

NORWICH CITY COUNCIL

Report for Resolution

Report To Licensing Sub-Committee

3 November 2009

Report of Head of Legal & Democratic Services

Subject Licensing Act 2003:
Application for the Grant of a Premises Licence -
Dominos Pizza 88 Colman Road Norwich NR4 7EH

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 Dominos Pizza 88 Colman Road Norwich NR4 7EH following the receipt of Interested Party objections.

Recommendation

That Members determine the application to grant a Premises Licence in respect of Dominos Pizza 88 Colman Road Norwich NR4 7EH 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 Officers

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 D.P.G.S. Ltd T/A Dominos Pizza of 32 St Davids Drive Wentworth Gate Englefield Green Surrey TW20 0BA.

1.2 This grant application seeks to allow the provision of late night refreshment.

1.3 The details of the Operating Schedule are as follows:

1.3.1 The Licensable Activities are:

- Late Night Refreshment

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

- Late Night Refreshment 07:00 – 05:00 Sunday – Monday

1.3.3 The opening hours requested are:

07:00 – 05:00 Sunday - Monday

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

1.5 Following consultation with the council's pollution enforcement team the applicant has agreed to the following conditions being attached to the licence:

- Provision deliveries to the premises will only take place between 07:00 and 17:00 hours.
- The shop will close to takeaway customers attending the premises between 00:00 – 05:00 hours Monday to Friday and 01:00 – 05:00 Saturday – Sunday, deliveries may still take place during these hours.

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 objections 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 the representations are attached to the report as Appendix B.
- 2.3 A site map of the area identifying the application premises is attached as Appendix C. 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 D 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 E are the elements of the National Guidance issued by the Secretary of State that are considered to have a bearing upon the application. Also included are the relevant extracts relating to representations from local councillors.

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 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 D 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

THE STEPS WE INTEND TO TAKE TO PROMOTE THE FOUR LICENSING OBJECTIVES

A. General - All Four Licensing Objectives

The store is a franchise of the worldwide Domino's home delivery pizza chain. Domino's has been in business for more than 40 years and during that time, has developed a system of business which primarily involves a home delivery services. Whilst it is possible to collect our products from the store, the vast majority of our business is delivering pizzas and other products we sell, to people's homes. We are governed by the rigorous standards set out in the Domino's Franchise Agreement and these relate to all aspects of operating the business, from the preparation of ingredients right through to the manner in which the product is delivered to our customers. We are mindful of our obligations to our staff, our customers, and others (e.g. local residents) who may be affected by the operation of our business. Our store is adequately staffed so as to allow the proper management of the premises and supervision of those who visit them. The Domino's system does not allow the sale of alcohol. Where customers visit the store, our pizzas are supplied to them in closed cardboard boxes and the nature and size of the product is conducive to being taken home for consumption, rather than being eaten whilst walking along.

B. The Prevention of Crime and Disorder

We will actively co-operate with the local police to ensure that we are made aware of particular problems which affect the area and which may potentially affect our store.

We will not countenance the use or supply of illegal drugs and our staff will inform the police immediately of any such suspected activity on or in the vicinity of the store.

Our employment policies are designed to ensure we recruit professional and reputable staff.

We do not use or supply glassware.

C. Public Safety

The premises comply with all requisite health and safety legislation.

We carry out regular health and safety risk assessments and are required to do so under the terms of our Franchise Agreement.

In the most unlikely event that a greater number of people congregate in the premises than is conducive to public safety, we will not hesitate to ask people to leave the store and we will always encourage them to take advantage of our

home delivery service, which is the primary way in which we serve our customers.

D. The Prevention of Public Nuisance

Our doors and windows will be kept closed at night to prevent transmission of noise.

Our stores have very few customers who visit to buy our product to take away, but those who do visit will be asked to leave the premises quietly and with due consideration for our neighbours.

Music will not be played in the premises.

Our delivery drivers are instructed to enter and leave their vehicles quietly and considerately, not to leave engines running, to park considerately, and at all times to have in mind our neighbours (particularly residential occupiers).

We would have no hesitation in banning people who visit the store and regularly leave the premises in a noisy fashion.

Our equipment is properly sound insulated and operated strictly in accordance with manufacturers' requirements, guide lines and tolerances.

All our air extraction system complies with Building Regulations requirements and is designed to ensure that there is no escape of cooking smells to neighbouring premises.

