

Report to	Licensing sub committee 14 November 2018	Item
Report of	Head of citywide services Licensing Act 2003:	3
Subject	Application for the Variation of a Premises Licence – Redwell Brewery, 7 The Arches, Bracondale Norwich NR1 2EF	

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 variation of a premises licence in respect of the above premises, following the receipt of relevant representations.

Recommendation

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

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

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: Thorpe Hamlet

Cabinet member: Councillor Maguire – safe city environment

Contact officers

Maxine Fuller, Licensing Assistant

01603 212761

Background documents

None

Report

The application

1. The applicant is Amy Hancock of Three Arches Brewing Ltd t/a Redwell Brewing, 7 The Arches, Bracondale Norwich NR1 2ED.
2. In summary the application seeks to:
 - Extend the existing licensing hours of the Tap Room bar by 2 hours on Friday, Saturday and Sunday
 - Add the licensable activity of films on Friday, Saturday and Sunday.

Operating Schedule

3. A copy of the existing licence (17/01946/PREM) and operating schedule is attached at appendix A to the report. At appendix B is a copy of the licence (18/00247/PREM) which was the current licence but it came to light that the application was not advertised correctly and the licence could no longer be used.
4. A copy of the application form is attached at appendix C to the report.

Relevant representations

5. 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

6. 11 representations objecting to the application have been received from local residents. Copies of the representations are attached at appendix D to the report.

Norwich City Council Statement of Licensing Policy

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

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

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

Summary

9. 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.
10. 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
11. 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.
12. 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.
13. The sub-committee is also reminded of the contents of appendices 2, 3, 4 and 5 of the local licensing policy (not re-produced in this report) which contain pools of model conditions relating to the four licensing objectives.



NORWICH City Council

Premises Licence Summary

Premises Licence Number

17/01946/PREM

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Redwell Brewery
The Arches
Bracondale
Norwich
NR1 2EF

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol	Sunday	12:00 - 20:00
Sale by Retail of Alcohol	Monday to Thursday	12:00 - 20:00
Sale by Retail of Alcohol	Friday and Saturday	12:00 - 21:00

The opening hours of the premises

Monday	07:00 - 00:00
Tuesday	07:00 - 00:00
Wednesday	07:00 - 00:00
Thursday	07:00 - 00:00
Friday	07:00 - 00:00
Saturday	07:00 - 00:00
Sunday	07:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

Name, (registered) address of holder of premises licence

Three Arches Brewing Ltd
The Arches
Bracondale
Norwich
NR1 2EF

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 11087293

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Amy Hancock

State whether access to the premises by children is restricted or prohibited



Premises Licence

Premises Licence Number

17/01946/PREM

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Redwell Brewery
The Arches
Bracondale
Norwich
NR1 2EF

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

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Sale by Retail of Alcohol	Monday to Thursday	12:00 - 20:00
Sale by Retail of Alcohol	Friday and Saturday	12:00 - 21:00

The opening hours of the premises

Monday	07:00 - 00:00
Tuesday	07:00 - 00:00
Wednesday	07:00 - 00:00
Thursday	07:00 - 00:00
Friday	07:00 - 00:00
Saturday	07:00 - 00:00
Sunday	07:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

State whether access to the premises by children is restricted or prohibited

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Three Arches Brewing Ltd
The Arches
Bracondale
Norwich
NR1 2EF

Electronic Mail

j.ellis@originalcottages.co.uk

Registered number of holder, for example company number, charity number (where applicable)

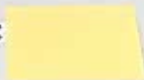
Registered Business Number 11087293

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

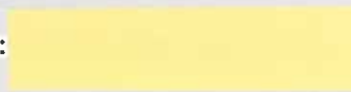


Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference:



Licensing Authority:



Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under a premises licence.
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.
- 6 The responsible person shall ensure that:
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - (i) beer or cider half pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8 For the purposes of the condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula:

$$P = D + (D \times V)$$

Where:

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

9 (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

1 General - all four licensing objectives

2 All members of brewery staff will be trained in licensing objectives and a strict refusals policy will be upheld at all times.

3 The number of visitors admitted onto the premises will be limited to an appropriate maximum occupancy.

4 Opening hours and licence will be clearly displayed around the site.

5 Consumption of alcohol purchased on site by visitors and patrons shall not take place at the premises between the hours of 2100 - 1200 on any day.

6 The Prevention of Crime and Disorder

7 Staff will be trained in relation to the sale of alcohol. A record of this training will be kept on the premises and available to Police or Licensing Authority on request.

8 CCTV footage to be available to Police or Licensing Authority for a minimum of 28 days.

9 A monitored Police alarm to be in operation to cover all buildings within the licensable area.

10 The shop/tasting room to have a full crime reduction survey carried out and for Police obligatory requests advisories to be implemented if the building is used to store alcohol overnight.

11 Appropriately trained staff on site at all times, all to be aware of refusals policy.

12 Refusals records kept to ensure incidents do not re-occur.

13 CCTV system in place around the brewery site.

14 Litter bins will be maintained in the outside access area to the premises, and the entrance and drive will be monitored to ensure visitors and shop patrons do not congregate outside.

15 Public Safety

16 Log book kept on premises to keep record of any incidents.

17 Lighting, fire safety system, electrics, lavatories, furniture maintained in good order at all times.

18 Access only allowed when accompanied by a member of staff.

19 The Prevention of Public Nuisance

20 No new machinery will be installed and no new handling processes or deliveries will take place other than those already taking place as part of operation of the brewery.

21 Clear notices around the brewery to inform visitors to respect local residents.

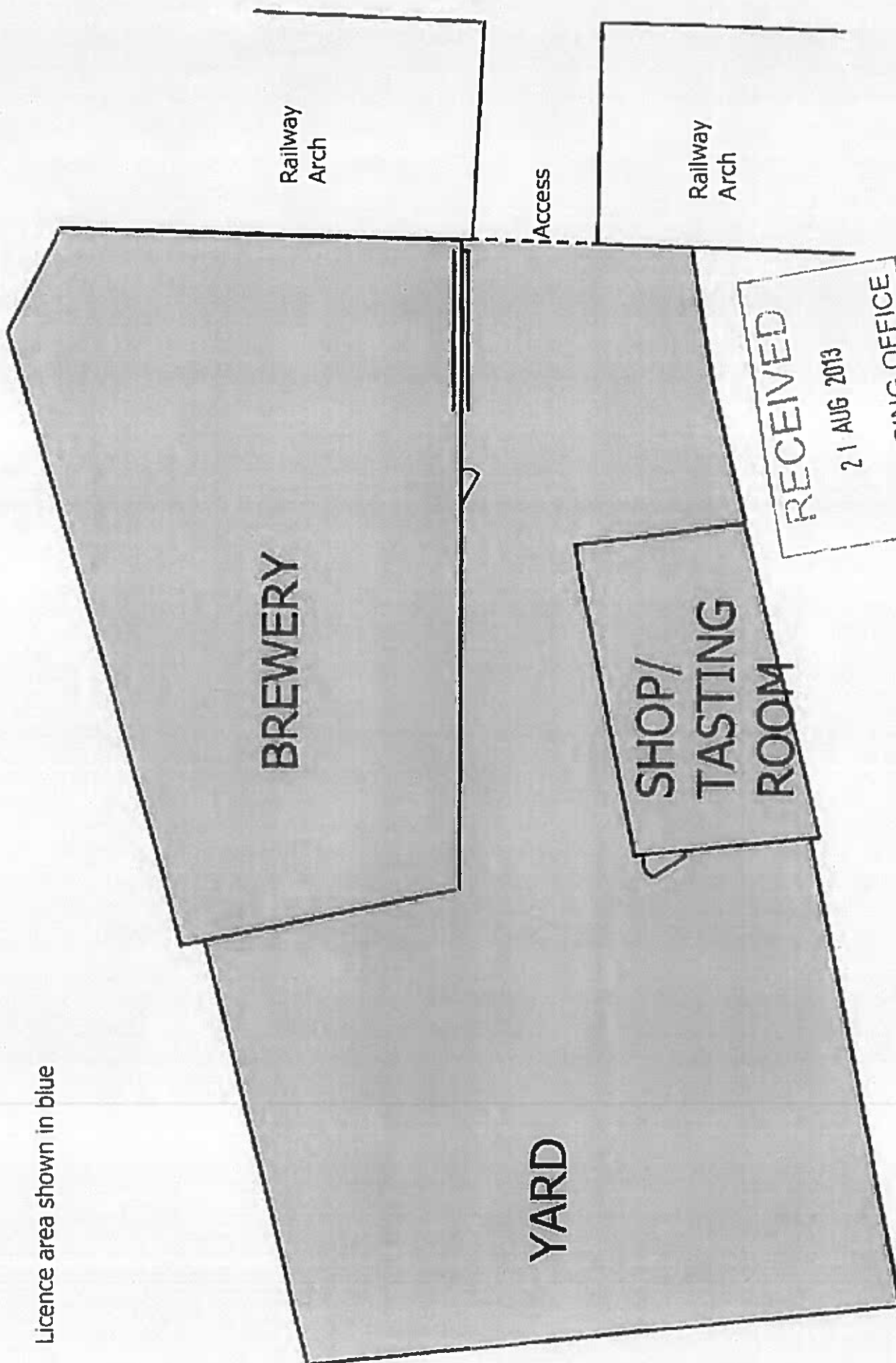
22 Staff will monitor car park, drive and yard areas to ensure visitors do not congregate outside.

