

Report to	Licensing sub committee	Item
	6 August 2021	
Report of	Environmental Health & Public Protection Manager	
Subject	Application for the Grant of a Premises Licence – Liquid, 24 – 26 Prince of Wales Road Norwich NR1 1LG	

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 Liquid, 24 – 26 Prince of Wales Road Norwich NR1 1LG, following the receipt of relevant representations.

Recommendation

That Members determine the application to grant the premises licence in accordance with the:

- Licensing Act 2003;
- Guidance issued under Section 182 of the Licensing Act 2003; and
- Norwich City Council Statement of Licensing Policy, including the cumulative impact policy.

Corporate and service priorities

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

Financial implications

None.

Ward/s: Thorpe Hamlet

Cabinet member: Councillor Jones – Safer, stronger neighbourhoods

Contact officers

Maxine Fuller – Public Protection Licensing Advisor 01603 989400

Background documents

None

Report

The application

1. The applicant is CC STIM UK Tradeco 2 Ltd, Aurora House, Deltic Avenue, Rooksley, Milton Keynes MK13 8LW.
2. The application seeks to allow the licensable activities, times and opening hours as set out in the application form, which is attached at appendix A. This also includes the steps proposed to promote the licensing objectives (operating schedule).

Relevant representations

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

Police – representation received (applicant has agreed to the Police conditions – no outstanding objections – copy attached at appendix B).

Public Protection – representation received (copy at appendix B)

Fire Officer – no representations.

Planning Officer – no representations.

Area Child Protection Committee – no representations.

Trading Standards – no representations.

Primary Care Trust – no representations

4. 6 objections to the application were received from a local residents and 1 from a councillor, copies attached at appendix C.
5. Attached at appendix D is a location map..

Norwich City Council Statement of Licensing Policy

6. 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, including the cumulative impact policy at paragraph 29.

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

7. 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.

Summary

8. In determining the application with a view to promoting the licensing objectives the sub-committee must give appropriate weight to:
 - the steps that are appropriate to promote the licensing objectives (i.e. the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm);
 - the representations (including supporting information) presented by all the parties;
 - the guidance issued under Section 182 of the Licensing Act 2003 (national guidance); and
 - the council's own statement of licensing policy, including the cumulative impact policy.
9. 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
10. 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.
11. The representations received appear to relate to issues that fall under the licensing objectives. The sub-committee is directed to paragraphs 20 and 24 of the local licensing policy at appendix E 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.
12. The sub-committee is also reminded of the contents of appendices 2, 3, 4 and 5 of the local licensing policy (not re-produced in this report) which contain pools of model conditions relating to the four licensing objectives.

Norwich City Council

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST



Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We CC STIM UK Tradeco 2 Ltd

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Liquid 24/26 Prince of Wales Road			
Post town	Norwich	Post code	NR1 1LF
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£72,000	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a
 - statutory function or ☐
 - a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current residential address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current residential address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name: CC STIM Tradeco 2 Ltd

Address Aurora House Deltic Avenue Rooksley Milton Keynes MK13 8LW
Registered number (where applicable) 13068585
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
A	S	A

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

A

Please give a general description of the premises (please read guidance note 1)

A nightclub in the City Centre situated within the nighttime economy area, trading over 2 floors with a ground floor entrance and a smoking terrace at second floor.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☐