We neither use nor supply glassware.

E. The Protection of Children from Harm

Our store is not licensed for the sale of alcohol.

Because of the nature of the licence for which we are applying and the nature of our business generally, it is most unlikely that a child unaccompanied by an adult would visit our store during the hours for which we are licensed.

APPENDIX B

RECEIVED
17 SEP 2009
LICENSING

Norwich City Council Licensing Authority
Licensing Act 2003

Initial Development
17 SEP 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)	EATON PARK HAIRDRESSERS
Postal address	82 COLMAN ROAD NR4 7EH
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	DOMINOS PIZZA
Address of the premises you wish to support or object to.	88 COLMAN ROAD NR4 7EH

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	BECAUSE OF LATE NIGHT LOITERING WE HAVE HAD BROKEN WINDOWS. YET ANOTHER FAST FOOD OUT-LET. WILL ONLY ADD TO PROBLEMS!
Public safety	CAR PARKING SPACE IS AT A PREMIUM, AND NOW WE HAVE DELIVERY DRIVERS PARKED AT THE FRONT OF SHOPS
To prevent public nuisance	LITTER (i.e. EMPTY PIZZA BOXES) HAVE TO BE CLEARED UP FROM THE FRONT OF OUR PREMISES ALMOST EVERY DAY.
To protect children from harm	

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

Signed:

Date: 15th SEPT '09

Please see notes on reverse

REC-1

17 SEP 2009

LICENSING OFFICE

Norwich City Council Licensing Authority
Licensing Act 2003

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

Organisational Development
17 SEP 2009
Post Room

Your name/organisation name/name of body you represent (see note 1)	A.T. Atkins
Postal address	7 CAROLINE COURT NORWICH NR4 7ET
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Dominos Pizza
Address of the premises you wish to support or object to.	88 COLMAN RD, NORWICH NR4 7EH

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	AS THIS IS A RESIDENTIAL AREA IT CANNOT BE OK TO TRY TO ATTRACT PEOPLE TO THIS AREA OVER THIS AMOUNT OF OPENING HOURS. SURELY ALL NIGHT OPENING IS OUT OF CHARACTER FOR THIS AREA AND CANNOT BE JUSTIFIED.
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	A MUCH EARLIER CLOSING TIME E.G. 11PM.
--	---

Signed:

Date: 16-9-09.

Please see notes on reverse

RECEIVED

28 SEP 2009

LICENSING OFFICE

Norwich City Council Licensing Authority
Licensing Act 2003

Organisational Development

28 SEP 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)	THE TORTUNG HOUSE
Postal address	86 COLMAN ROAD, NORWICH NR4 7EH
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	DOMINOS PIZZA
Address of the premises you wish to support or object to.	88 COLMAN ROAD, NORWICH NR4 7EH

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	ALL THE PARKING FACILITY HAVE BEEN OCCUPIED BY THE DOMINOS PIZZA
Public safety	IT CREATES A LOT OF PROBLEM, SUCH AS GRIVANCES ARISE FROM PARKING.
To prevent public nuisance	DISTURB OF SLEEP DUE TO THE EARLY OPENING HOUR BECAUSE OF ALL THE ACTIVITIES OF DOMINOS PIZZA (SUCH AS DELIVERY)
To protect children from harm	

IN THE FRONT AS WELL AS THE BACK OF THE PROPERTY.

Please suggest any conditions which would alleviate your concerns.	I THINK THAT IT IS NOT APPROPRIATE TO HAVE TWO PIZZA SHOPS WITHIN SUCH A SHORT DISTANCE. AND LIMITED PARKING FACILITY.
--	--

Signed:

Date:

20-9-09

Please see notes on reverse

Fuller, Maxine

From: toninolabella
Sent: 21 September 2009 21:08
To: Licensing
Subject: grant of premises license for 88 colman road {dominos pizza}

To the licensing authorities,

I am writing to object to the application of this license for 88 colman road,
for various reasons,

parking

1- As a resident of 96a colman road i already have problems

my car in north park drive.

night

2- I am also worried about the noise level late at night i have
three small children and i do not wish to go into the store late at

to complain.

imagine

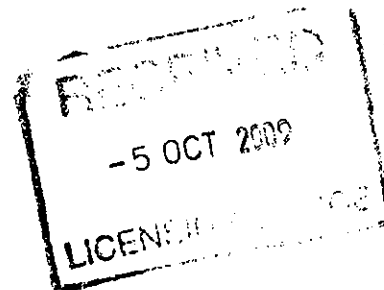
3-I also would not be happy with the extra litter about, because i

times

they will have alot of drunks coming out of the pubs at those

using Dominos

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)	EARL BERRY
Postal address	94A COLMAN ROAD NR4 7EH
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	
Address of the premises you wish to support or object to.	OBJECT TO DOMINOS PIZZA

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

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

PLEASE READ ATTACHED SHEET.