23 The Protection of Children From Harm

24 All persons under 18 will be accompanied by an adult.

Annex 3 – Conditions attached after a hearing by the licensing authority

Licence area shown in blue



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NORWICH City Council

Premises Licence Summary

Premises Licence Number

18/00247/PREM

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Redwell Brewery
The Arches
Bracondale
Norwich
NR1 2EF

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol	Sunday	12:00 - 22:00
Sale by Retail of Alcohol	Monday to Thursday	12:00 - 22:00
Sale by Retail of Alcohol	Friday and Saturday	12:00 - 23:00

The opening hours of the premises

Monday	07:00 - 00:00
Tuesday	07:00 - 00:00
Wednesday	07:00 - 00:00
Thursday	07:00 - 00:00
Friday	07:00 - 00:00
Saturday	07:00 - 00:00
Sunday	07:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

Name, (registered) address of holder of premises licence

Three Arches Brewing Ltd
The Arches
Bracondale
Norwich
NR1 2EF

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 11087293

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Amy Hancock

State whether access to the premises by children is restricted or prohibited



Premises Licence Number

18/00247/PREM

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

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Where the licence is time limited the dates

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Where the licence authorises supplies of alcohol whether these are on and / or off supplies

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Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

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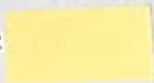
Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Amy Hancock



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference:



Licensing Authority:



11

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- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
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 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
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- 6 The responsible person shall ensure that:
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - (i) beer or cider half pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8 For the purposes of the condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula:

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Where:

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

9 (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

1 General - all four licensing objectives

2 All members of brewery staff will be trained in licensing objectives and a strict refusals policy will be upheld at all times.

3 The number of visitors admitted onto the premises will be limited to an appropriate maximum occupancy.

4 Opening hours and licence will be clearly displayed around the site.

5 Consumption of alcohol purchased on site by visitors and patrons shall not take place at the premises between the hours of 22:00 and 12:00 Sunday to Thursday or 23:00 and 12:00 on Friday and Saturday.

6 The Prevention of Crime and Disorder

7 Staff will be trained in relation to the sale of alcohol. A record of this training will be kept on the premises and available to Police or Licensing Authority on request.

8 CCTV footage to be available to Police or Licensing Authority for a minimum of 28 days.

9 A monitored Police alarm to be in operation to cover all buildings within the licensable area.

10 The shop/tasting room to have a full crime reduction survey carried out and for Police obligatory requests advisories to be implemented if the building is used to store alcohol overnight.

11 Appropriately trained staff on site at all times, all to be aware of refusals policy.

12 Refusals records kept to ensure incidents do not re-occur.

13 CCTV system in place around the brewery site.

14 Litter bins will be maintained in the outside access area to the premises, and the entrance and drive will be monitored to ensure visitors and shop patrons do not congregate outside.

15 Public Safety

16 Log book kept on premises to keep record of any incidents.

17 Lighting, fire safety system, electrics, lavatories, furniture maintained in good order at all times.

18 Access only allowed when accompanied by a member of staff.

19 The Prevention of Public Nuisance

20 No new machinery will be installed and no new handling processes or deliveries will take place other than those already taking place as part of operation of the brewery.

21 Clear notices around the brewery to inform visitors to respect local residents.

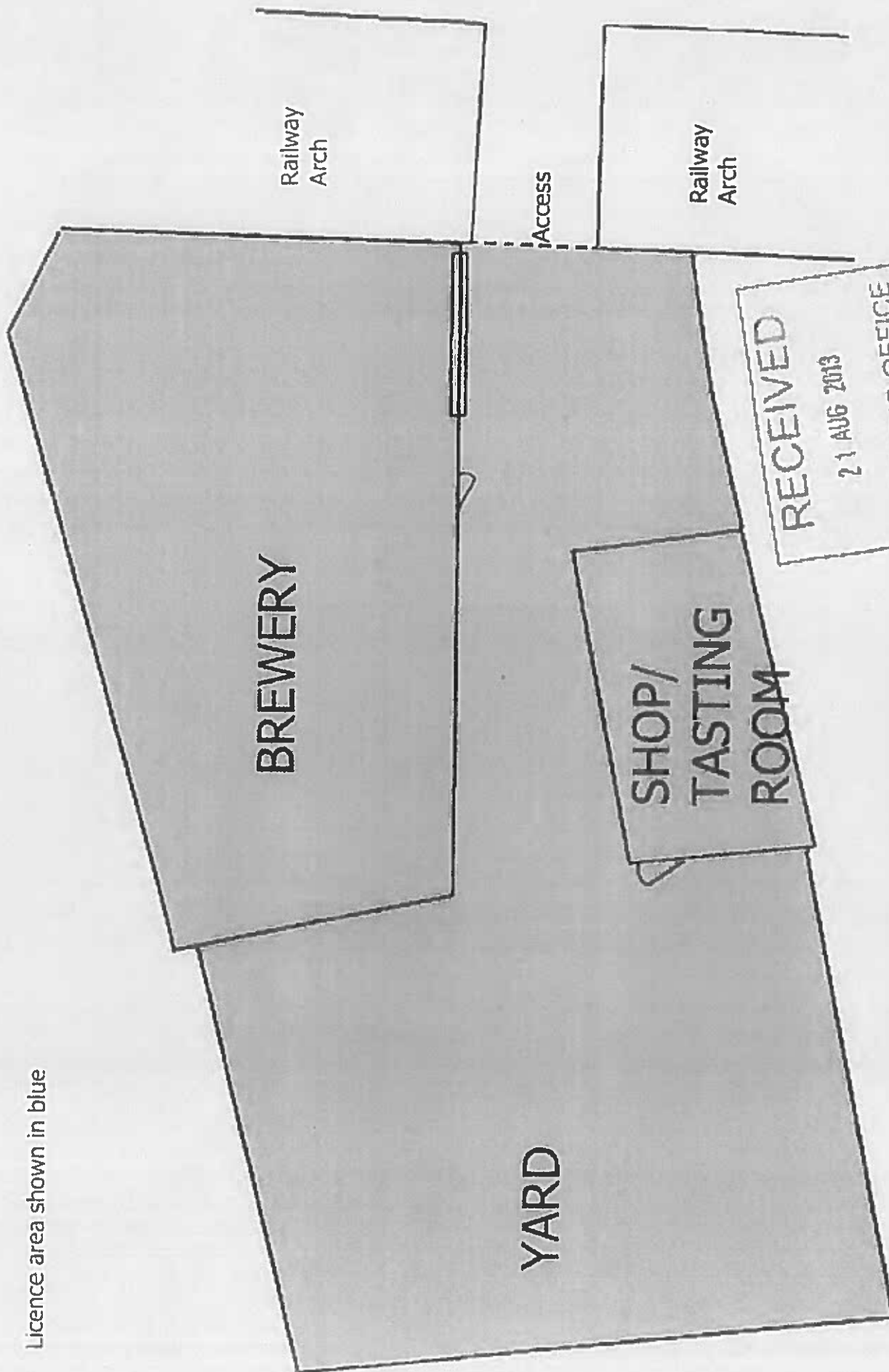
22 Staff will monitor car park, drive and yard areas to ensure visitors do not congregate outside.