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 5)		
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11:00	04:00			
Tue	11:00	04:00			
Wed	11:00	04:00			
Thur	11:00	04:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Fri	11:00	04:00			
Sat	11:00	04:00			
Sun	12:00	03:00			
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6) On the day before a Bank Holiday 11:00 to 04:00 the following morning. An additional hour on the morning that British Summertime commences. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<u>Please give further details here</u> (please read guidance note 4)	
Thur				
Fri			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Amplified and unamplified music through an in-house sound system		
Mon	11:00	04:00			
Tue	11:00	04:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed	11:00	04:00			
Thur	11:00	04:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) On the day before a Bank Holiday 11:00 to 04:00 the following morning		
Fri	11:00	04:00			
Sat	11:00	04:00	An additional hour on the morning that British Summertime commences.		
Sun	12:00	03:00			
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Regulated Recorded Music will be restricted to 23:00 on the second floor terrace area		
Mon	11:00	04:00			
Tue	11:00	04:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	11:00	04:00			
Thur	11:00	04:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) On the day before a Bank Holiday 11:00 to 04:00 the following morning.		
Fri	11:00	04:00			
Sat	11:00	04:00	An additional hour on the morning that British Summertime commences.		
Sun	12:00	03:00			
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) By staff and performers throughout the premises.		
Mon	11:00	04:00			
Tue	11:00	04:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed	11:00	04:00			
Thur	11:00	04:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6) On the day before a Bank Holiday 11:00 to 04:00 the following morning. An additional hour on the morning that British Summertime commences. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Fri	11:00	04:00			
Sat	11:00	04:00			
Sun	12:00	03:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	11:00	04:00		Outdoors	<input type="checkbox"/>
Tue	11:00	04:00	<u>Please give further details here</u> (please read guidance note 4)		
Wed	11:00	04:00			
Thur	11:00	04:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	11:00	04:00			
Sat	11:00	04:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6) On the day before a Bank Holiday 11:00 to 04:00 the following morning. An additional hour on the morning that British Summertime commences. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	12:00	03:00			

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	04:00			
Tue	11:00	04:00			
Wed	11:00	04:00			
Thur	11:00	04:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11:00	04:00	On the day before a Bank Holiday 11:00 to 04:00 the following morning. An additional hour on the morning that British Summertime commences.		
Sat	11:00	04:00			
Sun	12:00	03:00			
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Laurie Howard
Date of birth
Address
Personal Licence number (if known)
Issuing licensing authority (if known)

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)</p> <p>NONE</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6) On the day before a Bank Holiday 11:00 to 04:30 the following morning. An additional hour on the morning that British Summertime commences. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Mon	11:00	04:30	
Tue	11:00	04:30	
Wed	11:00	04:30	
Thur	11:00	04:30	
Fri	11:00	04:30	
Sat	11:00	04:30	
Sun	12:00	03:30	

M 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 10)

1. The sale of alcohol is ancillary to music and dancing.

b) The prevention of crime and disorder

1. On any day on which door supervisors are to be engaged at the premises the licensee or the responsible person on his / her behalf must enter in a register kept for that sole purpose the name, registration number and hours of duty of each door supervisor to be engaged on that day before that supervisor starts his / her duties. The register must be kept at the premises at all times and be produced for inspection at any time on request by an authorised officer of the Licensing Authority or a Police Officer. Any entry in the register shall be kept at the premises for at least 6 months from the date of that entry before being removed or erased.
2. Any person who appears to be intoxicated, or who is behaving disorderly, will not be allowed entry to the venue. Any person within this venue who appears to be intoxicated or who is behaving disorderly will be given care and consideration in leaving the venue.
3. Toughened glass will be used for drinks vessels.
4. There will be one SIA door supervisor to monitor the smoking area.
5. A CCTV system shall be installed and maintained to the reasonable satisfaction of Norfolk Police, which shall include cameras recording footage of evidential quality covering all main public areas, entrance and exit doors, the queues outside the premises and the smoking terrace.

Footage shall be retained from all cameras for a minimum of 28 days. At least one trained member of staff will be available at all times the premises is open for licensable activities to operate the CCTV system. Footage shall be made available to for viewing by a Police Officer immediately upon request during trading hours, and recordings of footage will be provided in a form agreed with Norfolk Police, as soon as is reasonably practicable and without unnecessary delay.

The system will be checked daily and a record made of the check, the person responsible conducting the check and the outcome. Any technical failings will be recorded and rectified as soon as possible and without unnecessary delay.

