

Report to Licensing sub committee
29 June 2017

Item 3

Report of Head of citywide services
Licensing Act 2003:

Subject Application for the Grant of a Premises Licence –
The Boundary PH 414 Aylsham Road Norwich NR3 2SA

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 The Boundary PH 414 Aylsham Road Norwich NR3 2SA following the receipt of relevant representations.

Recommendation

That members determine the application to grant a premises licence in respect The Boundary PH 414 Aylsham Road Norwich NR3 2SA in accordance with the:

- Licensing Act 2003;
- Guidance issued under Section 182 of the Licensing Act 2003; and
- Norwich City Council Statement of Licensing Policy

Corporate and service priorities

The report helps to meet the corporate priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function.

Financial implications

None.

Ward/s: Mile Cross

Cabinet member: Councillor Maguire – Safe city environment

Contact officers

Ian Streeter, Licensing Manager

01603 212761

Background documents

None

Report

The application

1. The applicant is The Craft Union Pub Company Ltd of 3 Monkspath Hall Road, Solihull, B90 4SJ.
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) together with a letter from Norfolk Constabulary and an email from the council's environmental protection team detailing conditions, which have been confirmed as agreed by the applicant.

Relevant representations

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

Police – no representations.

Environmental Protection – no representations.

Fire Officer – no representations.

Planning Officer – no representations.

Area Child Protection Committee – no representations.

Trading Standards – no representations.

Primary Care Trust – no representations

4. Seven representations objecting to the application have been received from local residents. Copies are attached at appendix B to the report, together with a plan identifying the relevant premises.

Norwich City Council Statement of Licensing Policy

5. Attached at appendix C are the elements of the city council's local licensing policy, which are considered to have a bearing upon the application.

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

6. Attached at appendix D are the elements of the national guidance issued by the Secretary of State that are considered to have a bearing upon the application.

Summary

7. 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.
8. 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
9. 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.
10. 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 D 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.
11. 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
Application for a premises licence
Licensing Act 2003

For help contact
licensingapplications@norwich.gov.uk
 Telephone: 0344 980 3333

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number



Include country code.

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

☐ A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? ☐ Yes ☒ No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? ☐ Yes ☒ No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

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

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

COMPANY

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

* Nationality

Documents that demonstrate entitlement to work in the UK

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start? / /

dd mm yyyy

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

dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

These are existing public house premises situated on Alysham Road. The premises offer and will offer the sale of alcohol, regulated entertainment (films, indoor sporting events, live music, recorded music, performance of dance and anything of a similar description) and late night refreshment.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start 10:00

End 00:00

Start

End

Will the exhibition of films take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

1000-0200 the following day on the dates shown on the schedule attached to this application.

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 10:00

End 00:00

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start 10:00

End 00:00

Start

End

Continued from previous page...

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 01:30

Start

End

SATURDAY

Start 10:00

End 01:30

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for indoor sporting events

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

1000-0200 the following day on the dates shown on the schedule attached to this application.

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Continued from previous page...

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

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Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

1000-0200 the following day on the dates shown on the schedule attached to this application.

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start 10:00

End 01:30

Start

End

SATURDAY

Start 10:00

End 01:30

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

1000-0200 the following day on the dates shown on the schedule attached to this application.

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☒ Yes

☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 10:00

End 00:00

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 01:30

Start

End

SATURDAY

Start 10:00

End 01:30

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

Will the performance of dance take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not
exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

1000-0200 the following day on the dates shown on the schedule attached to this application.

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start 10:00

End 00:00

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 01:30

Start

End

SATURDAY

Start 10:00

End 01:30

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

Will this entertainment take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

1000-0200 the following day on the dates shown on the schedule attached to this application.

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start 23:00

End 00:00

Start

End

WEDNESDAY

Start 23:00

End 00:00

Start

End

THURSDAY

Start 23:00

End 00:00

Start

End

FRIDAY

Start 23:00

End 01:30

Start

End

SATURDAY

Start 23:00

End 01:30

Start

End

SUNDAY

Start 23:00

End 00:00

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

2300-0200 the following day on the dates shown on the schedule attached to this application.

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 10:00

End 00:00

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 01:30

Start

End

SATURDAY

Start 10:00

End 01:30

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption:

- ☐ On the premises ☐ Off the premises ☒ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

1000-0200 the following day on the dates shown on the schedule attached to this application.

