

# **NORWICH CITY COUNCIL**

## **Report for Resolution**

**Report To** Licensing Sub-Committee  
12 November 2009

**Report of** Head of Legal, Regulatory & Democratic Services

**Subject** Licensing Act 2003:  
Application for the Grant of a Premises Licence -  
The Drama Studio and School of Music University of East  
Anglia University Plain Norwich NR4 7TJ

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### **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 to grant a Premises Licence in respect of The Drama Studio and School of Music University of East Anglia University Plain Norwich NR4 7TJ following the receipt of Interested Party objections.

### **Recommendation**

That Members determine the application to grant a Premises Licence in respect of The Drama Studio and School of Music University of East Anglia University Plain Norwich NR4 7TJ 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.

### **Financial Consequences**

The financial consequences for this report are nil.

### **Corporate Objective/Service Plan Priority**

The report helps to achieve the service plan priority of protecting the interests of the public through the administration of the licensing function.

**Contact Officer**  
**Ian Streeter**

**Phone No 212439**

### **Background Documents**

The Licensing Act 2003  
Guidance issued under Section 182 of the Licensing Act 2003  
Norwich City Council Statement of Licensing Policy

## 1.0 The Application

- 1.1 The applicant is the University of East Anglia Norwich NR4 7TJ.
- 1.2 The premises will operate as a studio theatre and music recital studio on the University of East Anglia campus.
- 1.3 This grant application seeks to allow the provision of regulated entertainment, the provision of entertainment facilities and the sale by retail of alcohol at the premises.
- 1.4 The details of the Operating Schedule are as follows:

1.4.1 The Licensable Activities are:

- Plays (Indoors and outdoors)
- Films (Indoors only)
- Indoor Sporting Events (in the context of a theatrical production)
- Boxing or wrestling entertainments (in the context of a theatrical production)
- Live Music (Indoors and outdoors)
- Recorded Music (Indoors only)
- Performances of Dance (Indoors only)
- Anything of a similar description to live music, recorded music and performances of dance (in the context of a theatrical production)
- Provision of Facilities for Making Music (Indoors and outdoors)
- Provision of Facilities for Dancing (Indoors only)
- Provision of facilities for entertainment of a similar description to making music and dancing (Indoors only)
- Sale by Retail of Alcohol (for consumption on the premises)

1.4.2 The proposed standard days and hours for the licensable activities are:

• Plays	10:00 – 23:30	Everyday
• Films	10:00 – 23:30	Everyday
• Indoor Sporting Events	10:00 - 23:30	Everyday
• Boxing or wrestling	10:00 – 23:30	Everyday
• Live Music	10:00 - 23:30	Everyday
• Recorded Music	10:00 - 23:30	Everyday
• Performances of Dance	10:00 - 23:30	Everyday
• Anything of a similar description	10:00 – 23:30	Everyday
• Provision of Music Facilities	10:00 – 23:30	Everyday
• Provision of Dance Facilities	10:00 – 23:30	Everyday
• Facilities of a similar description	10:00 – 23:30	Everyday
• Sale by Retail of Alcohol	12:00 – 23:30	Everyday

1.4.3 The opening hours requested are:

10:00 – 23:30      Everyday

- 1.4.4 The steps proposed by the applicant to support the Licensing Objectives are attached to the report as Appendix A.

## **2. Relevant Representations**

- 2.1 The responses from the Responsible Authorities are as follows:

Police – No representations.  
Environmental Services – No representations.  
Fire Officer – No representations.  
Planning Officer – No representations.  
Area Child Protection Committee – No representations.  
Trading Standards – No representations.

- 2.2 Six representations objecting to the application have been received from Interested Parties with concerns relating mainly to the licensing objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance. Copies of these representations are attached to the report at Appendix B. Two representations supporting the application have also been received and these are attached to the report at Appendix C.
- 2.3 A site map of the area identifying the application premises is attached as Appendix D. A more detailed map of the area detailing the Interested Party address will be available at the meeting.

## **3.0 Norwich City Council Statement of Licensing Policy**

- 3.1 Attached at Appendix E are the elements of the City Council's local Licensing Policy which are considered to have a bearing upon the application:

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

- 4.1 Attached at Appendix F are the elements of the National Guidance issued by the Secretary of State that are considered to have a bearing upon the application.