6. There will be full CCTV coverage of smoking area.
7. Customers will not be permitted to leave the premises with any drinking vessel or open glass bottle, whether empty or containing any. beverage.
8. No persons carrying open or sealed bottles will be admitted entry at any time during the licensable activities.
9. The premises will actively participate in the local Pubwatch or equivalent scheme.
10. The premises will actively participate in the use of any Town Centre Radio Scheme that may exist. A responsible person will monitor the radio and make use of it to receive and share relevant information in respect of concerns or Information relating to anti-social behaviour, crime, disorder or any threat thereof, with other users of the town centre radio system during the times licensable activities are taking place.

c) Public safety

1. There shall be adequate provision made to account for the number of persons on the licensed premises during any entertainment authorised under the licence.
2. A person trained in first aid will be present at the venue during trading hours, who will have received training in any problems associated with alcohol and drug misuse.

d) The prevention of public nuisance

1. Reasonable steps will be taken to recognise the needs of local residents and businesses.
2. During the last thirty minutes of trading:
 - Volume levels will be reduced and the music tempo slowed, lighting levels will be raised to encourage the gradual dispersal of patrons during the last part of trading.
 - The number of points of sale in each room will be reduced and staff reallocated to collecting glasses or offer customer service in the cloakroom to assist customer departure.
 - DJ announcements will be used to both encourage a gradual dispersal and to remind customers of consideration for neighbours.
 - Notices will be displayed in prominent positions at the exit of the premises requesting customers to leave quickly and quietly.
3. A noise limiter will be fitted to the sound system on the second floor terrace area, and will be set at a level agreed with the Environmental Health Officer.
4. Regulated Entertainment will cease at 23:00 on the second floor terrace area.

e) The protection of children from harm

1. No person under the age of 18 will be allowed access to the premises during licensable activities.
2. A challenge 25 policy will operate at the premises. Acceptable Identification for the purposes of age verification that issued by a government agency bearing the holders photograph, name and date of birth or identification bearing the UK PASS hologram.

Please tick yes

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy ☐
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable ☒
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒
- **[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships]** I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). ☐

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO

EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 14) The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work 		
Signature	[Redacted]		
Date	16 June 2021		
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant		

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Angela Gardner
Poppleston Allen Solicitors, 37 Stoney Street
The Lace Market

Post town	Nottingham	Post code	NG1 1LS
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Telephone number (if any)	[Redacted]
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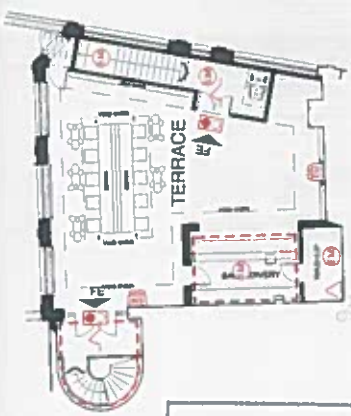
If you would prefer us to correspond with you by e-mail your e-mail address (optional)

[Redacted]