23 The Protection of Children From Harm

24 All persons under 18 will be accompanied by an adult.

SP

Licence area shown in blue



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LICENSING OFFICE



Norwich
Application to vary a premises licence
Licensing Act 2003

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

* required information

Section 1 of 18

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

Not Currently In Use

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

Your reference

2018.09.21

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.

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21 SEP 2018

LICENSING OFFICE

Applicant Details

* First name

Amy

* Family name

Hancock

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

☒ 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

11087293

Business name

Three Arches Brewing Ltd t/a Redwell Brewing

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

VAT number

GB

283475573

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

Continued from previous page...

Legal status

Private Limited Company

Applicant's position in the business

Events & Marketing Manager

Home country

United Kingdom

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

7 The Arches

Street

Bracondale

District

City or town

Norwich

County or administrative area

Norfolk

Postcode

NR1 2ED

Country

United Kingdom

Agent Details

* First name

Sarah

* Family name

Daniels

* E-mail

Main telephone number

0

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.

Registration number

4306733

Business name

The RedCat Partnership Ltd

If your business is registered, use its registered name.

VAT number

GB

731879604

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

29,000

Section 3 of 18

VARIATION

Do you want the proposed
variation to have effect as
soon as possible?

☒ Yes

☐ No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

☐ Yes

☒ No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe 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.

Further to our application on 26th February 2018 we have now realised that we did not advertise the application in the local paper or place a notice at the premises. The variation is to extend the existing licensing hours of the Tap Room bar by 2 hours on each day until 23:00. In reality we are anticipating calling last orders at 21.45 on Friday and Saturdays and 19.45 on Sundays and Bank Holidays. It is also now to include the provision of family friendly films on Friday, Saturday and Sundays within the building.

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to
vary is successful?

☐ Yes

☒ No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to
vary is successful?

☒ Yes

☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide 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

SUNDAY

Start

End

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 select 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.

We would like to include in our programme the showing of family friendly films. The only music will be within the film.

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.

n/a

Continued from previous page...

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

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

n/a

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 11 of 18

Continued from previous page...

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

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

n/a

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

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

n/a

Section 14 of 18

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.

Provide 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.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide 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

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

n/a

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

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

n/a

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

None, extension only.

- ☒ I have enclosed the premises licence
- ☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

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.

1. All members of brewery and Tap Room staff will be trained in licensing objectives and a strict refusal policy will be upheld at all times.
2. The number of visitors admitted onto the premises will be limited to a known maximum occupancy.
3. Opening hours and license will be clearly displayed around the site.
4. Consumption of alcohol purchased on the site by visitors and patrols shall not take place at the premises between the hours of 22.00 and 12.00 Sunday to Thursday or 23.00 and 12.00 on Friday and Saturday.

b) The prevention of crime and disorder

1. Staff are trained in relation to the sale of Alcohol. A record of training & competency is kept on the premises and available to the Police or Licensing Authority on request.
2. Trained, competent staff are on site at all times & are aware of our refusal policy
3. Refusal records are kept to ensure incidents do not recur.
4. Litter bins will be maintained in the outside access area to the premises, and the entrance roadway will be monitored to ensure that visitors, shop patrons and their vehicles do not congregate outside

c) Public safety

1. A log / communication book is kept on the premises to keep a record of any incidents
2. Lighting, Fire Safety equipment, electrics, lavatories, furniture are maintained in good order at all times
3. Access to the premises is only permitted when they are accompanied by a member of staff

d) The prevention of public nuisance

1. Clear notices are placed around the brewery to inform visitors to respect local residents
2. visitors are regularly informed via social media & on site notices that there is no parking on site, and where to park
3. staff actively monitor the car park, road entrance way and yard area to ensure that visitors do not congregate outside
4. No new machinery or equipment will be installed; and no new handling processes or deliveries will take place other than those already in place, as part of the operation of the tap room

Continued from previous page...

e) The protection of children from harm

All persons under 18 must be accompanied by an adult.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the

Continued from previous page...

* licensing act 2003, to make a false statement in or in connection with this application.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/norwich/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed ☐

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

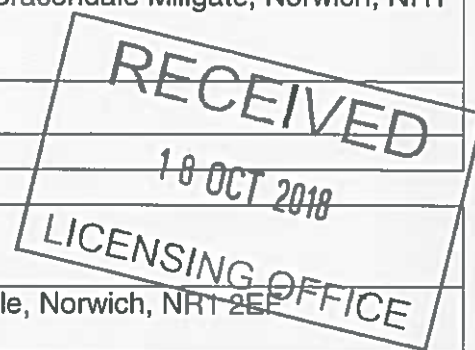


NORWICH
City Council

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)	Guy Peryer
Postal address	The Old Coach House, Bracondale Millgate, Norwich, NR1 2EQ
Email address	[REDACTED]
Contact telephone number	[REDACTED]
Name of the premises you wish to support or object to	Redwell Brewery
Address of the premises you wish to support or object to	7 The Arches, Bracondale, Norwich, NR1 2EF



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	N/A to this objection
Public safety	<p>The list of safeguards in section 16 of the application for this licensing objective appear insufficient. There is no mention of the need for swift access of emergency vehicles. There is no mitigation that will ameliorate this issue without direct input from the emergency services. The brewery access is awkward and the effects of parking congestion have not been adequately assessed from a public safety perspective. There is a need for a comprehensive risk assessment to promote the physical safety of staff, members of the public who visit the Redwell site, and local residents in neighbouring properties. This would occur when a more appropriate planning class is assigned to the premises. Until that change occurs extending licensing hours will only accentuate current safety concerns.</p> <p>Redwell is a pub that makes beer on site. The relevance of highlighting the incorrect planning class is to indicate that Redwell management appear not to have consulted the law fully. As a local resident this causes significant concerns. The need to repeat the public consultation over this license extension supports this assertion. As a resident I feel there is a significant risk that the licensing objectives will not be upheld. Redwell's activity over 2018 casts doubt over this application's validity and credibility. The licensing application submitted by a non-disclosed agent in February/March 2018 was fast-tracked for commercial purposes. Financial pressure was, and still is, dictating their retail activities. Even on a second attempt the license application has not been submitted according to the law. Staff at the city council have been alerted to the deviations. Additionally, it casts further doubt whether the legal process was followed when the original licensing application was approved prior to the request for a variation.</p>

	<p>The apparent lack of awareness of the law suggests that upholding the licensing objectives are a subordinate concern to profit. Of all the modifications made to the Tap Room over 2018 — none appear to be motivated by safety — only those that facilitate sales. Of particular concern is a lack of accessible lavatories for the disabled. [Disability Discrimination Act 1995]. Stated in the newsletter dated 19th July, "We have been moving a few things around inside the brewery and will soon be opening up our permanent bar which will be a lot easier for us to serve from on the weekends. As part of this we are looking to change one of the arches into a private bar and retail space, which we think will improve the experience for people coming to the brewery."</p> <p>The application mentions that all staff will be trained in upholding the objectives. As a local resident I would like to hear more about what the training involves, who receives it, who delivers it, and is it credible? Without these assurances and without sufficient planning restructuring and evidence of heightened safeguards in section 16 of this application; the proposed license extension represents a significant risk to public safety.</p>
<p>To prevent public nuisance</p>	<p>We are Redwell's closest neighbouring property. Redwell has a building that is adjoined to our house. We moved here in 2015, prior to Redwell's Tap Room license. Trowse is a peaceful nonurban environment — with a village green, school, and church. Our family moved here for these reasons. There is no way we would have moved here with the knowledge that a noisy pub was next door with public access until midnight every weekend and bank holidays. Authorising this license extension is at odds with these established elements of Redwell's immediate environment; it represents a disruptive detrimental change.</p> <p>On behalf of this household of six people, including 4 young children aged 8,6,3, and 1 years, I would like to object based on levels of statutory nuisance already experienced over the spring and summer period of 2018 in reference to the <u>Noise and Statutory Nuisance Act 1993</u> and the <u>Noise Act 1996</u>. The panel can read a series of emails written to Redwell over the Spring and Summer describing the effects that excessive noise has had on our family (please read #2, #3 in appended material). We have noise recordings and photographic evidence to support the objection. Please see attached photographs displaying the scale of activity over the summer months.</p> <p>We are objecting to prevent the potential for further public nuisance. Our household object to: the level of noise; the relentless frequency of noise; how long it lasts; and the avoidable nature of the noise. We believe the noise from the Tap Room is disproportionate, unreasonable, and is prejudicial to health. I have a chronic progressive health condition: multiple sclerosis. I continue to work full time; however, rest and sleep at the weekends is vital to combat ongoing fatigue and bouts of neuropathic pain. Having to compile nuisance logs, take noise recordings, and generally tolerate the interference from the Tap Room activities after 9pm is unnecessarily wearing.</p> <p>It's important to add that members of this household without compromised health also experience statutory nuisance from the brewery. Disruption to sleep and family time act are an avoidable and unacceptable stressor. Over the summer, the polite notices asking customers to leave quietly had no effect and noise of people leaving after 11pm, when they were operating these hours, was intrusive and most definitely a public nuisance.</p> <p>Our household is appealing to the authority to reject the license extension for all activity after 9pm, to prevent live or amplified music in Redwell's extensive beer garden, or live music in the Tap Room at any time — without significant noise insulation safeguards. Currently, there is no form of acoustic insulation to limit noise beyond the Redwell perimeter. Music played inside the premises and the experience of amplified music played outside over the summer months was truly unacceptable. Noise echoes around the open factory space and out into the</p>