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

Signed:

Date:

1/10/09

Please see notes on reverse

DEAR SIRS/

I WOULD LIKE TO OBJECT TO THE VERY VERY LATE OPENING TIMES OF DOMINOS BECAUSE..

I HAVE LIVED HERE FOR 22YEARS AND HONESTLY THE LAST COUPLE OF WEEKS HAVE BEEN THE WORST EVER AND IS HONESTLY. MAKING ME ILL AND MY PARTNER OF 14YEARS REALLY TIRED AND STRESSED. NORTH PARK DRIVE IS NOW LIKE THE M25 WITH THE DRIVERS ALREADY DRIVING FORWARDS AND BACKWARDS WITH SPEEDS OUT OF CONTROL. WE HAVE TWO CHILDREN ONE TEN YEARS OLD AND ONE JUST TURNED FOURTEEN MONTHS, AND TWICE I HAVE HAD TO SHOUT AT DELIVERY DRIVERS TO SLOW DOWN BECAUSE OF OUR CHILDREN HAVE TO CROSS AT NORTH PARK DRIVE. WE HAVE LOST COUNT HOW MANY TIMES OUR DAUGHTER HAS BEEN WOKEN AT LATE HOURS ALREADY DUE TO DRIVERS SHOUTING AND WHEEL SPINNINING AT NORTH PARK DRIVE, BECAUSE OUR FLAT BACKS ON TO THAT. I WORK LONG HOURS AND HAVE GONE TO WORK SHATTERED BECAUSE OF BEING WOKEN UP LATE ALREADY ASWELL AS OUR DAUGHTER GOING TO SCHOOL IN TEARS BECAUSE SHES TIRED WITH DISTURBED SLEEP. LAST WEEK I COUNTED FIFTEEN DIFFERENT DELIVERY CARS HERE IN AN HOUR BETWEEN FIVE PM AND SIX PM. I HAVE A GARAGE FOR MY CAR AND AM KEY HOLDER TO FOUR SHOPS AND NEED TWENTY FOUR HOUR ACCESS IN CASE OF ALARMS ETC.. AND EXPLAINED THIS TO MANAGER FIRST WEEK THEY OPENED AND SINCE I HAVE HAD TO MOVE ON CARS EIGHTEEN TIMES AND THATS NO LIE OR JOKE, IF THEY WERE TO OPEN TILL EVEN LATER AND I NEED TO MOVE MY CAR FOR A SERIOUS REASON I CAN SEE ME RUNNING AROUND EARLY HOURS TRYING TO FIND SOMEONE TO MOVE, THIS ALSO WORRIES ME ALOT. MY MAIN CONCERN IS THE RECKLESS SPEEDS AND LOUD MUSIC BY THE DRIVERS TO WHICH MY TWO CHILDREN DO COME INTO CONTACT WITH EVERYTIME WE GO OUT WE HAVE NOT HAD A SINGLE WINDOW OPEN ON AN EVENING SINCE DOMINOS HAVE BEEN HERE BECAUSE OF THE NOISE, THE THAUGHT OF THEM OPENING TILL EARLY HOURS REALLY REALLY STRESSES MYSELF AND MY PARTNER. OUR QUALITY OF LIFE HAS HONESTLY DIMINISHED ALOT IN THE PAST COUPLE OF WEEKS AND THAT IS SAD.