Alcohol sales will be permitted 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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Continued from previous page...

Issuing licensing authority
(if known)

ASHFIELD DC

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 10:00

End 00:30

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 10:00

End 00:30

Start

End

WEDNESDAY

Start 10:00

End 00:30

Start

End

THURSDAY

Start 10:00

End 00:30

Start

End

Continued from previous page...

FRIDAY

Start 10:00

End 02:00

Start

End

SATURDAY

Start 10:00

End 02:00

Start

End

SUNDAY

Start 10:00

End 00:30

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On the dates where the hours for alcohol sales are extended then these premises will close 30 minutes after the last permitted time for alcohol sales.

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LICENSING OBJECTIVES

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

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

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

b) The prevention of crime and disorder

A CCTV system will be installed and maintained at the premises. Images will be retained for a minimum period of 28 days and copies made available to officers of the responsible authorities upon request. The DPS will risk assess the need for door supervisors. Door supervisors will be provided on such dates, in such numbers and between such times as required by the risk assessment.

c) Public safety

Continued from previous page...

The DPS will operate an incident log book. This will be made available to officers of the responsible authorities upon request.

d) The prevention of public nuisance

There will be no consumption of alcohol permitted in any outside area after 2300. There will no admission/re-admission to the premises after midnight save for persons who have gone outside to smoke. Signage will be displayed both inside and outside the premises informing customers to leave quietly and to ensure that local residents are not disturbed.

e) The protection of children from harm

The DPS will operate a Challenge 21 scheme. All staff whose duties involve the sale of alcohol will receive training in this scheme. Training records will be produced to officers of the responsible authorities upon request. The DPS will operate a refusals register. This will be made available to officers of the responsible authorities upon request. No person under the age of 16 will be permitted to remain in the premises after 2200 unless it is for the purpose of completing a meal ordered prior to that time.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

BOUNDARY, NORWICH
Dates of Extensions to hours for licensable activities

Permitted hours for licensable activities 1000 to 0200 the following morning on the dates below:-

Special Occasions/Saint's Days

New Year's Day – 1st January
Burns Night – 25th January
St Valentine's Day – 14th February
St David's Day – 1st March
St Patrick's Day – 17th March
St George's Day – 23rd April
Bonfire Night – 5th November
St Andrew's Day – 30th November

Bank Holiday Weekends

Maundy Thursday, Good Friday, Easter Saturday, Easter Sunday and Easter Monday
(NB if BST commences on the Easter weekend then an additional hour is sought on Easter Saturday to mitigate the loss of an hour caused by the clocks moving forward an hour at 1am)
Early May Bank Holiday (Friday, Saturday, Sunday, Monday)
Late May Bank Holiday (Friday, Saturday, Sunday, Monday)
August Bank Holiday (Friday, Saturday, Sunday, Monday)

