane, Norwich, NR1 2UD
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	31 St Stephens 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	See separate letter
Public safety	
To prevent public nuisance	
To protect children from harm	See separtate letter
Please suggest any conditions which would alleviate your concerns	
Signed: D.Harris	Date: 3/7/2014

Norwich City Council Licensing Department

*Licensing Office
City Hall
St Peters Street
Norwich
NR21NH*

Tel: 0344 800 8020
Business advice helpline

Tel: 03454 04 05 06
All new consumer enquiries
Fax: 01603 222999
DX: 135926 Norwich 13
Email: trading.standards@norfolk.gov.uk
www.norfolk.gov.uk

Please ask for: Duncan Harris

Your ref: Istanbul Mini Market, 31 St
Stephens Road, Norwich

Contact No:

My ref:

3rd June 2014

Dear Licensing

Norfolk County Council Trading Standards Service as a responsible authority has received notification of a licence application under the Licensing Act 2003 in relation to the following applicant

Mr Ali Kemal, Istanbul Mini Market, 31 St Stephens Road, Norwich

The Service would like to draw the attention of the Licensing Authority to a number of matters:

1. The lease for this address is currently held by Mr Ali Capti. Mr Capti was the former premises licence holder and the Designated Premises Supervisor for this premises. Mr Capti was the subject of a licence review and subsequent appeal. The Licensing Magistrates on the 30th January 2014 stated the following after hearing evidence about the premises:

We find the evidence of Mr. Capti and Mr. Sert not credible and that as a fact the premises had been mismanaged persistently and there are fundamental breaches of the licensing objectives which caused us grave concern.

The Magistrates went on to say:

We find that the evidence given today establishes a tolerance for criminal activity on the premises in addition to the underaged sales of alcohol and that the objectives of the Prevention of Crime and Disorder and the Protection of Children from Harm under the Licensing Act 2003 can only be met by a revocation of the Premise Licence.

Contd..

2. Despite numerous interventions by Trading Standards and the Police in the form of both education/advice visits and test purchasing, this premises, with Mr Capti as Premises Licence Holder and Mr Mehmet Sert as owner and manager has a long history of criminal activity in relation to under age sales and counterfeit alcohol. A number of incidents are detailed below:
- Wednesday 16th February 2011 various boxes of wine and spirits were discovered concealed in the voids behind the kick boards under the shop displays. On this occasion Customs Officers found the following items which were all seized due to being duty evaded:
 - 1. A carrier bag containing 340 cigarettes and 250g of tobacco
 - 2. 61 litres of spirits and 82½ litres of wine
 - Tuesday 22nd February 2011 the sale of alcohol, namely a bottle of WKD blue, to a 13 year old female young volunteer.
 - Friday 7th December 2012 sale of vodka to a 17 year old female. The female was served on her way to school. As a result of consumption of part of the bottle of vodka purchased on that day the young female ended up in the A&E department of the Norfolk and Norwich Hospital.
 - Friday 21 June 2013 Licence Review application heard for the premises. Licence suspended for 3 months with removal of Designated Premises Supervisor. Decision was appealed and the matter was heard again in front of Licensing Magistrates on 30 January 2014.

As a result of these facts Norfolk County Council Trading Standards Service would like to formally object to a new alcohol licence being granted by the Licensing Authority. This is to prevent further harm to the young people of Norwich under both the protection of children from harm and crime and disorder licensing objectives. We have little reason to believe that the change of name on the premises licence will have a resulting positive impact on the promotion of the licensing objectives.

We suspect that the change is being applied for to subvert the previous revocation through the review process.

Yours sincerely

Duncan Harris
Principal Trading Standards Officer

APPENDIX G

Dear Sir

St Stephens Square
has been such a
heavenly place to
live since St Stephens
Rd had their licence
taken away, no Alcoholics
hanging around, no broken
bottles or cans for us
to clean up, best of
all "no peeing or pooping
for us to clear up

and disinfect
down, its

amazing the difference
this has made to us
all so I just hope
and pray they will
not be given a
licence to sell alcohol
ever again,