RECEIVED
-5 OCT 2009
LICENSING OFFICE

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)	MARTHA O'BORNE
Postal address	1 NORTH PARK AVENUE NORWICH NR4 7EE
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	DOMINGS PIZZA
Address of the premises you wish to support or object to.	68 COLMAN ROAD NORWICH NR4 7EH

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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	Currently the noise from the rear of Domings is a public nuisance. The staff shout + laugh very loudly at the back door. The sound of squeaking tyres + revving engines on delivery cars + customers shouting at each other. Any later would be unbearable
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	A lower speed limit might make it a bit quieter
--	---

Signed:

Date: 15V October 2009

Please see notes on reverse

APPENDIX C

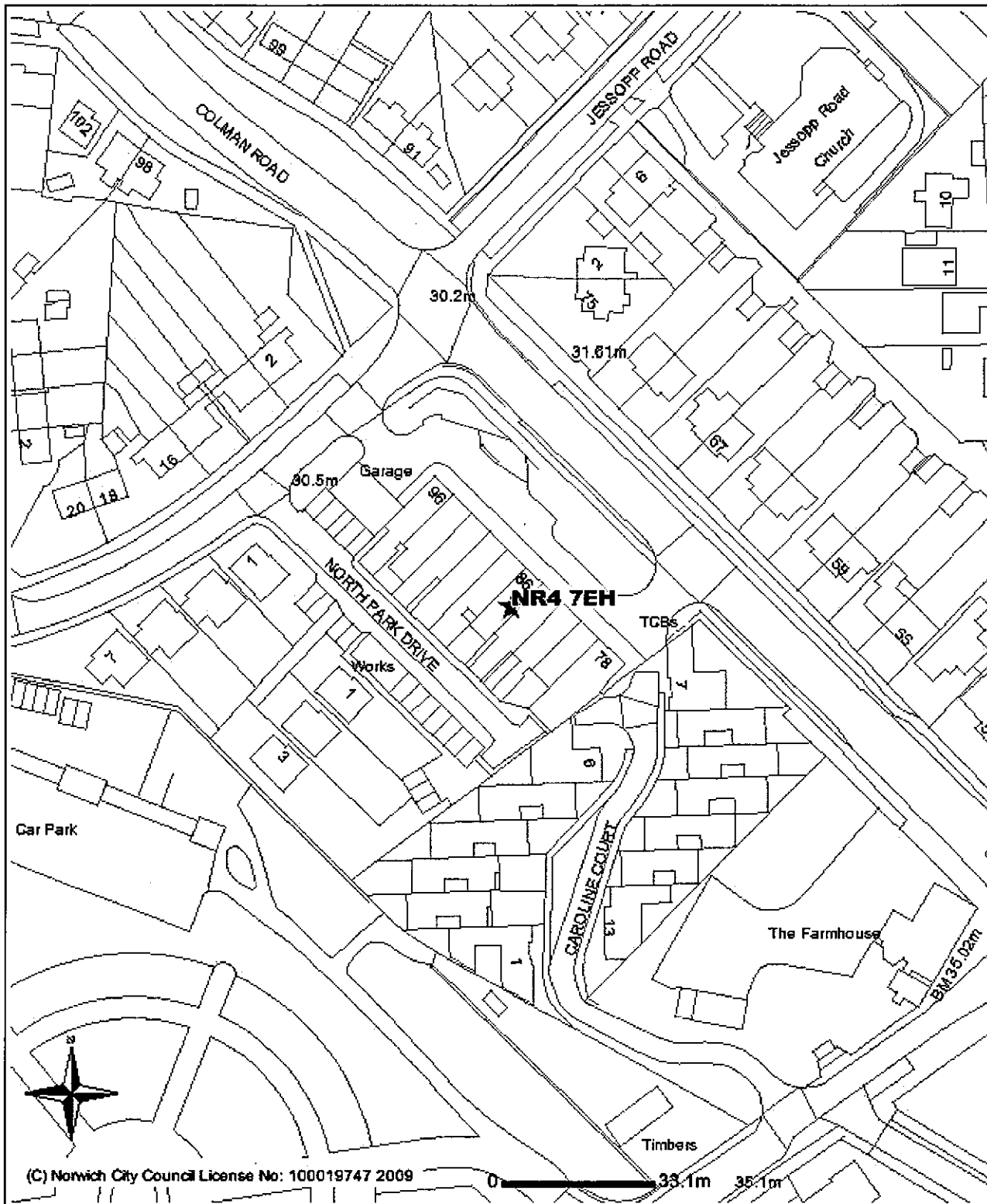


NORWICH
City Council

Norwich City Council
City Hall Norwich
NR2 1NH

Tel: 01603 212212
info@norwich.gov.uk

Dominos Pizza 88 Colman Road



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Scale: 1:1250

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APPENDIX D

Local Policy considerations

1.0 Introduction

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

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

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

2.0 Consultation and Links to other Policies and Strategies

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

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 E

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."