Christmas Period

Xmas Eve to 30th December inclusive

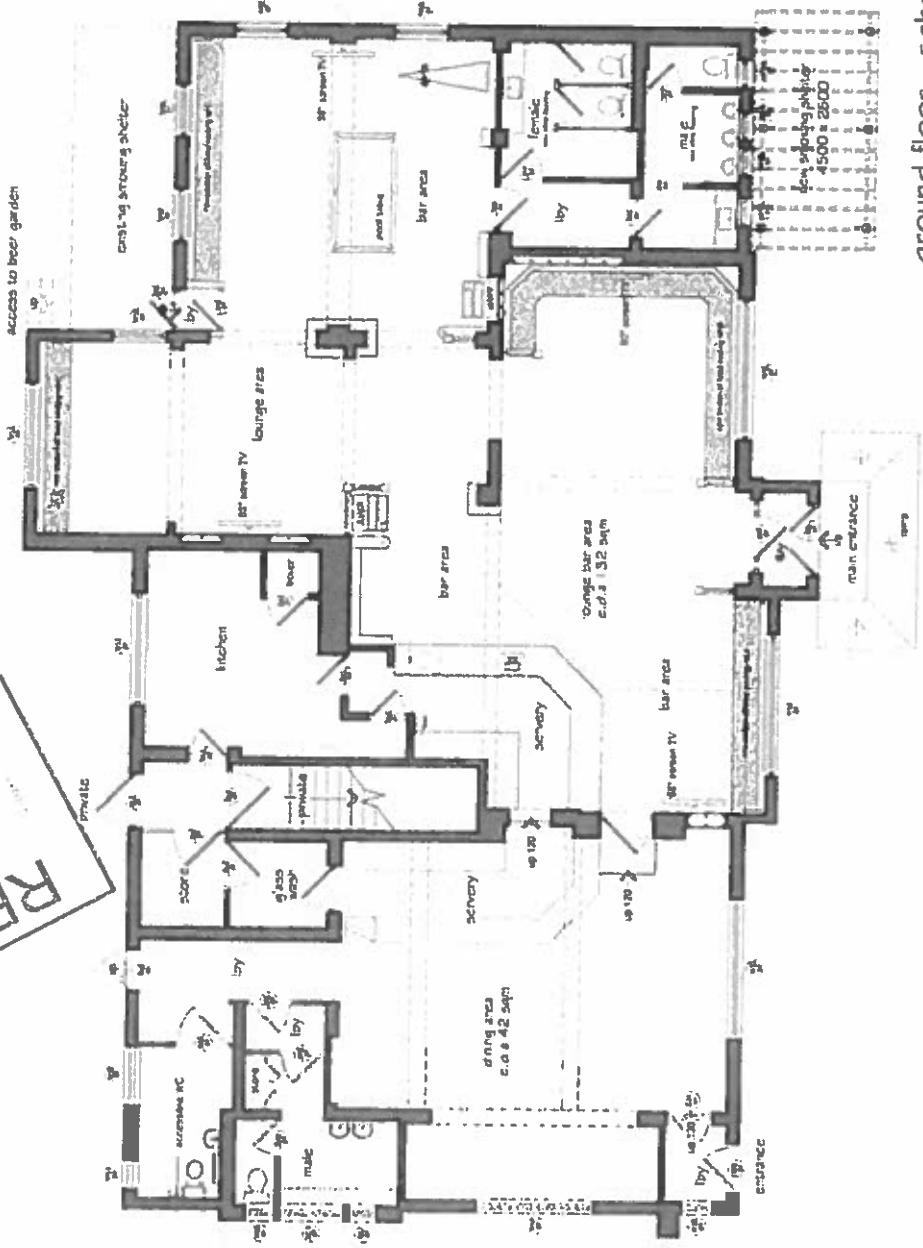


the boundary @ norwich

NORTH

licenseable activities may take place in all public areas unless the premises license specifies otherwise

RECEIVED
04 MAY 2017
LICENSING OFFICE



ground floor - scheme proposals
total - e.d.a. 174 sqm



<p>All dimensions to be checked on site prior to construction commencing on a site. All dimensions must be reported.</p>	
<p>revisions A 11/04/2017 DR New drawing added to front elevation, creating another entrance to the rear</p>	<p>DRD ARCHITECTURE INTERIOR DESIGN 111-113 High Street, Norwich, NR3 2SA Tel: 01603 411111 Email: info@drd-design.co.uk</p>
<p>100 Bedford Street, Norwich, NR3 2SA The Studio - 1st floor, 1st floor Tel: 01603 411111 Email: info@drd-design.co.uk</p>	<p>Craft Union Pub Co The Boundary Aylsham Road Norwich NR3 2SA</p>
<p>GROUND FLOOR scheme proposals</p>	<p>LICENSING Name: Dave Robinson Date: 06/04/2017 Plan: 174 sqm @ A1 Drawing No: 1685_10</p>
<p>Sheet A</p>	<p>Sheet A</p>



NORFOLK
CONSTABULARY

Our Priority is You

Mr Ian Streeter
Licensing Manager
Norwich City Council
St Peters Street
Norwich
NR2 1NN

Date: 30th May 2017

Dear Sir

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: 101

Re: Boundary, Norwich – Application for a premises licence

I can confirm that Police have received a copy of the application for a new premises licence for the Boundary Public House, 414 Aylsham Road Norwich.

The premises has benefited from a premises licence and been operating as a pub for many years however due to a major refurbishment. The applicants took the opportunity to apply for a new licence due to the old one having many redundant conditions.

The applicant has offered a number of conditions to promote the licensing objectives such as CCTV recording for 28 days, no entry or re-entry policy after midnight, incident log and challenge 21 scheme.