## **5.0 Summary**

- 5.1 The Sub-Committee is obliged to determine this application with a view to promoting the licensing objectives which are:

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

- 5.2 In making its decision, the Sub-Committee is also obliged to have regard to guidance issued under Section 182 of the Licensing Act 2003 (National Guidance) and the Council's own local licensing policy. The Sub-Committee must also have regard to all of the representations made and the evidence it hears.
- 5.3 The Sub-Committee must take such of the following steps as it considers necessary 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
- 5.4 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 necessary in order to promote the licensing objectives.
- 5.5 The representations received from the Responsible Authority and the Interested Parties appear 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 21 and 25 of the local licensing policy at Appendix E which contain examples of factors that impact on the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance 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.
- 5.6 Insofar as the issue of licensing hours is concerned, the Sub-Committee is directed to paragraph 13.41 of the national guidance, which states that licensing hours should not inhibit the development of evening and night-time local economies, and that providing consumers with a greater choice and flexibility is an important consideration. However, this should always be carefully balanced against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet. The Sub-Committee is also directed to paragraph 31.7 a) of the local licensing policy, authorising the restriction of licensing hours, where the licensing authority believes, on the basis of representations, that to not do so would exacerbate public nuisance.
- The Committee must decide whether there is a strong enough case for the restriction of licensing hours, based on the representations made, to promote the licensing objectives.
- 5.7 The Sub-Committee is also reminded of the contents of appendices 2 and 4 of the local licensing policy (not re-produced in this report) that contain pools of model conditions relating to the prevention of crime and disorder and the prevention of public nuisance.

# APPENDIX A

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

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

1. All events supervised by trained personnel.
2. Supported by on-campus security staff.

**b) The prevention of crime and disorder**

1. No alcohol off-sales.
2. All drinks served in plastic glasses or tempered glass ware.
3. Alcohol sold to ticket holders only.
4. Any anti-social behaviour would be dealt with on site, supported by on-campus security.

**c) Public safety**

1. All events supervised by personnel trained in fire safety, evacuation procedures.
2. No alcohol permitted in auditorium.
3. Special theatrical effects (eg smoke machine) are risk-assessed and public notices displayed.

**d) The prevention of public nuisance**

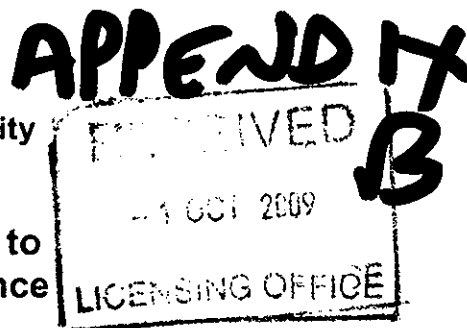
1. Sited in non-residential area.
2. All waste recycled.
3. Performance spaces insulated.
4. Open-air performances dependent on negotiation with University authorities.

**e) The protection of children from harm**

- 1) Public warned in publicity and verbally if content of plays unsuitable for minors.
- 2) Proof of age requested for purchase of alcohol.
- 3) Parties attending events from schools always accompanied by trained staff.

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)	
Postal address	1, THE GARDENS, EARLMAN PARK, NORWICH. NR4 7TQ.
Email address	
Contact telephone number	01603 501480

Name of the premises you wish to support or object to	DRAMA STUDIO & SCHOOL OF MUSIC
Address of the premises you wish to support or object to.	UNIVERSITY PLAIN UEA NORWICH.

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

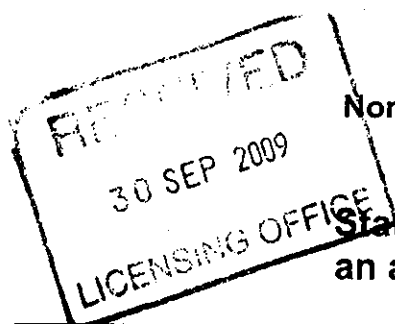
Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	We already have to put up with enough from drunken students several nights a week. Every night would be intolerable
Public safety	Rubbish bins are regularly overturned and cars vandalised.
To prevent public nuisance	They shout, sing, use foul language, use our garden as a toilet, throw bottles which break in our garden, vomit over the fence until 3am.
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	A police presence or some control of their return to the Village.
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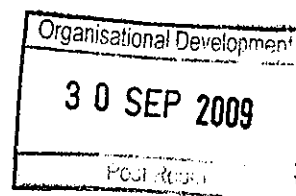
Signed.