Yours faithfully

Home Watch Co-Ordinator

14705586
Mrs D Cochrane
19A St Stephens
Square
Norwich
NR1 3SS



Organisational Development

19 JUN 2014

331 ROOM

Mrs D Cochrane
19A St Stephens
Square
NORWICH
NR1 3SS

IFAW

Dear Sir

Re the licence 31st
Stephens Rd, please don't
let them fool you. Memet
drives Ali around in his
car, and is often seen
unloading goods from his
car & taking into shop which
he has purchased from the
wholesaler, as home watch
co-ordinator I speak for many
residents in the square, it's
a much better place to live
since no alcohol has been sold,
and it took me 10 yrs to do
this, so please don't give in
to **RECEIVED** yours sincerely

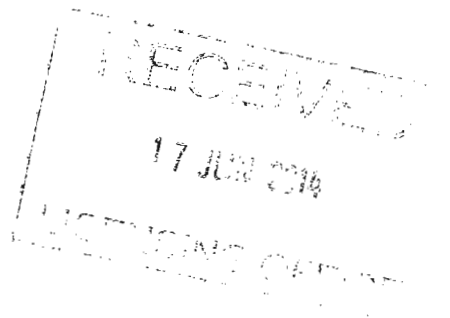
19 JUN 2014

miss [redacted]



Flat 6 Needham Place
St Stephens Square
Norwich NR1 3SD

Mr Ian Streeter
Licencing Department
Norwich City Council
16 June 2014



Dear Mr Streeter

Re: Convenience Store/Off-Licence, 31 St Stephens Road, Norwich

I write to protest against another attempt by Mr Memhmet (?) of the above store to obtain a liquor licence, albeit in another name.

You will be aware of the case, where the shopkeeper had his licence permanently withdrawn following a series of unfortunate happenings. He immediately applied again in his wife's name (she with virtually no English). This was likewise refused.

I am informed that he is trying a third time, in the name of a relative or friend from London or somewhere. It is perfectly obvious that this is a further attempt to avoid the consequences of his licence being revoked and as such I consider this an abuse of process, wasting taxpayers' money in a frivolous application.

I hope you will also see it this way and give the appropriate response.

You will have heard from other residents of the improved situation since the licence was withdrawn. Needham Place flats has also benefitted from a more settled situation.

Yours sincerely,

D S Hansell

(Chairman, Ketts Court Management Co Ltd – managers of Needham Place flats)

Norwich City Council Licensing Authority
Licensing Act 2003

RECEIVED

16 JUN 2014

LICENSING OFFICE

Organisational Development

16 JUN 2014

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

Your name/organisation name/name of body you represent (see note 1)	MR AND MRS GEDDE
Postal address	31 ST STEPHENS SQUARE NORWICH, NR1 3SS
Email address	/
Contact telephone number	/
Name of the premises you wish to support or object to	ISTANBUL MINI MARKET
Address of the premises you wish to support or object to.	31 ST STEPHENS ROAD, NORWICH, NR1 3SP.

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	Crime increases when intoxicated. Intoxicated/alcohol dependant individuals frequent area.
Public safety	Roudy drunk people are intimidating License holders have taken up responsibility for their customers leaving shop peacefully.
To prevent public nuisance	Loud shouting. Groups hanging around area drinking alcohol on streets
To protect children from harm	Known to sell Alcohol to Under-18's.

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

Signed:

Date: 13/6/14.

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

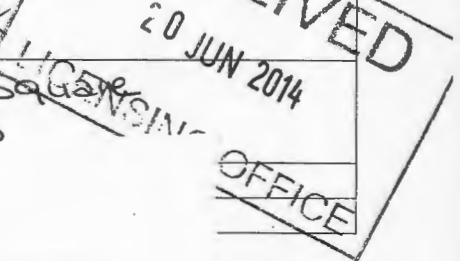
Your name/organisation name/name of body you represent (see note 1)	Rebecca Curtis/Local resident/Istanbul Mini Market
Postal address	45a St Stephens Square Norwich
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	31 St Stephens Road, Norwich, NR1 3SP
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	
To protect children from harm	
Please suggest any conditions which would alleviate your concerns	

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)	1 GRZEGORZ SZYMCHAK
Postal address	43 St Stephens Square Norwich NR1 3SS
Email address	
Contact telephone number	



Name of the premises you wish to support or object to	ISTANBUL MINI MARKET
Address of the premises you wish to support or object to.	31 St Stephens Road Norwich NR1 3SP

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 haven't seen any problem around this shop. I support them for their licence.
Public safety	I have never witnessed any problems with this people.
To prevent public nuisance	Surely a safe shop and nice owners. They are open late night, I feel safe when they are open as they may alert the police if they see anything is wrong in my neighborhood.
To protect children from harm	I have seen them asking for an ID when they serve people look under aged.

