



Development and city services
Public Protection (Licensing)
City Hall
St Peters Street
Norwich NR2 1NH

Notice giving reasons for the counter notice – Car Park, Lower Clarence Road, Norwich.

On **1st September 2021** the licensing authority received from you, **Mr Dean Bath**, temporary event notices (“the notices”) in respect of proposed temporary licensable activities due to take place on **18th and 21st September 2021** at the Car Park, Lower Clarence Road, Norwich, namely in respect of the premises to use the area of 25m x 25m approximately, as more particularly shown on a plan for the sale by retail of alcohol between 12:30 to 15:00 for the 18 Sept (this period was amended at committee to 13:00 to 14:30) and between 17:15 and 19:45 on the 21 Sept (this period was amended at committee to 17:45 to 19:15). The licensing authority received an objection under section 104(2) of the Licensing Act 2003 from the Norfolk Constabulary to the notices on the basis that the licensing objectives, specifically the prevention of crime and disorder would be seriously undermined if the proposed temporary licensable activity took place, and a hearing took place on the 16th September 2021 at which it was determined to serve a counter notice for the reasons given below.


The licensing authority determined that the proposed events would undermine the prevention of crime and disorder licensing objective.

In coming to this view the committee took account of the evidence provided by the applicant, his representative Mr G Tempest, his witness regarding security matters and the Norfolk Constabulary, including the Event Safety Management Plan, as updated, provided by you and the photographs provided by the Norfolk Constabulary and on behalf of yourself. The committee noted that the concerns originally expressed by the Environmental Health team of the council had been withdrawn at committee following consideration of the intended w.c. provision.

The basis of the committee decision is as follows:

1. That the police are the prime source of advice to the council regarding the crime and disorder licensing objective, under statutory guidance to which the council must have regard. The police continued to oppose these applications.
2. There were concerns about traffic safety, but the council feels these are mitigated by dedicated traffic management including the dedicated staff on site and separation of coach and car parking.

3. There is a risk of flashpoints on site between opposing fans, and whilst noting the efforts that have gone into the preparation of the management plan this is still a concern.
4. Concerns regarding the use of missiles are mitigated due to the moving of the site to an area where such missiles are less available than was the case at the previous location.
5. Concerns regarding the safety of persons queueing on site should be mitigated by the placing of a coach as a physical barrier and the applicant indicated that they would take action to reduce queueing where possible.
6. The use of flares was considered unlikely and as such it would be disproportionate to refuse on that basis. Similarly, the concerns regarding a single entrance/exit were likely to be dealt with satisfactorily by management if a problem did arise, by the creation of a further entrance/exit.
7. A concern remained that the lack of seating will lead to fast alcohol consumption.
8. The removal of alcohol for consumption outside the proposed licensed area remains a concern, and committee is on balance of the view that this cannot likely be prevented, especially when persons leave in a mass - when the bar closes, for example, or should there be a sudden downpour as there is a lack of cover.
9. The committee note the view of the police that this creation of a large mass of individuals will be a problem under the licensing objectives when leaving the site. The applicant was of the view that there was a benefit to the licensing objectives by persons remaining in this controlled environment rather than dispersing into the city to less controlled areas. The committee prefers to follow the police evidence, again noting that they are the committee's primary source of advice on the crime and disorder licensing objective.

SIGNATURE	 On behalf of the licensing authority	DATE of decision	16 September 2021
Name of Chair signing	Councillor Ian Stutely		

Reasons for counter notice – Car Park, Lower Clarence Road, Norwich.