Date: 26.9.09

Please see notes on reverse



Norwich City Council Licensing Authority  
Licensing Act 2003



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

Your name/organisation name/name of body you represent (see note 1)	
Postal address	234 Bluebell Rd NR4 7LL
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	The Drama Studio and school of music
Address of the premises you wish to support or object to.	university plaza NEA

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	Bottles and glasses left in on street, pavement.
Public safety	
To prevent public nuisance	✓ Students are not considerate at night after drinking and tend to shout + sing too loudly music played is too loud.
To protect children from harm	<del>may cause</del>

Please suggest any conditions which would alleviate your concerns.	Police presence on Bluebell Rd, the Avenues + Carlton Park
--	--

Signed:

Date: 27/09/09.

Please see notes on reverse

MONDAY

28<sup>th</sup> Sept 2009

Mr Iain Street  
NE Council  
Licensing Dept

City Hall

St. Peter's Street

NORWICH NR2 1NH

RECEIVED

29 SEP 2009

LICENSING OFFICE

Fromwell House  
Ceal Road

Norwich

NR1 2QT

Organisational Development

29 SEP 2009

Post Room

Dear Mr Street,

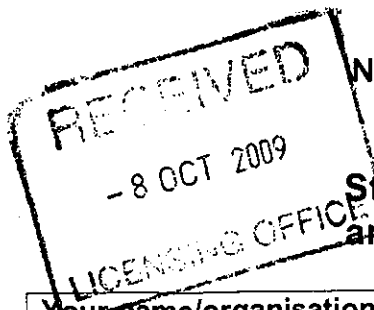
Thank you for your letter dated 26<sup>th</sup> August  
relating to licensing law re Drama Studio Arts  
School of Music.

As the House in Bluebell Road will no  
longer be mine after Friday 2<sup>nd</sup> Oct 2009, I am  
leaving decision for the new occupants.

However, if I was still living at 236  
Bluebell Road, my answer would be a  
very definite & decided NO. There is even  
now too many sources for alcohol late at  
night, causing disturbance even <sup>now</sup> in a Resul-  
timate area. If considered necessary have  
the drinks earlier in the evening so as not  
to disturb the peace & quiet of what should  
be a respectable residential area.

Yours faithfully





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)	
Postal address	64 Friends Road Norwich NR5 8HW
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	The Drama Studio and School of Music
Address of the premises you wish to support or object to.	University Plain University of East Anglia Norwich.

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

Licensing Objective	Please set out your <del>support</del> or objections below. Please use separate sheets if necessary <i>See attached.</i>
To prevent crime and disorder	There will be more damage to peoples cars and property.
Public safety	Student who have been drinking are rude and aggressive to residents on West Earham Estate. Walk up middle of roads
To prevent public nuisance	They are loud - Walk in large groups singing and shouting waking people up.
To protect children from harm	children going to school next day have to see effects of night before - broken bottles/bins pushed over paths and roads.

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

Signed:

Date: 5/10/09.

Please see notes on reverse

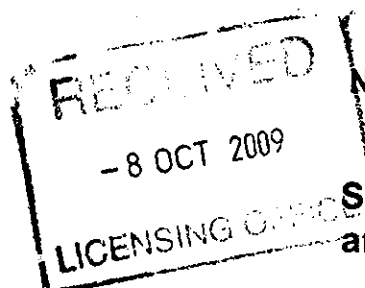
I would like to object to the application for Premises Licence at The Drama Studio and School of Music University Plain University of East Anglia Norwich.

I live at 64 Friends Road on the West Earlham Estate and at present get woke up every weekend by noisy, drunken students. I strongly feel that if this licence is granted the situation will become much worse and this will be a daily occurrence rather than just at weekends.

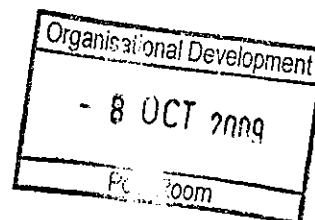
At present from around 10 pm until 3 am there are students coming and going from the University campus. A large majority of these are drunk and live on the West Earlham Estate. They walk around in large groups singing and shouting and arguing. The levels of noise are so high at times that even with all the windows shut they still wake both my children and myself up in the early hours of the morning. They sit on people's garden walls and have conversations and if you ask them to move on they are abusive. They are sick in people's gardens or over their cars or bins. Bottles, cans and even condoms can be found in the streets. If you leave your bin out it usually gets pushed over. Car wing mirrors are broken off as they walk past cars or windows smashed. When they cross Earlham Road they just walk out in front of traffic, stop in middle of the road and have conversations or shout from one side of the road to the other.