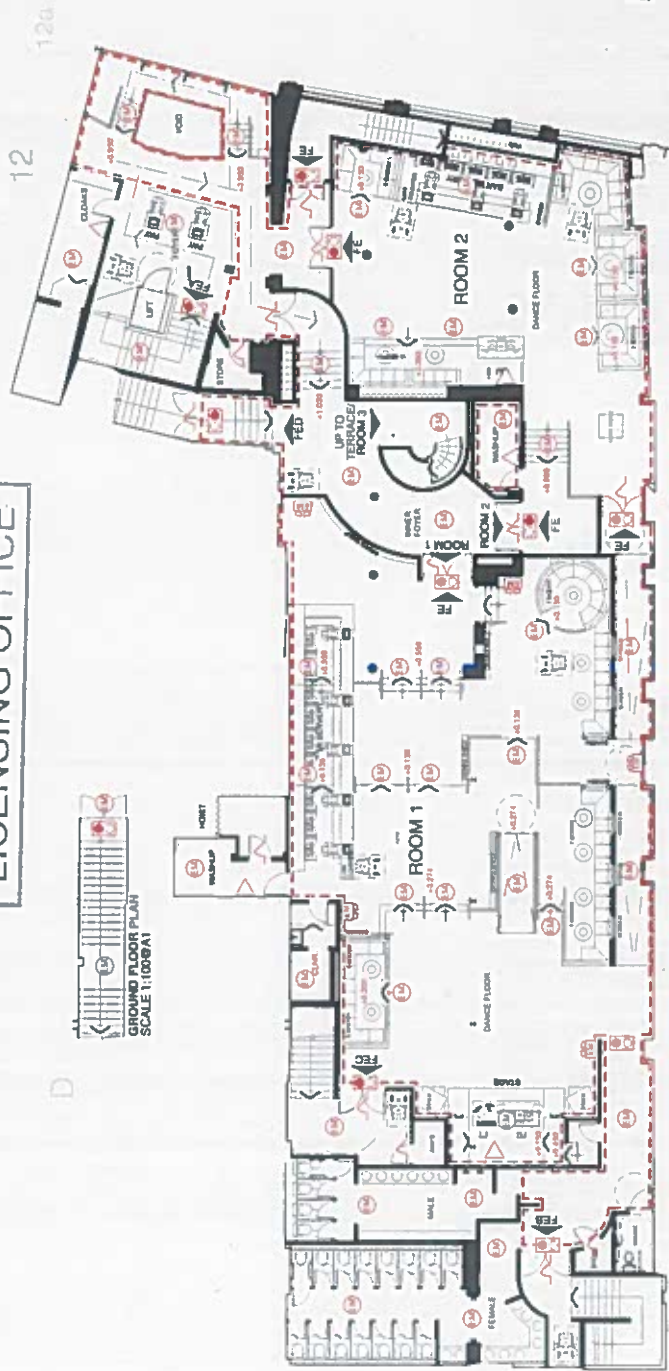
THIS DRAWING HAS BEEN PREPARED FROM
EXISTING SURVEY INFORMATION.



SECOND FLOOR PLAN
SCALE 1:100@A1



FIRST FLOOR PLAN
SCALE 1:100@A1



GROUND FLOOR PLAN
SCALE 1:100@A1



EX LIQUID
PROPOSED LICENSING PLANS

NORWICH

RECEIVED

16 JUN 2021

LICENSING OFFICE

- LICENSING KEY**
- ALL TO BE USED FOR THE AREA OF LICENSING. THE PROVISIONS OF THE LICENSING ACT 2003 AND THE PROVISIONS OF RELATED ENTITLEMENT.
 - FIRE EXTINGUISHER
 - FIRE LOCK
 - FIRE ALARM PANEL
 - FIRE ALARM CALL POINT
 - FIRE RISK FLOOR LIFTING
 - FIRE RISK LIFTING
 - ILLUMINATED EXIT SIGN
 - CHANGE IN LOCAL FLOOR LEVEL (METERS)
 - THE LOCATION AND TYPE OF ANY FIRE SAFETY AND ANY OTHER SAFETY FEATURES MUST BE MARKED AT THE TIME OF THE SURVEY AND MUST BE MARKED AT THE TIME OF THE SURVEY.

DESIGN

AT SOURCE
INTERIOR DESIGN & ARCHITECTURE

CLIENT:	Ex Liquid
JOB TITLE:	Ex Liquid Norwich
DRAWING TITLE:	Proposed Licensing Plans
DATE:	16 JUN 2021
SCALE:	1:100
BY:	BT
CHECKED BY:	BT

These drawings are the property of AT SOURCE INTERIOR DESIGN & ARCHITECTURE. They are to be used for the purpose of the proposed licensing plans only. They are not to be used for any other purpose without the written consent of AT SOURCE INTERIOR DESIGN & ARCHITECTURE. The drawings are to be used in accordance with the provisions of the Licensing Act 2003 and the provisions of the related entitlement.