There was a previous recommendation for them to consider amend the condition attached to the old licence relating to the employment of door staff. This was due to the management risk assessing the requirement when events were taking place. However the applicant is now requesting a later licence than before and intend on extending even later on special occasions and bank holiday weekends. There is now more of a need for door staff if the venue operates later due to patrons being able to consume alcohol for longer.

Therefore I propose the following are added onto the licence:

- **A minimum of 1 SIA door supervisor shall be employed from 2300 hrs until the premises closes on all the specified special occasion dates and bank holiday weekends when licensable activity ceases at 0200 hrs.**
- **At all other times, the requirement for door supervisors shall be risk assessed by the DPS. This written risk assessment shall be made available on the premises for inspection by Police or Licensing Authority on request.**
- **There will be a door supervisor signing in/off which include date, full SIA badge number, tour of duty and times worked. This book will be kept on the premises and available for inspection by Police or Licensing Authority on request.**

- **CCTV to monitor the main public areas of the venue, front of the venue, car park and rear garden.**
- **Patrons will be prevented from taking open vessels of alcohol off the site.**

With these conditions added to the premises licence, there will be no objections.

Yours faithfully,

Michelle Bartram
Licensing Officer

Fuller, Maxine

From: Divey, Richard
Sent: 09 June 2017 15:10
To: 'Richard Taylor', Streeter, Ian
Cc: LICENSING; 'Mandy Mighty'
Subject: RE: THE BOUNDARY, 414 ALYSHAM ROAD, NORWICH - APPLICATION FOR PREMISES LICENCE GTE:00944547

Hi Ian

I would have no objection if the conditions below are attached to the licence

Regards

Richard Divey
Environmental Protection Officer
Norwich City Council
St. Peters Street, Norwich
NR2 1NH
01603 212319

From: Richard Taylor [mailto:RJT@gosschalks.co.uk]
Sent: 25 May 2017 11:22
To: Divey, Richard
Cc: LICENSING; Mandy Mighty
Subject: RE: THE BOUNDARY, 414 ALYSHAM ROAD, NORWICH - APPLICATION FOR PREMISES LICENCE GTE:00944547

Hi Richard

I've taken instructions and we do not believe that the lobby shown to the garden could satisfy the definition of an "acoustic lobby." At this stage, my client does not seek to incur further costs to upgrade that lobby and in the circumstances has instructed me to amend condition 3 so that the prohibition on the use of the external area accessible through the pub has effect at 2200 with no exceptions.

In the circumstances, please confirm that you would have no objection to the grant of the premises licence subject to the following conditions being added –

1. A noise limiting device will be installed and maintained at the premises. All amplified music played within the premises will be played through the noise limiting device. The maximum noise levels will be set following liaison and agreement with the Environmental Health Officer.
2. Access to the garden will be through the premises only.
3. The use of the outside areas shall cease at 2200.
4. A sign of appropriate size and wording shall be displayed in the smoking shelter informing customers that the remainder of the outside area may not be used after 2200.
5. All doors and windows will be kept closed after 2200 whenever amplified entertainment is being played on the premises.

I look forward to hearing from you.

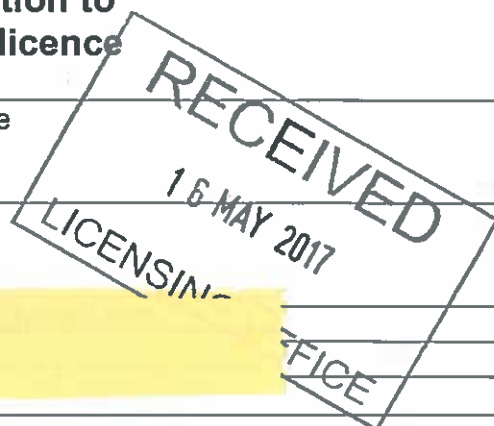
Kind regards

Richard Taylor | Partner | Licensing

**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)	Christopher Neil Page
Postal address	78 Bolingbroke Road Norwich, Norfolk NR3 2SF
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	The Boundary Pub
Address of the premises you wish to support or object to.	The Boundary, 414 Aylsham Rd, Norwich NR3 2SA