Although the problems above are mainly at weekends or when groups are performing I feel that the situation is getting worse every year and the granting of the above Licence will only make the situation worse.

I have lived at my present address for 13 years and have to say that every year it is getting worse and the behaviour of the students that live on this estate is very disappointing. I think the university should take more responsibility for the behaviour of the students after they leave the campus.



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)	
Postal address	170 BLUEBELL ROAD
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	UEA OBJECT
Address of the premises you wish to support or object to.	UEA OBJECT

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	OBJECT ON THE GROUNDS OF THE FACT THAT MORE DRINKING WILL RESULT IN MORE ANTI SOCIAL BEHAVIOUR.
Public safety	OBJECT ON THE GROUNDS OF EVEN MORE TRAFFIC + NOISE LATE AT NIGHT
To prevent public nuisance	OBJECT ON THE GROUNDS OF NOISE + LITTER WE HAVE ENOUGH OF THAT NOW
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	STOPPING THEM USING THE ROAD ONTO BLUEBELL ROAD TO EXIT THE UEA LATE AT NIGHT
--	---

Signed:

Date: 29.09.09.

Please see notes on reverse

Ref - 09/01565(PREM)

Norwich City Council Licensing Authority  
Licensing Act 2003

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

RECEIVED

- 8 OCT 2009

LICENSING OFFICE

Your name/organisation name/name of body you represent (see note 1)	
Postal address	146 Bluebell Rd, Norwich NR4 7LQ
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	University of East Anglia
Address of the premises you wish to support or object to.	Drama Studio / school of music

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	Increased consumption of alcohol will lead to increased anti social behaviour
Public safety	
To prevent public nuisance	Increased noise via outdoor music will affect our quality of lives and increase the number of people on UEA grounds
To protect children from harm	The housing area next to the UEA is mainly family resident and therefore the increased numbers of people / alcohol is a concern

Please suggest any conditions which would alleviate your concerns.	Remove/control further the sale of alcohol. Restrict outdoor live music to finish at 10pm
--	---

Signed:

Date: 31/10/09

Please see notes on reverse



Norwich City Council Licensing Authority  
Licensing Act 2003



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

Your name/organisation name/name of body you represent (see note 1)	
Postal address	62 FRIENDS ROAD, NORWICH, NORFOLK NR5 8HW
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE DRAMA STUDIO & SCHOOL OF MUSIC
Address of the premises you wish to support or object to.	UEA, UNIVERSITY PLAIN, NORWICH, NR4 7TJ

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	WILL <u>NOT</u> CONTRIBUTE TO ANY CRIME OR DISORDER IN THE AREA.
Public safety	THIS LICENCE WILL FIT IN WITH THE OTHER LICENCES HELD BY THE UNIVERSITY AND DOES NOT POSE A
To prevent public nuisance	RISK TO PUBLIC SAFETY OR CREATE PUBLIC NUISANCE
To protect children from harm	N/A

Please suggest any conditions which would alleviate your concerns.	N/A
--	-----

Signed:

Date: 25/09/09

Please see notes on reverse

**RECEIVED**

-5 OCT 2009

LICENSING

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

Organisational Development

05 OCT 2009

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)	
Postal address	100 BLUEBELL ROAD, NORWICH NR4 7LQ
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE DRAMA STUDIO + SCHOOL OF MUSIC
Address of the premises you wish to support or object to.	UNIVERSITY PLAIN, UNIVERSITY OF EAST ANGLIA, 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	Crime + Disorder is very low in the area and the events being held would not pose a further threat on the campus.
Public safety	There are already safety officers who patrol the area and the area is well lit with plenty of security cameras.
To prevent public nuisance	The events being stated are clearly educational and it is highly unlikely binge-drinking will cause any distress to the local neighbourhoods.
To protect children from harm	UEA has a network of students who are mostly over the age of 18 and independent. If children were present they would always be accompanied by an adult