	<p>courtyard. It's simply not designed to be an entertainment venue. Our youngest daughter's bedroom is above the outside drinking space (see photos). Noise and shouts can be heard in her room with windows closed. Over the summer this noise woke her repeatedly.</p> <p>When subjected to this situation every weekend it has made us as a family contemplate relocating – purely because of the degree of nuisance experienced at weekends.</p> <p>Noise attenuation safeguards are not discussed in Section 16 of the application. This is a significant oversight. The listed safeguards to limit public nuisance in section 16 are cursory. The application says “no new equipment will be installed”. This is ambiguous and potentially misleading. This could be interpreted to mean no “equipment” used by live musicians will be used on site which directly opposes Redwell's intentions, e.g. the TENS for a New Years Eve Party. How exactly will Redwell uphold this safeguard?</p> <p>Redwell Tap Room seeks to provide a music festival experience every weekend in a village setting near the city centre. This is Redwell's business model. There is no denying Redwell have tapped into a lucrative market. The problem is the activity is incongruent with the long-standing residential environment.</p> <p>Authorising an extension to the license will make experienced problems with nuisance noise considerably worse.</p>
<p>To protect children from harm</p>	<p>The noise levels over the summer months disrupted the children's sleep after 9pm (<u>Welfare and Wellbeing checklist of the Children Act 1989, 2004</u>), which is crucial to their development, education, and wellbeing.</p> <p>Our house has some outside space for the children to play and for us to enjoy as a family. The level of noise and activity at weekends on the other side of the wall over the summer of 2018 has severely limited the use and enjoyment of that space. Alcohol lessens inhibition and shouts and screams from next door is not conducive to safe children's play. Shouting and swearing carry over the wall. Similarly, noise from people leaving the brewery and walking over the bridge is unacceptable and has woken the children on multiple occasions. The proposed extensions are detrimental to child development.</p> <p>Furthermore, smoke from the pizza oven comes over the wall and into the childrens' bedrooms when windows are open in the summer. Redwell moved the pizza oven away from the adjoining wall for some months. This was an improvement but it has now returned to its original position. We would like it moved permanently. Or, change the oven to smokeless fuel.</p> <p>Redwell is a business that purposefully markets the consumption of alcohol. At present they are employing tactics to sell their product by providing family entertainment and actively marketing their beer and brand at the primary school. As parents we received advertisements in the school bags of our children along with their homework.</p> <p>On Nov 3rd they are advertising face painting, fancy dress, and childrens' games. This is not a community centre - it's a pub. Redwell aims to entertain the children inside the brewery premises while they sell their product to parents. There is no business incentive in holding these events unless Redwell sells its product. The targeting of children in the marketing strategy raises significant ethico-legal issues. Please read these details on <u>policies to regulate alcohol marketing</u>.</p> <p>As a chartered psychologist I would like to raise concerns from a child development perspective. The licensing body should consider what message is being sent to children where a brewery is a known place to have fun in a child's mind (see <u>Kids and alcohol</u>)? As a hypothetical example, if Redwell was a tobacco factory offering family</p>

	<p>entertainment, face painting and magicians would this also be deemed acceptable? Both are age-controlled substances where early consumption is protected. The <u>UK Chief Medical Officers August, 2016</u> guidelines are clear, there is no level of drinking that can be considered as safe. Marketing alcohol via children's parties should be actively discouraged.</p> <p>Most Redwell beers are strong, up to 6 or 7%ABV. One pint of the 7% beer recommended to customers is just under 30% of an adult's weekly drinking guideline. It means people can get drunk quickly. The <u>licensing law of 1902</u> is live and in effect. It has clauses stating that being under the influence of alcohol and in charge of a minor in a public place is an arrestable offence.</p> <p>Any variation in allowing the business to sell alcohol for longer will make this situation significantly worse.</p>
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<p>Please suggest any conditions which would alleviate your concerns.</p>	<ul style="list-style-type: none"> • No extended license after 9pm, • Stop marketing alcohol via children's activities. • No live music or amplified music inside or outside (including TENS applications) without significant investment in sound attenuation measures reducing/eliminating nuisance noise outside of the Redwell perimeter. • Move tables from the yard away from underneath household dwellings so nuisance noise can't be heard in children's bedrooms with windows closed after 7pm. • Move the pizza oven away from underneath household dwellings or change to smokeless fuel. • Consider a curfew of child access. • Currently, there is no mitigation for the limitations on access for emergency services, adequacy of lavatories, lighting, and public parking. Changing the planning class of the premises to support a comprehensive risk assessment involving the emergency services and health and safety representatives should be mandatory prior to considering any license variation.
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Signed:



Date: 18.10.18

Appendix: Dated email communications with Redwell and Norwich City Council (19.10.18)

1

22.04.18

to licensing

Dear Sir/Madam,

Please, would you send details of a member of your team I can contact in regards to Redwell's licence extension to sell alcohol until 11pm, with access to the public until midnight?

I live with my family including 4 young children (ages 7,6,2,1) that is a single brick-distance from the Redwell yard and operational storage unit. I've marked our house on the image below with an arrow to my daughter's bedroom from the Redwell yard where outside seating is now provided.

Yours sincerely,

Guy Peryer



27.04.18

Dear Sir/Madam,

Further to the email sent on 22.04.18, please would you send details of a contact name to speak to in regards to the message below.

Yours sincerely,

Guy Peryer

10.05.18

Dear Sir/Madam,

Further to the emails sent on 22.04.18 and 27.04.18, please would you send details of a contact name to speak to in regards to the Redwell licence extension described below.

Yours sincerely,

Guy Peryer

NO RESPONSES RECEIVED

2

From: Guy Peryer
Sent: 15 July 2018 12:48:46
To: [REDACTED]
Cc: [REDACTED]
Subject: saturday 14th

Dear Redwell team
(cc Neighbours),

Yesterday went too far. I have made some recordings and will not send them further at this time; however, the novelty of having a pub that makes beer on-site that is open **every** weekend is wearing thin..... fast. I have saved the recordings for permanent record. One recording was made inside our house with windows closed. It provides compelling evidence for a license review.

The **kids couldn't sleep** and complained about the noise. The music was truly awful by anybody's standard. Here is a choice screaming example recorded at 8:15pm after a day when music started at midday with no reprieve.

The video shows our outside space. Recent events pose significant limitations on the use of that space for us as a family. I'd like to think I am a reasonable individual but I urge you as a business to prioritise the sale of your beer wholesale as opposed to retail **very soon**. The veil of community asset building is laudable but it is underpinned by a commercial venture. As a business you are protecting your assets by selling to the public directly. Please consider this communication in the same vein. The purchase of a family home is arguably one of the most important. I will be proactive in its protection.