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

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	<p>We have grave concerns in regards to the late night drinking. In the last few years we have had issues with patrons causing issues. We have experienced loud drunken singing. Arguments, and fights as people leave the premises.</p> <p>We also have concerns in regards to the lack of door security to manage situations like the above.</p>
Public safety	<p>The area around the pub is regularly subject to broken glass bottles. There is also a lack of lighting in the roads to the back and side of the pub as they are turned off around midnight.</p> <p>Drug dealing occurs near their premises, and we are concerned longer opening hours will attract more of this behavior.</p>
To prevent public nuisance	<p>Patrons of the pub often park on the double yellow lines outside our property – removing our ease of access as they leave the cars there all day since they are too drunk to drive after leaving.</p> <p>We have also had to make noise complaints in regards to this property when they play live music late at night. We are concerned this will continue – especially as they now plan to extend their live music permit to 1.30am at weekends. Making any complaint in regards to these issues is always met with verbal abuse from the pub management/owner.</p> <p>Patrons of the pub also partake in public urination against the boundary hedges of the premises.</p>
To protect children from harm	<p>Some local residents have young children, and we are concerned that these children will have their sleep disturbed by any live events at the pub.</p>

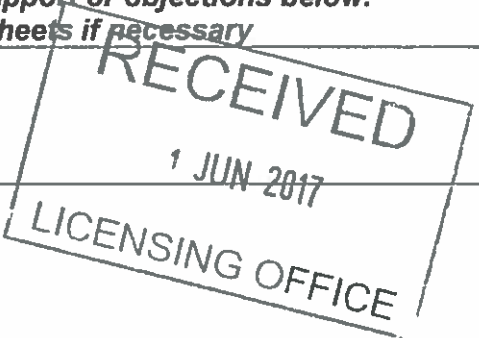
**Norwich City Council Licensing Authority
Licensing Act 2003**

CORPORATE RESOURCES
01 JUN 2017
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)	A & T Bowen
Postal address	63 Bolingbroke Road
Email address	[REDACTED]
Contact telephone number	[REDACTED]
Name of the premises you wish to support or object to	Boundary Public House
Address of the premises you wish to support or object to.	Aylsham Road Norwich

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

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	<div style="text-align: center;">  </div>
Public safety	
To prevent public nuisance	
	Loud music, people coming past singing, shouting, throwing glasses and bottles in road and gardens, vomiting and urinating in the gardens and on the road
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	Not to extend licensing hours
---	-------------------------------

Signed [REDACTED]

Date: 21/05/2017

Please see notes below

**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)	Kim Ian Rogers
Postal address	64 Bolingbroke Road Norwich. NR3 2SF
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.	

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

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	In the past when these premises had late night/early morning drinking there was broken bottles, glass and cans scattered on Bollingbroke Road and Aylsham Road. Damage was done to fencing and parked cars. People leaving the pub were rowdy.
Public safety	Residents who complained were abused and threatened. Streetlights on the roads at the back and side of the premises are switched off at midnight.
To prevent public nuisance	Noise and litter scattered down residential streets.
To protect children from harm	Children asleep would be woken up by noise and bad language.

Please suggest any conditions which would alleviate your concerns.	Provide the same level of policing as is provided in city for nightclubs and late night drinking.
---	---

Signed:K.I.R.

Date: 14/05/2017.

Please see notes below

Bennett, Rachel

From: Donna White
Sent: 31 May 2017 21:28
To: LICENSING
Subject: Objection to application for premises license

Dear Sir / Madam

I am writing to you with regards to the proposal for the former Boundary Public House in Norwich. We strongly object to this extended license and below are my views and points I wish to be taken into serious consideration.

I believe that the intended proposal of extended hours will add to the potential crime and disorder for surrounding neighbours. We have regularly found broken glass, cans and bottles in our driveway which can cause damage to vehicles, and potential harm when my grandchild visits. There is frequent foul language and shouting when patrons leave the pub. There have been occasions when fights occur, fences have been broken.

I strongly believe that the extended hours will have a detrimental effect on public safety. The street lights on Bolingbroke road are turned off at midnight so there will be a larger amount of people in the area when the lights are off. This in itself could offer opportunity for crime. The noise level from both the music from the pub and the people leaving the pub will increase, and therefore disturbs residents. This is ultimately a residential area and as such should not be subject to such a ludicrous proposal.

The area surrounding the premises has many residents who are vulnerable including the elderly and families with small children. The noise will wake and disturb these people, and shouting and disruptive behaviour may frighten. People deserve to feel safe in their own home and not have to be concerned about drunk people causing nuisance.