Please suggest any conditions which would alleviate your concerns.	I fully support this shop to get it's licence as I will be able to purchase my alcohol here, I really don't like and don't feel safe to
--	---

Signed:

Please see notes on reverse

Date:

17/06/2014

wander around in the city to find an open shop to buy my drink. I believe having this shop here helps many people around this area.

Report to	Licensing sub committee 23 July 2014	Item
Report of	Head of citywide services Licensing Act 2003:	4
Subject	Application for variation of a Premises Licence – Unit 12 Earlham House Shops Earlham Road Norwich NR2 3PD	

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 Unit 12 Earlham House Shops Earlham Road Norwich NR2 3PD following the receipt of relevant representations.

Recommendation

That members determine the application for the variation of a premises licence in respect of Unit 12 Earlham House Shops Earlham Road Norwich NR2 3PD 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 Harris – portfolio holder customer services

Contact officers

Ian Streeter, licensing manager

01603 212439

Background documents

None

Report

Variation application

1. The applicant is Anna Zietek of Unit 12 Earlham House Shops Earlham Road Norwich NR2 3PD.
2. The table below shows the licensable activity which the applicant is seeking to vary and the timings permitted under the existing premises licence and the proposed amendments to the hours contained in the variation application:

Sale by retail of alcohol (for consumption off the premise)	Hours permitted under existing premises licence	Hours proposed in variation application
Monday	09:00 – 19:00	08:00 – 00:00
Tuesday	09:00 – 19:00	08:00 – 00:00
Wednesday	09:00 – 19:00	08:00 – 00:00
Thursday	09:00 – 19:00	08:00 – 00:00
Friday	09:00 – 19:00	08:00 – 00:00
Saturday	09:00 – 19:00	08:00 – 00:00
Sunday	10:00 – 17:00	08:00 – 23:00

3. The opening hours of the premises are:

Hours premises are open to the public	Hours permitted under existing premises licence	Hours proposed in variation application
Monday	09:00 – 19:00	08:00 – 00:00
Tuesday	09:00 – 19:00	08:00 – 00:00
Wednesday	09:00 – 19:00	08:00 – 00:00
Thursday	09:00 – 19:00	08:00 – 00:00
Friday	09:00 – 19:00	08:00 – 00:00
Saturday	09:00 – 19:00	08:00 – 00:00
Sunday	10:00 – 17:00	08:00 – 23:00

Relevant representations

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

Police – no relevant representations received.

Environmental Protection – no relevant representations received.

Fire Officer – no relevant representations received.

Planning Officer – no relevant representations received.

Area Child Protection Committee – no relevant representations received.

Trading Standards – no relevant representations received.

Primary Care Trust – no relevant representations received.

5. Five relevant representations have been received in respect of the application with concerns which primarily appear to relate to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. Copies of these representations are attached as appendix A to the report
6. 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

7. Attached at appendix B 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)

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

Summary

9. 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.
10. 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

11. 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.
12. The representations received appear primarily to relate to issues that fall under the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. The sub-committee is directed to paragraphs 20 and 24 of the local licensing policy at appendix B 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.
13. 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.

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;

24.0 Objective - prevention of public nuisance

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

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

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

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

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

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

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

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

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

SECTION E - Hours of Trading

30.2 In determining its policy on the hours of trading, the council has given full consideration to those parts of the secretary of state's guidance to the act which relate to hours of trading.

"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.”

- 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 C

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 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.

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.

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.

Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development
29 MAY 2014
Post Room

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

APPENDIX A

Your name/organisation name/name of body you represent (see note 1)	ANN KELF
Postal address	24 BATELY COURT EARLHAM RD. NORWICH
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE ABC POLSKI SHOP
Address of the premises you wish to support or object to.	UNIT 12 EARLHAM RD NORWICH NR2 3PD

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 the licence because it would allow groups of people to gather drinking, as was the
Public safety	case last year, when I had to call the police to move them on as I couldn't hear my T.V.
To prevent public nuisance	I live in a block of flats opposite the back entrance to the shop and already have to put up with a lot of noise.
To protect children from harm	

RECEIVED
29 MAY 2014
LICENSING OFFICE

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

Signed:

Date: 25-5-14

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

RECEIVED

- 2 JUN 2014

LICENSING OFFICE

Your name/organisation name/name of body you represent (see note 1)	Miss Ann Hawton
Postal address	2, BARELY COURT Earlham RD. NORWICH
Email address	
Contact telephone number	NR2 3PL

Name of the premises you wish to support or object to	ABC POLSKI SKLEP SHOP
Address of the premises you wish to support or object to.	Unit 2 Earlham House Shops Norwich NR2 3PL

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	lots of young people even around here, so why sell more alcohol. It will only make things much worse.
Public safety	late at night. We also have the supermarket selling drinks.
To prevent public nuisance	I think that keeping this shop opened till midnight, people will sit in the shop on the seats and drinking, as they do sometimes in the
To protect children from harm	Daytime.