Each week there has been incremental expansion and the previously agreed 9pm noise curfew has not been evident. It is a testament to the popularity of the changes you have made; however, this is primarily a residential area. There are logical and hopefully avoidable escalations to this direction of travel. The wording of the license extension 'could be' interpreted to suggest that the tap-room will only be open twice a month. Based on recent activity, I believe there are solid grounds for a review.

The variation is simply to extend the existing licensing hours of the Tap Room bar by 2 hours on each day. Redwell is under new ownership and the new investors are looking to provide more events as well as re-opening the Tap Room which had been closed for some time. This variation will enable the new company which is in effect a start-up venture, more flexibility in our offering to potential customers, particularly on events such as private hire for community fundraising and corporate events. The Tap Room will only be open to the public Friday and Saturday initially and events will be sporadic rather than the norm. We hope that later licensed times will enable more events to take place albeit we would expect up to two per month at most to make use of these extended hours.

I ask for tighter noise control, and more awareness of how the sound carries outside of the Redwell perimeter.

With thanks,
Guy

3

Mon 6 Aug, 08:01

to [REDACTED]

I popped round to see Matt after 7pm last night (**Sunday**). Having a live musician with an amped guitar in the outside area I'm afraid was still too much. The law, as I understand it, makes reference to whether noise can be heard inside a neighbouring house with windows closed. The answer is frequently yes. I understand the 'dream' of the business but it's like living next to a **festival site** every weekend. To be frank, I can't see it lasting. **Is the business about beer or entertainment?**

I suggest closing at nine on a fri and sat and not opening on sundays.

Regards, Guy

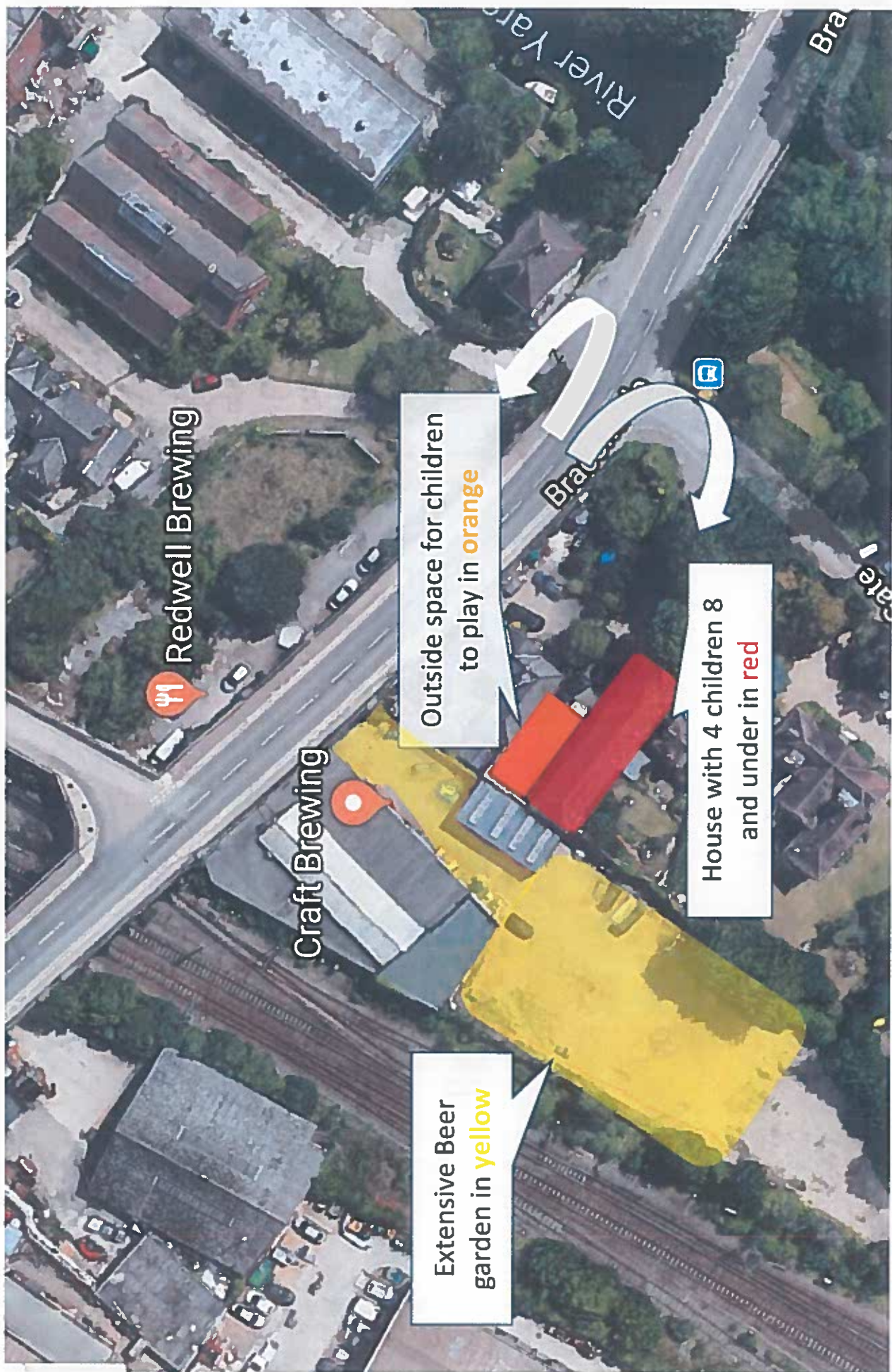
NOTES

1. In order for you to be able to support or object to an application for a premises licence, your representation must be 'relevant' (i.e. it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives) and is not frivolous or vexatious.
2. The four licensing objectives are:-
 - to prevent crime and disorder
 - public safety
 - to prevent public nuisance
 - to protect children from harm
3. An application for a premises licence will be notified to residents by displaying it on the premises, in the local press and on the council's website. Comments in support or objections must be made within 28 days of the date given in the public notice.
4. If you have made valid comments of support or objection you will be expected to attend a meeting of the authority's Licensing sub-committee and any subsequent appeal proceeding. If you do not attend, the sub-committee will still consider your comments, but they may not carry the same weight as if you had attended if, for example, the contents are disputed or challenged.
5. Your statement of support or objection will be passed to the applicant to allow them the opportunity to address your concerns in line with the Licensing Act 2003. Your statement, which will include your name and address but not your email address, telephone number or signature, will also be published in the report to the Licensing sub-committee, which is publicly available and displayed on the city council's website.
6. In exceptional circumstances, persons making representations to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant. Where an authority consider that the person has a genuine and well-founded fear of intimidation, they may decide to withhold some or all of the person's personal

Photos in support of Redwell Brewery Licensing Variation

Objection- 19.10.18

All photos have been sourced from Redwell's social media sites and all photos are in the public domain



Redwell Brewing

Craft Brewing

Extensive Beer garden in yellow

Outside space for children to play in orange

House with 4 children 8 and under in red

River Yards

Bra...

Bra...