NORFOLK

CONSTABULARY

Our Priority is You

Appendix B

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

Tuesday 13th July 2021

The Licensing Team

Bethel Street Police Station
Norwich
Norfolk
NR2 1NN

Tel: 01603 276020

Fax: 01603 276025

Email: licensingteam@norfolk.pnn.police.uk

www.norfolk.police.uk

Non-Emergency Tel: 0845 456 4567

Dear Sir/Madam

Norfolk Police have been consulted in relation to the application for a new premises licence for 24-26 Prince of Wales Road, Norwich.

This application is requesting regulated entertainment until 4am, sale of alcohol for consumption on the premises until 4am Monday-Saturday and 3am Sundays. The opening hours requested are 1100-0430hrs Monday -Saturday and 0330 hrs on Sundays.

I understand that the current situation relating to the Cumulative Impact Policy is complicated however the premises did previously benefit from a licence with the same times requested under the old name Pure.

The applicant of this application is the same operator who operates Bar and Beyond and has a number of premises nationally including nightclubs.

Conditions proposed within the operating schedule include, CCTV, managing of the smoking area, patrons prevented from taking open vessels off the premises and the use of Security staff.

Norfolk Police request that further conditions are added to the premises licence in order to promote the licensing objective, the prevention of crime and disorder:

- **Staff will receive training in relation to the sale of alcohol. A record of this training will be kept at the premises and available to Police or Licensing Authority on request.**
- **There will be a minimum of 2 SIA door supervisors from 2200 until close on Friday and Saturday nights.**
- **The premises licence holder shall ensure that the provision of door supervisors at the premises is appropriate to ensure the safe control of the premises. A written risk assessment will be in place to assess the number of security staff required. This will be available to Police or Licensing Authority on reasonable request.**
- **There shall be a lockable "safe box" at the premises. All controlled drugs and items seized will be placed in this box as soon as it is practicable. All the contents of this will be provided to Norfolk Police.**

- A written Policy that aims to prevent patrons bringing illegal drugs, weapons or other illegal items onto the premises shall be in operation. A copy of this will be kept at the premises and available to Police or Licensing Authority on request.
- There shall be one SIA door supervisor to monitor the smoking area when it is in operation.
- There shall be no admittance or readmittance to the premises after 03:45 hrs.
- A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by Police or Licensing Authority on reasonable request.
- An incident log shall be kept at the premises and made available on request to Police or Licensing Authority. It will record the following:

All crime reported to the venue
 All ejections of patrons
 Any incidents of disorder
 Any complaints concerning crime and disorder.
 All seizures of drugs and offensive weapons
 Any faults in the CCTV system.

- The Licence Holder shall ensure that any queue to enter the premises is orderly and supervised by security staff.
- All security staff engaged outside the premises shall wear hi-visibility clothing post 2am.
- Staff will monitor the capacity levels of the premises.
- A written dispersal policy will be kept at the premises and includes the dealing of vulnerable patrons. This will be available to Police or Licensing Authority on request.

With these conditions attached to the premises licence, there are no objections.

Yours faithfully,

Michelle Bartram
 Licensing Officer

LICENSING & MARKETS

From: Grimmer, Alex
Sent: 09 July 2021 11:37
To: LICENSING & MARKETS
Cc: Bentley, Tiffany; Miles, Alick
Subject: Liquid

Hello

Following a review of the information provide in the licence application I have the following comments.

This venue does have the potential to cause statutory nuisance to local residents.

The venue proposes to have a roof bar with regulated entertainment up to 23:00 but has not provided an acoustic report to provide the limits for their proposed limiting device as stated within their application.