As previously mentioned, the extended hours proposal increases the potential for children to suffer harm. This could be due to physical affects; broken glass, bottles, cans and General litter in the area or in personal gardens, and emotional; being woken at night from loud music or behaviour, hearing bad language, feeling frightened by situations happening outside their home. Everything should be done to ensure these situations should not happen.

We strongly object to the extended 2am opening license proposal for the reasons mentioned above. A venue in a city centre with a 2am close is heavily manned with security staff and policed to help ensure safety. A quiet residential area should not have to endure such a ridiculous closing time on a venue such as this. Doing so increases the potential for crime, disturbance, harm to the general public and affects the welfare of he many residents who will no doubt be affected by this.

My details are below for reference.

Regards.

Mr. R. White

Mr. And Mrs White
65 Bolingbroke Road
Norwich
NR3 2SF



Sent from my iPhone

Norwich City Council Licensing Authority
Licensing Act 2003

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

Organisational Development

23 MAY 2017

Post Room

Your name/organisation name/name of body you represent (see note 1)	MRS EDNA Ramm.
Postal address	68 Bolingbroke Rd Norwich NR3 2SF.
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	BOURBY TAVERN
Address of the premises you wish to support or object to.	414 AYLESHAM RD. NORWICH NR3 2SA

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	Damage to cars fences etc. No str street lights after 12 midnight
Public safety	No street lights so can can not see drunken drivers "longer licensing by hrs" ^{would} encourage "this"
To prevent public nuisance	"noise from back garden in summer time, ie bad language, shouting, music from (open doors windows)"
To protect children from harm	No parking on side roads

Please suggest any conditions which would alleviate your concerns.	leave opening hrs & same as now or no later the midnight, this is not an area for mini night club, "
--	--

Signed:

Date: 21-5-19.

Please see notes below



**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)	Mr Robert White
Postal address	412 Aylsham Road Norwich NR3 2SA
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	The Boundary
Address of the premises you wish to support or object to.	414 Aylsham Road Norwich, NR3 2SA



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

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	I strongly object to the proposal for increasing the licensing hours for The Boundary. We already experience broken bottles outside our house and people urinating near our premises. Urinating in public places is a criminal offence. This is not acceptable and increasing the hours of drinking will only encourage this behaviour. Broken glass on pathways can cause injury and harm to the public and we have experienced some bottles being thrown onto our property already. We do not want our property damaged and believe this proposal will increase the probability of this happening. The Boundary is not based in the City Centre where most late night establishments are trading, so do not feel this is acceptable in a highly residential area.
Public safety	
To prevent public nuisance	Loud music is played at The Boundary and we can hear this from our premises at night (with windows closed) with the current license in place. The music is louder on event nights and when live bands are playing so I strongly object to allowing extended hours at The Boundary. Young children live in the area and this increased volume of noise for a prolonged period of time will become distressing. It is frustrating to hear the loud music playing at 11pm but would be worse to have this continuing into the following morning.
To protect children from harm	

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

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

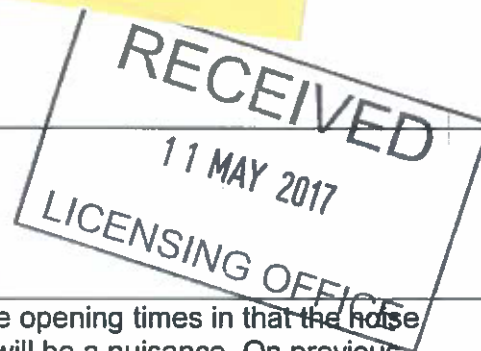
**Statement of support or objection to
an application for a premises licence**

Your name/organisation name/name of body you represent (see note 1)	RICHARD BAILEFF
Postal address	14 SPYNKE ROAD, NORWICH NR3 2SE
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	THE BOUNDARY
Address of the premises you wish to support or object to.	414 AYLSHAM ROAD, NORWICH, NR3 2SA

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

Licensing Objective	<i>Please use separate sheet for each objective.</i>
To prevent crime and disorder	
Public safety	
To prevent public nuisance	I am concerned with the late opening times in that the noise created from the premises will be a nuisance. On previous occasions with the windows / doors open at the Boundary (especially during the summer months) the noise carries across from the premises and causes a disturbance. If there is to be a beer garden arrangement then this will also cause a noise disturbance given the close proximity of the Boundary to residential housing.
To protect children from harm	