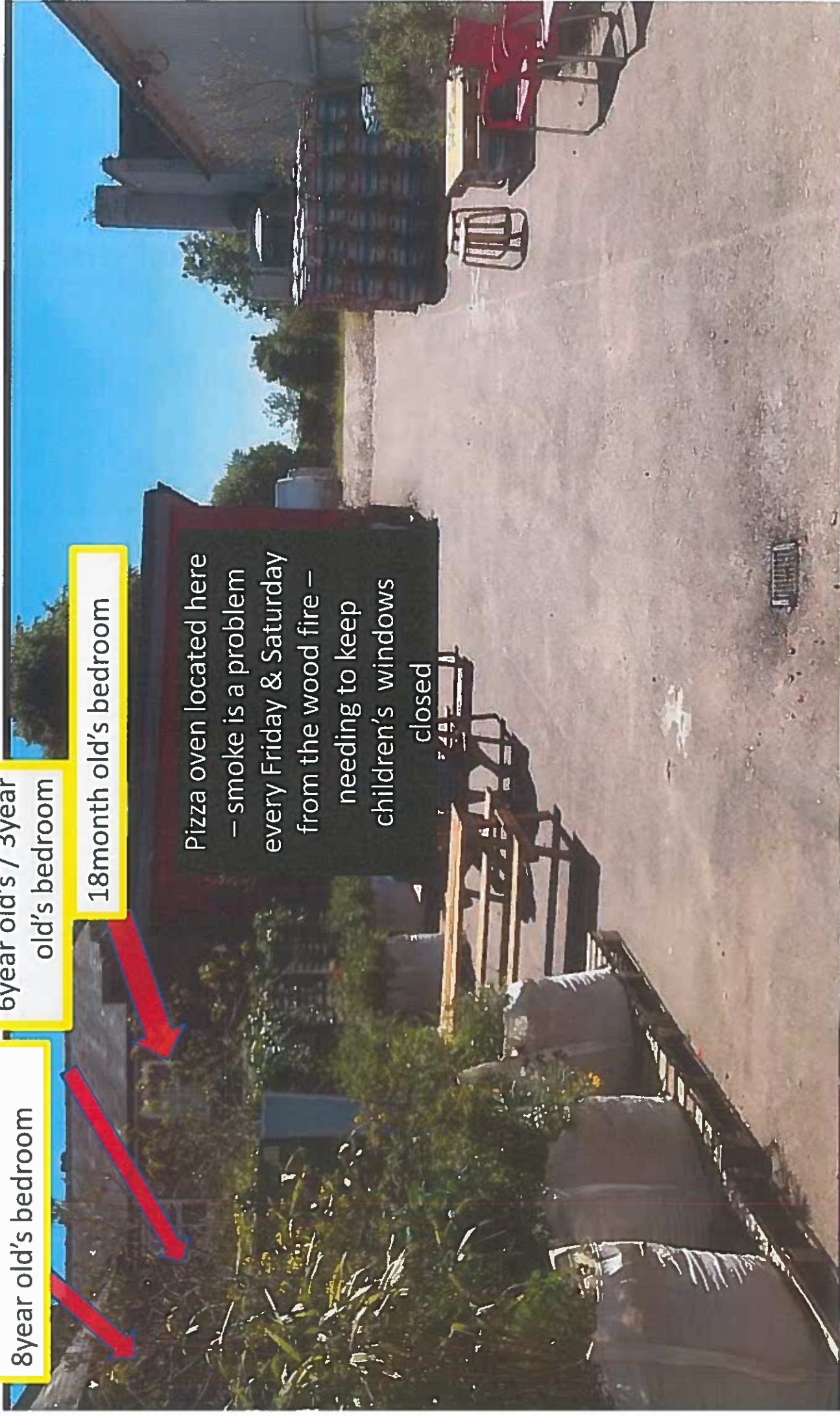
Gate 1

6year old's / 3year
old's bedroom

8year old's bedroom

18month old's bedroom

Pizza oven located here
– smoke is a problem
every Friday & Saturday
from the wood fire –
needing to keep
children's windows
closed



Child's bedroom-
after bedtime



EVENING SUN ☀️ BEER GARDEN



Redwell Brewery
Like This Page



redwellbrewing • Follow
Redwell Brewing

redwellbrewing Happy Thursday pals!
When planning your weekend, why not
come on down to our taproom?
What's on, we hear you cry?

On Friday the taproom is open 5-11pm
with @brickpizza_norwich and their pizza
of dreams 🌟

Saturday 12-11 with more Brick 🍷 featuring
live music from Finn Doherty @finndoherty
at 8:30pm



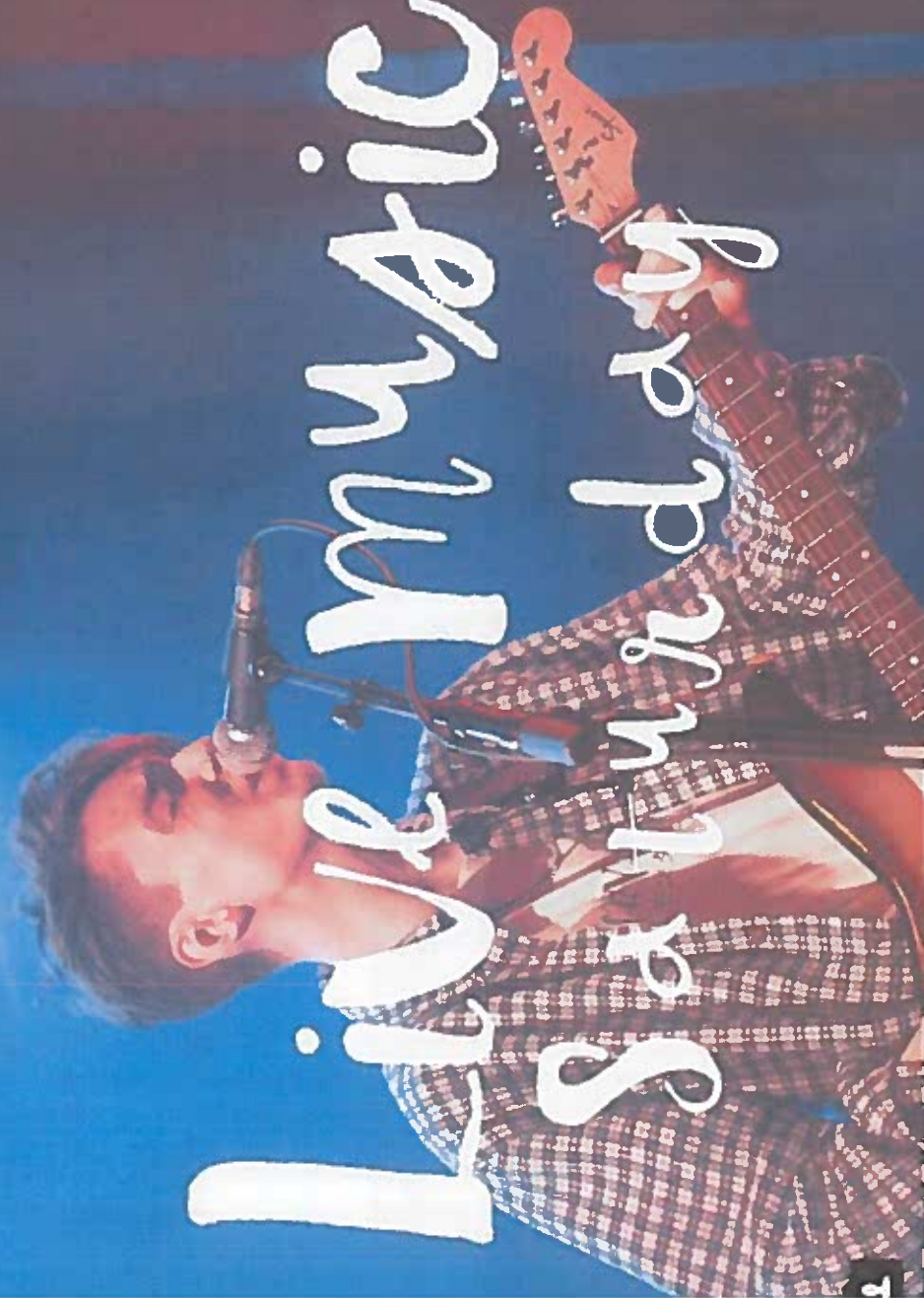
49 likes

JUNE 7

Log in to like or comment.



Live music Saturday





Redwell Brewing

Like This Page · April 27 ·

...

The taproom before the masses arrived - brewery by night 🍷 #quietbeforethestorm #redwell #craftbeer weekend taproom vibes

👍❤️ 33

Like

4 Shares





Dub, Sweat & Beers shared a post.