I therefore wish to object to this application on the grounds of prevention of public nuisance objective until the following have been provided:

- an acoustic report,
- a noise limit based on the acoustic report.
- a noise control methodology.

Once these have been provided and reviewed further comment can be made.

Regards

Alex Grimmer BSc (Hons) RSoBRA
Public Protection Officer
City Wide Services
Norwich City Council

01603-989387



A reminder to all colleagues – we are honouring protected diary time from 12.30pm to 2pm every day so please do not arrange internal meetings during this time unless there is no other option and it's critical to business. Thank you for helping to protect our collective wellbeing.

LICENSING & MARKETS

From: Cllr Haynes, Ash
Sent: 13 July 2021 00:03
To: LICENSING
Subject: Liquid application, Prince of Wales Road



Appendix C

Hi,

I object to the application for a premises license for Liquid nightclub on the following grounds:

The prevention of public nuisance

The premises licence applies for outdoor music to be played until 4am six days a week and 3am on Sunday nights. It suggests that this may be limited to 11pm only in the outside areas (section M, point d) however this doesn't seem to be a formal condition of the licence. I'd be very concerned with the impact of music played until 4am, as this would cause significant nuisance to residents in the area. Even loud music until 11pm outside every evening is likely to cause nuisance.

Additionally, and even without music played outdoors, there will be significant noise from the outside area if access is allowed into the early hours of the morning, which will impact on residents in nearby properties. Music played indoors at high volumes will spill out as doors are opened to allow access and the noise of people on the terrace will carry significant distances.

Residents on Prince of Wales Road and the surrounding streets already experience nuisance from people leaving the clubs in the early hours of the morning (a problem already worsening again as Covid restrictions relax) and adding to the number of the clubs along the street will bring further people and further hassle. Residents report intoxicated people using their gardens as toilets, shouting and fighting outside residential properties, and causing damage. Some residents report feeling intimidated to report issues or raise concerns. Allowing long drinking hours in more and more clubs can only exacerbate the problems, and although I'm aware the council does not currently have a cumulative impact policy having an extra club on the street will not help prevent public nuisance.

Prevention of crime and disorder

The licence states that anyone who appears to be intoxicated will be asked to leave the venue. This seems unlikely and it would be useful to know at what level of intoxication people will be removed, as otherwise this seems like a very vague and difficult to enforce promise.

As referred to above, residents of the area also report disorderly behaviour as people leave the clubs, and this is backed up by police.

Thanks,

Ash

Cllr Ash Haynes
Thorpe Hamlet ward
Green Party
Norwich City Council

Fuller, Maxine

From: Alexander Catt <
Sent: 11 July 2021 16:48
To: LICENSING
Subject: Objection to Liquid nightclub licence application

CAUTION! – This email originates from outside Norwich City Council.

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To whomever it may concern,

I object to the licence applied for by Liquid on numerous grounds. Firstly my experience as a resident on Prince of Wales Road is that the volume of music is not controlled very well within the specifications listed in clubs licence applications and the timings for outdoor music is also poorly controlled and inconsistent with music often being played outside until early hours of the morning. This can cause disturbance to families on Prince of Wales Road and surrounding residential areas at times when most would be trying to sleep and so therefore would also cause harm to children.

I also take issue with the application on the basis of crime and disorder. It states that those who are intoxicated or acting disorderly will be removed from the club. The reality is that these people will be left on the street and potentially could be vulnerable themselves and so fall victim to crime but also those being removed for disorderly conduct would be likely to cause disorder or commit crime in the public road and surrounding areas as they will no longer be in a controlled environment. Furthermore, they would be a nuisance to public.