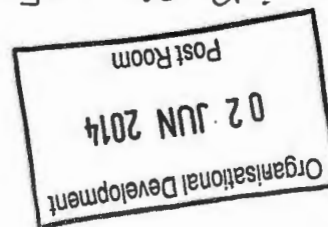
Please suggest any conditions which would alleviate your concerns.	Our block of flats at the back of shops is shielded and as are elderly people every here. We have to put up with enough noise from cars up & down RD at night. I am sure having a late licence won't help us, so I very strongly object to it.
--	---

Sig

Date:

Please see notes on reverse

28/5/2014



Norwich City Council Licensing Authority
Licensing Act 2003

NORWICH CITY COUNCIL

04 JUN 2014

RECEIVED
Customer Contact Team

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. IRENE G. CATCHPOLE
Postal address	15 BATELY COURT, EARLHAM ROAD, NORWICH. NR2 3PL
Email address	/
Contact telephone number	

Name of the premises you wish to support or object to	THE ABC POLSKI SKLEP POLISH SHOP
Address of the premises you wish to support or object to.	UNIT 12 EARLHAM HOUSE SHOPS EARLHAM ROAD, NORWICH. NR2 3PD

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 these extended hours e.g. open until midnight
Public safety	Alcoholics will collect here when the nearby Co-op closes at 11 p.m.
To prevent public nuisance	At the above address we all need some quiet at these unsocialable hours of trading
To protect children from harm	This is totally wrong signals to give teenagers for continuing drinking hours.

Please suggest any conditions which would alleviate your concerns.	SAYING NO TO THIS LICENCE
--	------------------------------

Signed:

Date: June 4th 2014

Please see notes on reverse

09 JUN 2014

Post Room

Nottingham 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)	Lillian James
Postal address	28 Bately Court. Eathen Rd NR23 2L
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	ABC. Polski Polish Shop
Address of the premises you wish to support or object to.	UNIT 12 Eathen house shop

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	I live in sheltered accommodation and in the past have had problems
To prevent public nuisance	This is sheltered housing with elderly people. and do not want the noise at night
To protect children from harm	

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

Signed:

Date:

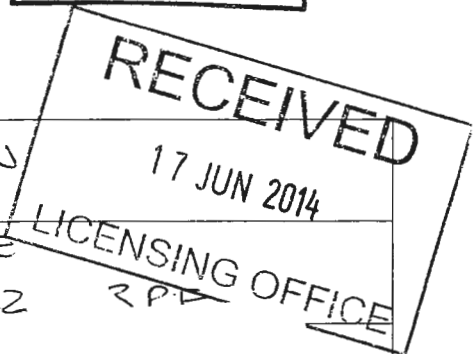
5-6-2014

Please see notes on reverse

Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development
17 JUN 2014
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)	DEAN DEAN JULIE
Postal address	63 EARLHAM HOUSE NORWICH NR2 3PD
Email address	
Contact telephone number	

Name of the premises you wish to support or <u>object</u> to	THE ABC POLSKI POLISH SHOP.
Address of the premises you wish to support or object to.	UNIT 12, EARLHAM HOUSE SHOPS EARLHAM ROAD NORWICH NR2 3PD

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	Encouraging people to visit a store late at night to buy alcohol will increase crime & disorder.
Public safety	If people are buying alcohol late at night then they may well have been already drinking.
To prevent public nuisance	This is a residential area and selling alcohol late at night would increase noise levels in the area.
To protect children from harm	If cheap alcohol is being sold then people who have already been drinking might make use of the seating outside the shop.

Please suggest any conditions which would alleviate your concerns.	Limit opening hours to 10pm to 11pm 12pm to 11pm 12pm to 11pm
--	--

Signed:

Date:

17.6.14

Please see notes on reverse