July 14 · 🌐



Today is the Day! All Roads lead to Redwell Brewing! Catch the Dub, Sweat & Beers Crew inna Session 4pm-5pm! Alongside Chief Rockas Collective, Dr. Clyde, Georgia King, Sapphire Sounds and Many More!! 🍷🌿🔥

SET TIMES INSIDE	SET TIMES OUTSIDE
Noon-1PM (Mike & Tina) (Disco, Soul & Funk)	2pm - Mango
1pm-2pm Sapphire Sounds (Reggae, Rock Steady, Dub)	3pm - Sophie Bruce
2PM-3PM Dubspin Rawnsley & Ethos (Dub & Reggae)	4pm - Georgia King
3PM-4PM Chief Rockas (Roots, Ruba-Dub, Digi Dub)	6.30pm - Raffle Draw
4PM-5PM - Dub, Sweat & Beers (Dub Steppas)	7.30pm - Dr Clyde
5PM-6PM Freddie Steady (Ska)	

Mus Fest - All



redwellbrewing • Folli
Redwell Brewing

redwellbrewing This Saturday
@themacarnos playing at the I
taproom - an evening of beer
@brickpizza_norwich and live m
#taproom #sessions #norwich



25 likes

11 MAY 10

Bennett, Rachel

From: noreply_xforms@norwich.gov.uk
Sent: 19 October 2018 09:10
To: LICENSING
Subject: Licensing - Representation Form

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	Sally Wilson
Postal address	Mill House, Bracondale Millgate, Norwich, NR1 2EQ
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Redwells Brewery

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

Licensing objective	Please set out your support or objections below		
To prevent crime and disorder			
Public safety			
To prevent public nuisance	Large numbers of people particularly in the summer can be heard through out opening hours. This is significantly exacerbated by excessively loud live or amplified music and on occasions microphone commentary-quizzes etc. It prevents local residents sleeping and sitting in their gardens. It has othe impacts on residents nearer to the entrance/exit. It is unacceptable.		
To protect children from harm			
Please suggest any conditions which would alleaviate your concerns	We are generally in support of this new enterprise but the extended hours and the approval of loud outdoor music etc will be unacceptable to the local residents and cause ill will.		
Full name:	Sally Wilson	Date:	19/10/2018



NORWICH City Council

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)	Dinah John – Director of Trowse House Management Company Ltd Trowse House comprises 5 flats and houses 8 residents: Flat 1- James, Felix & Maxwell Hewison-Carter; Flat 3 – Pippa Kendrick; Flat 4 – Nathan Fake; Garden Flat – Barry Allard & Katia Shulga
Postal address	Flat 2, Trowse House, Bracondale Millgate, Norwich NR1 2EQ
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	Redwell Brewing
Address of the premises you wish to support or object to	7 The Arches, Bracondale, Norwich NR1 2EF



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>I've lived at Trowse House since the mid '80s and the area around Millgate and the Pumping Station has a long history of minor crime and disorder – especially trespass, theft, vandalism, drug use and prostitution</p> <p>This has greatly improved in recent years but the late evening drink-fuelled activities at Redwell obviously raise the profile of this somewhat 'hidden' area and attract potential renewed criminal activity</p> <p>Throughout the summer, during Redwell's opening hours, we've had people 'looking for the brewery' coming onto our private property – into the yard where our cars are parked and even into the hallway of Trowse House itself - making us feel newly vulnerable to crime. Also twice this year I've seen, from my kitchen window, youths actually climbing around on the roof of the derelict pumping station itself!</p> <p>The other issue of 'crime and disorder' we would like you to take into consideration is that Redwell failed to follow the correct procedure when they last applied for this extension to their licensing hours. Since March '18 they've therefore actually been operating in breach of the licensing laws</p> <p>Although we recognise this was done in error, nonetheless it doesn't inspire confidence that they are really on top of the situation – and able to operate appropriately, legally, safely and with full consideration of the impact their activities have on our small local community</p>

<p>Public safety</p>	<p>The main issue re public safety is that of traffic going in and out to the site via the entrance from Bracondale. This is in effect a 'blind' entrance as the vehicles pulling out can't see vehicles approaching over the railway bridge (often in excess of the speed limit) and there are also pedestrians, children and dogs all using the pavement and crossing the road either side of the entrance</p>
<p>To prevent public nuisance</p>	<p>For those of us living at Trowse House this is the primary problem</p> <p>Our communal garden is only separated by a wall from the large gravelled area at the back of the Brewery – where tables are set out, drink served and food outlets sited</p> <p>The main issue for us is noise – of course we don't object to people chatting and enjoying themselves but over the summer the music has often been so loud, and voices raised to hear each other over the music, that we could no longer enjoy being in our own garden and were forced to leave it until the party was over!</p> <p>Rooms on the railway side of the house were also uninhabitable during these occasions</p> <p>We're used to a certain amount of noise – from trains, traffic and the general living activities of a closely built community – but being unable to enjoy the use of our own outdoor space or half of the rooms in our flats is a serious nuisance</p> <p>We appreciate that Redwell have made efforts to reduce the nuisance – and it has improved. However they haven't been entirely successful and formally extending their opening hours will inevitably extend the public nuisance created by the noise they generate</p> <p>Besides the noise of the music there is also the issue of the noise of the increased local traffic, car doors slamming, raised voices of people shouting to one another – especially at closing time – singing loudly, rowdy behaviour along Millgate, littering etc.</p> <p>We understand these problems are much worse for those living on the pumping station side of the road – so much so that some have been reduced to tears and are considering moving house</p> <p>We also understand – from consultation with an estate agent - that the value and resale possibilities for our properties will be adversely affected by having what amounts to a pub just over the wall of our property. As our homes are the single most significant financial asset we each have, this again amounts to a serious 'nuisance' for us</p> <p>The Brewery has organised a number of meetings and made attempts to improve communications with concerned neighbours, which of course we really appreciate. They have apologised for troubles caused and made the 'right noises' to reassure us, as well as taking some useful actions to address our concerns.</p> <p>However we have not yet found a happy compromise between us and we don't believe they have fully recognised the challenges, (much less risen to meet them) of reconciling their business plans with our needs as their immediate neighbours</p>

To protect children from harm	<p>Apart from the noise disturbing sleep of the young children living immediately adjacent to the Brewery we don't see protection of children as of particular concern here</p> <p>However repeatedly disturbed sleep and tired, irritated, upset parents have measurably harmful effects on child development</p>

Please suggest any conditions which would alleviate your concerns.	<p>We would like a representative of the Licensing authority to visit our premises and see for themselves exactly how close we are to the Brewery, to appreciate how inevitably its operation under the current circumstances has a deleterious impact on our lives</p> <p>We would be happier with the situation if Redwell would agree to closing times of 8.00pm on weekdays and Sundays, 9.00pm on Fridays and Saturdays</p> <p>We believe they need to employ at least 2 properly trained staff to 'patrol' the area during opening hours – to welcome visitors, direct them to park appropriately and to encourage orderly behaviour, showing proper consideration to local residents</p> <p>We suggest there should be a limit on the number of people attending events at the Brewery</p> <p>We would prefer there to be a strictly limited number of events with live music inside the brewery building - which needs to have fully insulated doors fitted</p> <p>Outside music events we would ask should be even more limited in number, with due notice given, so that if possible we can vacate our premises for the duration – though of course this really should not be necessary!</p>
---	--

Signed: Dinah John

Date: 18/10/18

Please see notes below

Bennett, Rachel

From: noreply_xforms@norwich.gov.uk
Sent: 18 October 2018 23:00
To: LICENSING
Subject: Licensing - Representation Form

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	Feride Firdevs Eke Dincer
Postal address	5 Trowse House Cottages, Bracondale Millgate, Norwich NR1 2EQ
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	7 The Arches, Bracondale, Norwich NR12EF

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

Licensing objective	Please set out your support or objections below
To prevent crime and disorder	Although we haven't directly experienced significant acts relating this issue at our side of the bridge, we have concerns about the potential increase of criminal activity due to the extension of the opening hours (till 23:00) Redwell put into practice during last summer as clients get more drunk and different people (not necessarily families and local customers) are attracted to the site.
Public safety	
To prevent public nuisance	<p>Our main objection to the extension is in relation to this point. Due to our proximity to Redwell (a few steps from our closest wall to the fence that separates the two properties) during several months we have been experiencing a lot of noise resulting from the music (live or otherwise) and people gathering outside the brewery's building's entrance.</p> <p>This situation has been more disturbing in the evenings, when Redwell started opening till 23:00, as, normally we have to wait till the site is completely empty to finally go to sleep (which could be near midnight when the staff finally cleared everything up) or otherwise, wake up several times if we eventually manage to fall asleep.</p> <p>With windows closed, I can still hear people chatting even with earplugs and a sudden</p>

laughter or scream startles both my partner and me. Any noise from the brewery is travelling directly to our bedrooms that face that direction and is very close.