Kind Regards

Alexander Catt

LICENSING & MARKETS

From: noreply_xforms@norwich.gov.uk
Sent: 02 July 2021 13:52
To: LICENSING
Subject: Licensing - Representation Form

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

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

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

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	11am - 2am closing on all days would help prevent crime and disorder.
Public safety	Needs to close at 2am each day to minimise coronavirus risk
To prevent public nuisance	Needs to close at 2am daily to prevent coronavirus risk.
To protect children from harm	
Please suggest any conditions which would alleviate your concerns	To close at 2am.

Full name:	Michael McDonnell	Date:	02/07/2021
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Fuller, Maxine

From: noreply_xforms@norwich.gov.uk
Sent: 02 July 2021 13:26
To: LICENSING
Subject: Licensing - Representation Form

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

Your name/organisation name/name of body you represent	Fran Felton
Postal address	58 St Faiths Lane, Norwich, NR1 1NN
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	24/26 Prince of Wales Road

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

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	
Public safety	
To prevent public nuisance	The proposed business hours will last until 3-4 am in the morning EVERYDAY, which means noise and disturbance will continue throughout the night and cause great harm on the health and wellbeing of residents who live in the neighbourhood area. Besides, by the time the nightclub closes, people are normally very drunk and do not leave quietly. Instead, they often hang around in the residential area shouting and fighting, which will cause more disturbance and interruption to local residents. We are only human and do need sleep daily.
To protect children from harm	

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

Full name:

Fran Felton

Date:

02/07/2021

Fuller, Maxine

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

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

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

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

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

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

Fuller, Maxine

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

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

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

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

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

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

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

Full name:

Richard Mitchell

Date:

04/07/2021

Fuller, Maxine

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

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Norwich City Council

Licensing Authority

Licensing Act 2003

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

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

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

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	I was assaulted once already in this street by drunk people and I do not wish for any premises to have extended opening time as it will increase more incidents
Public safety	
To prevent public nuisance	
To protect children from harm	

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

Full name:	Ugne Masiulyte	Date:	30/06/2021
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Appendix D



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. As an example, the council will not seek to impose fire safety conditions that may duplicate any requirements or prohibitions that could be imposed under the Regulatory Reform (Fire Safety) Order 2005.

3.0 Applications for Licences

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

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

4.0 Representations

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

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

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

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

13.0 Management of Licensed Premises

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

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

LICENSING OBJECTIVES

20.0 Objective - Prevention of Crime and Disorder

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

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

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

Underage drinking

Drunkenness on premises

Public drunkenness

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

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

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

Litter

Unauthorised advertising

Protecting people and property from theft, vandalism and assault

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

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

Effective and responsible management of premises;

Training and supervision of staff;

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

Provide sufficient seating for customers;

Patrols of staff around the premises;

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

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

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

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

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

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

Provision of effective CCTV in and around premises;

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

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

Provision of toughened or plastic drinking vessels and bottles;

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

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

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

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

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

Responsible advertising;

Distribution of promotional leaflets, posters etc;

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

Member of the 'NiteLink' radio scheme;

Working in partnership with the SOS Bus scheme;

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

Implement a dispersal policy;