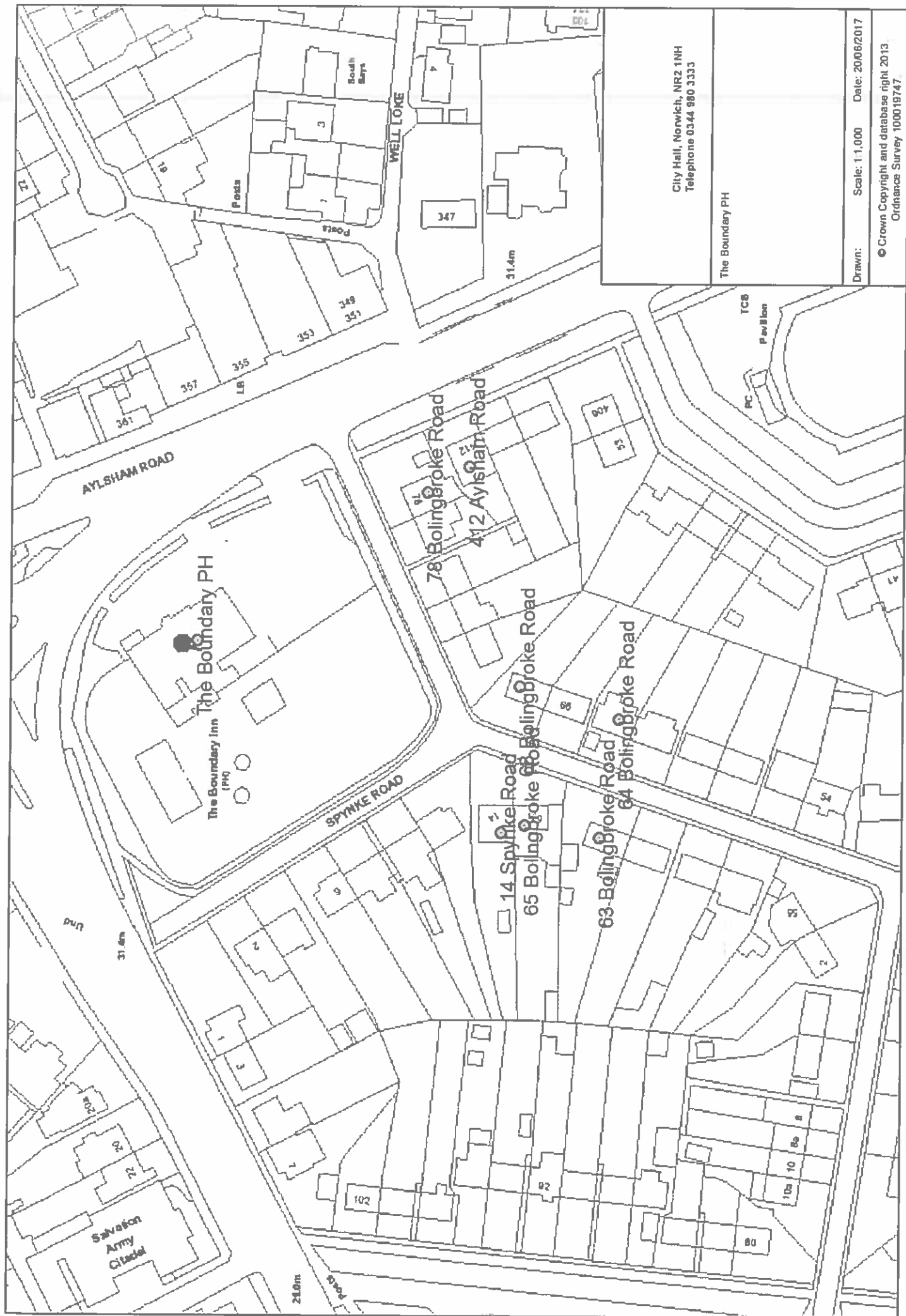


Please suggest any conditions which would alleviate your concerns.	If the provision for windows and doors at the rear of the Boundary be kept closed during music events and a control on the limits i.e. loudness of the noise levels were in place then I am sure this would reduce the possibilities of noise nuisance.
---	---

Signed: R T Baileff

Date: 11/05/17

Please see notes below



APPENDIX C

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 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 D

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.