Please suggest any conditions which would alleviate your concerns.	I completely support the application to sell alcohol and provide live entertainment at UEA
--	--

Signed:

Date:

1/10/2009

Please see notes on reverse

# APPENDIX D



**NORWICH**  
City Council

Norwich City Council  
City Hall Norwich  
NR2 1NH

Tel: 01603 212212  
info@norwich.gov.uk

## The Drama Studio & School of Music University of East Anglia



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Scale: 1:7500

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# APPENDIX E

## 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.

### 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" will be asked to consider all applications and to make representations to the Council, if they relate to the promotion of the four licensing objectives and particularly in respect of applications which, might be



regarded as contentious. Representations must be evidentially based and the organisation should attend any hearing when the application is being considered.

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

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

## 5.0 Conditions attaching to Licences

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

5.2 All applications will be considered on an individual basis and any condition attached to such a licence, will be tailored to each individual premises, in order to avoid the imposition of disproportionate or burdensome conditions on those premises. Therefore, mandatory conditions, will only be imposed where they are necessary for the promotion of the licensing objectives.

## 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 level of likely car parking demand on principal roads and surrounding residential streets and its effect on local residents, in comparison with the existing situation, and the effect on residential parking and emergency access;
- 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 A Premises Supervisor must be specified in the Operating Schedule for a premises, in which alcohol will be sold ('Designated Premises Supervisor' DPS). The DPS will have responsibility for running the premises on a daily basis. They should normally be present on the licensed premises on a regular basis. In addition to the DPS holding a personal licence, they should either undergo additional training, or to be able to demonstrate they have the experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.

**13.2 There must be proper management arrangements in place in all licensed premises, whether or not alcohol is sold or not, which will ensure there is an appropriate number of responsible, trained/instructed persons at the premises to provide the proper management of the premises, the activities taking place and compliance with all statutory responsibilities and the terms and conditions of the premises licence.**

## LICENSING OBJECTIVES

### 21.0 Objective - Prevention of Crime and Disorder

21.1 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.

21.2 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.**

21.3 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.

21.4 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

## 25.0 Objective - Prevention of Public Nuisance

25.3 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.

25.7 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 23.00 and 07.00
- 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

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

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

## SECTION E - Hours of Trading

31.7 The policy options which will be applied to applications for premises licences where the sale or supply of alcohol for consumption on the premises is proposed, are as follows:

- a) **The Council will consider restricting the hours if it believes, on the basis of representations made, that not doing so would lead to or exacerbate problems of crime, disorder or public nuisance.**
- b) Where no relevant representations are received from either a responsible body or an interested party, the application will be granted in accordance with the terms of the operating schedule.
- c) Where relevant representations are received from either a responsible body or an interested party, and those representations relate to the hours of trading then subject to (a) above, the Council will consider restricting the hours in relation to any of the licensable activities for which a licence is being sought, provided it is considered necessary to do so in order to promote one or more of the licensing objectives which may not be achieved without such restrictions. The Council may impose different restrictions on hours for different licensable activities and for different days of the week.

# **APPENDIX F**

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

### **Standardised Conditions**

- 13.20 "...statements of policy should make it clear that a key concept underscoring the 2003 Act is for conditions to be tailored to the specific premises concerned. This effectively rules out standardised conditions...However, it is acceptable for licensing authorities to draw attention in their statements of policy to pools of conditions which applicants and others may draw on as appropriate."

### **The Scope of the Licensing Act 2003**

- 13.16 "...licensing is about regulating licensable activities on licensed premises...and the conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity."
- 13.17 "...whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case."

### **Licensing Law and the Control of Anti-Social Behaviour**

- 13.18 "...licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises."

### **Licensing Hours**

#### **Extended Opening Hours**

- 13.40 "...flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which lead to disorder and disturbance."
- 13.41 "...the Government wants to ensure that licensing hours should not inhibit the development of thriving and safe evening and night-time economies."

### **Consideration for Residents**

- 13.41 "...providing consumers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet."

- 9.4 "...it is for the licensing authority to decide in the first instance whether or not representations are relevant. This may involve determining whether they have been made by an interested party and whether or not, for example, an individual making a representation resides or is involved in business "in the vicinity" of the premises concerned."
- 9.5 "...licensing authorities should consider whether the individual's residence or business is likely to be directly affected by disorder and disturbance occurring or potentially occurring on those premises or immediately outside the premises."