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

24.0 Objective - prevention of public nuisance

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

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

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

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

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

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

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

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

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

Section D – cumulative impact special policy

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

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

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

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

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

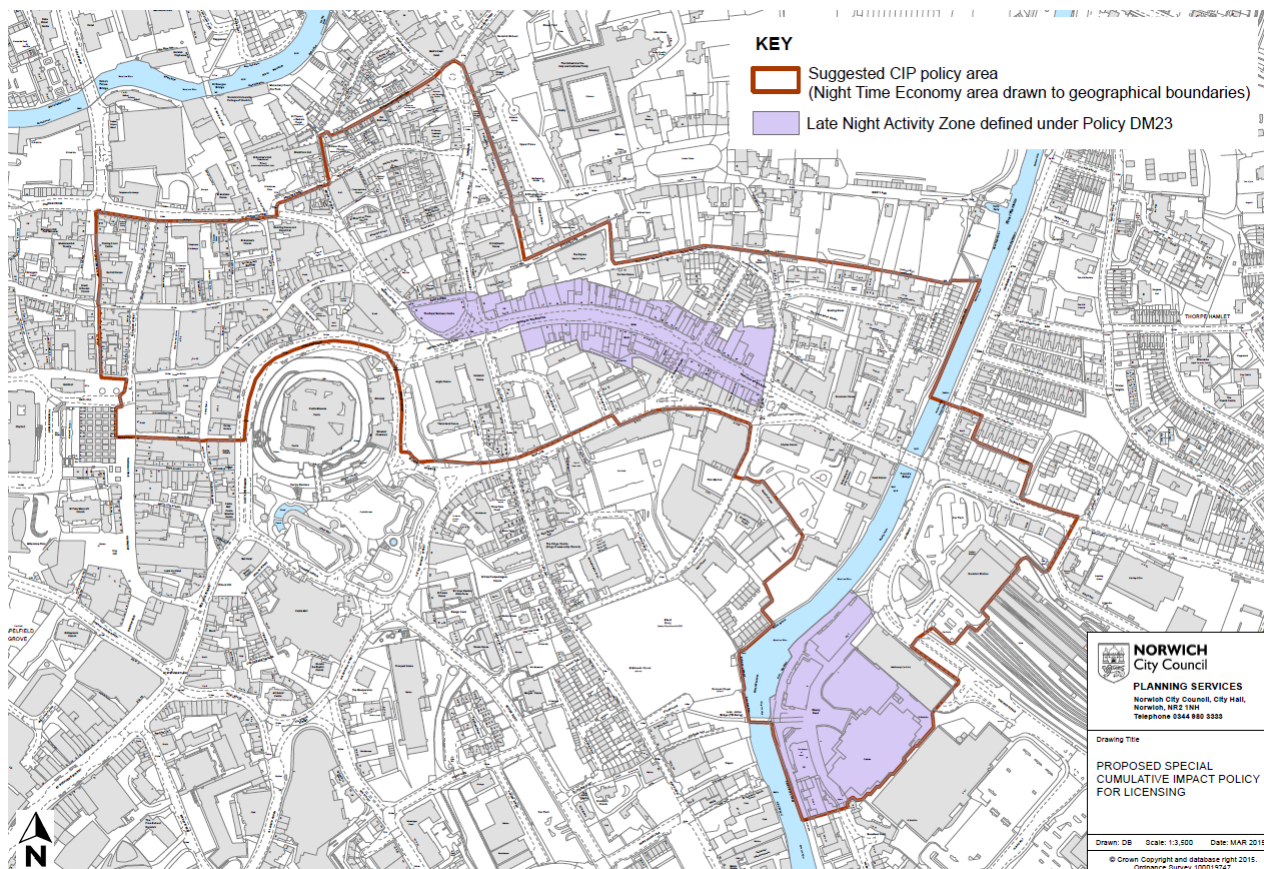
Adopted special policy on cumulative impact

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

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

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

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



Applications

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

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

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

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

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

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

29.12 This special policy will not be used:

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

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

SECTION E - Hours of Trading

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

APPENDIX F

National Guidance

(issued under section 182 of the Licensing Act 2003)

Licence conditions – general principles

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

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

Each application on its own merits

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

Crime and disorder

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

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

2.6 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.7 It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. However, licensing authorities must ensure that they do not stray outside their powers and duties under the 2003 Act. This is important to ensure the portability of the personal licence and the offences set out in the 2003 Act and to ensure, for example, that the prevention of disorder is in sharp focus for all managers, licence holders and clubs.

Public nuisance

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

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

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

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

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

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

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

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

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

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

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

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

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

Conditions attached to premises licence

General

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

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

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

Proposed conditions

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

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

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

Consistency with steps described in operating schedule

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

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

Imposed conditions

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

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

Proportionality

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

Hours of trading

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

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

The need for licensed premises

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