During the summer, the situation was even worse, as we had to leave the windows open because of the hot weather. Our daughter (6) was complaining about the music that didn't let her sleep.

Redwell reassured us to take action in these respects, but their measures didn't seem to have an effect. Repeatedly, we and the neighbours that are most affected by the noise had to go to talk to the taproom staff and managers (sometimes even several times the same day/night) to complain about the level of the music (both the taproom's and Brick Pizza's stall that operates Fridays and Saturdays) and the noise made by the clients gathered at the entrance the brewery after 9pm even when, after our complaints, Redwell started asking clients to go inside after that time and put down the shutter (which didn't make much difference, as we continued to be disturbed by clients' and/or staff members' chatter which would become louder with the advance of the evening and the laughter, shrieks and screams less controlled). Redwell's application proposes a number of measures to ensure the "prevention of public nuisance". However, these measures are already in place and given that public nuisance is evident such as excessive noise, the measures set out are clearly ineffective.

We would question whether the use as a drinking establishment has planning permission. It can be that this use is ancillary to a brewery, but this is a matter of fact and degree. If the use involved visitors to the brewery during normal operating times being able to purchase and consume the drinks produced, then this could be ancillary. However, the selling and consumption of drinks outside of the normal working hours of the brewery, and outside of the building of the brewery, is not an ancillary use; it is clearly a material change of use having very different impacts. This is even more apparent given the music entertainment and the selling of food.

After several months, we feel that our quality of life has diminished considerably, as we can't rest properly and suffer from the stress provoked by sleepless nights and the anxiety because of the anticipation of the 'weekend's struggle'. And, although we very much like to be in this neighbourhood with our lovely neighbours/friends and in spite of having the comfort of being so close to our daughter's school (Trowse Primary) we sadly started considering searching another place to live.

Therefore we make a strong objection to the extension of the hours of the licence as we believe that longer hours attract more people, and more people create more noise which is a public nuisance which significantly affects our quality of life to an unbearable level.

To protect children from harm

Our daughter and the children of one of our closest neighbours have been often disturbed by the sudden noises or music coming from the brewery during their bedtime hours.

Please suggest any conditions which would alleviate your concerns

We believe the following measures may help to address concerns:

- Limiting the opening hours of the taproom and the use of the outside area to control noise at all times.
- Limiting the number of people attending the brewery.
- No music.

Full name:

Feride Firdevs Eke Dincer

Date:

18/10/2018

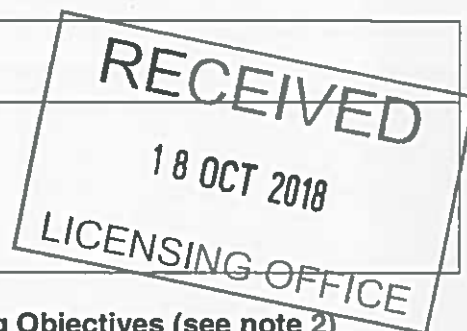


Norwich City Council Licensing Authority Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	Tina Blamey
Postal address	Trowse House Bungalow Millgate Norwich NR12EQ
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Redwell brewing
Address of the premises you wish to support or object to	Redwell brewing 7 The Arches Bracondale Norwich NR12EF



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	I find it worrying the amount of crime I hear reported from people nearby.
Public safety	
To prevent public nuisance	The noise from the brewery when it is opened like a pub has caused a nuisance to me and many others in the area. Sometimes the music has been so loud that I could not hear my TV properly. Also the noise goes on too late in the evening. So everyone cannot sleep until they close up.
To protect children from harm	

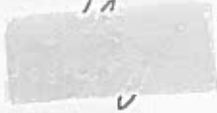
Please suggest any conditions which would alleviate your concerns.	Only having loud music events a few times per year. Closing earlier and or moving customers inside and sound proofing.
---	---

Signed:

Date: 18/10/18

Please

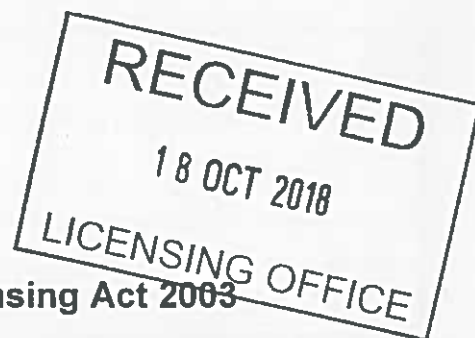
see notes below



324930
8/10/18
JMS OFFICE



NORWICH
City Council



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)	Marion Catlin
Postal address	Trowse House Cottages, Bracondale Millgate, Norwich NR1 2EQ
Email address	[REDACTED]
Contact telephone number	[REDACTED]
Name of the premises you wish to support or object to	Redwell Brewery
Address of the premises you wish to support or object to	7 The Arches, Bracondale, Norwich NR12EF

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>Objection</p> <p>On our side of the bridge we have not experienced significant disruption in respect of crime and disorder but we are mindful of the impact that the bar aspect of the brewery is having on our neighbours on the other side of the bridge (pumping station side). This area has seen criminal activity in the past and is prone to youths coming down to explore.</p> <p>Normally the area has a low-profile and most people don't know it is there – this has changed over the summer with hundreds of people arriving over every weekend. The presence of the general brewery activity (as opposed to the bar) has probably helped to discourage crime and disorder over the last four years but I don't believe that the licence to stay open until 11pm will help in this respect (ie prevent crime and disorder).</p> <p>My concern is the potential for a change to the type of customer that comes to the brewery if it is open later. When the brewery started opening the bar in March 2018 until 9pm they said that they were aiming to attract families and local customers whereas later opening hours (till 11pm) brings different people, principally adult males and mixed groups of friends. They also drink more. With the time capped at 9pm, people come for an early evening drink and then go home or out elsewhere.</p> <p>Craft beer is, in general, strong alcohol and so people get drunk quite quickly, creating more potential for crime and disorder</p>
Public safety	There is an increased risk of fire from numbers of people smoking very close to our property

	<p>Increased risk of 'exploration' of our property</p> <p>Increased risk of accident on the access to the brewery, via the turning from the bridge</p> <p>Increased use of the site by large groups of people will inevitably cause a risk to public safety but this is not a main objection from my point of view.</p>
<p>To prevent public nuisance</p>	<p>I am objecting to the proposed extension of hours because I believe that this would have a significant long term detrimental impact on our lives and that of our neighbours, limiting our ability to enjoy our homes and especially affecting the value and saleability of our houses which are extremely close to the main activities of the brewery bar.</p> <p>This is the licensing objective that affects our properties the most. It is important to understand the geography of the area and the proximity of our homes to the brewery.</p> <p>My husband and I, between us, own 3 and 5 Trowse House Cottages – two conjoined houses, built a metre from the railway bridge at its nearest point and within a few metres of the main brewery building (see plan attached). Historically it was part of the same plot as the brewery and is divided by a low (1.5metre) fence with a gate approx. 9 metres from the main brewery roller door – in other words we are extremely close to the main activity of the brewery and the social activity outside the brewery happens in the area 0-9 metres from the nearest rooms of our properties.</p> <p>The way the houses are arranged means we have an internal courtyard and main rooms at the back of our house, again, facing the brewery. Because our courtyard has house walls (with windows) on three sides, it amplifies and contains any noise coming over the fence. Noise also drops in through our main bathroom Velux window – often we can hear what people are saying even on a normal work day.</p> <p>In no 5 we have a family of lodgers who have a 6 year old daughter. In the summer when it was hot, with the windows open she often could not sleep or was disturbed in going to sleep. Our lodgers, who are both musicians/teachers, often go to bed early because of their work and were frequently unable to go to bed when they needed to and were often woken up by loud and/or sudden noise and then unable to get back to sleep until 2am. They are seriously considering leaving/moving out, because of the repetitive stress of the situation, which would be upsetting and difficult for us – they are friends and good lodgers. We fear the prospects of getting suitable new lodgers/tenants in the future and we are dependent on the income from no 5.</p> <p>Because of the oversight of the Brewery in not displaying notices during their last application, we have been able to 'sample' what life would be like if this extension were to be granted. This summer we were pleased for the Brewery in as much as what they are offering as a pub/bar is clearly very popular and successful, with often more than 300 people in the outside areas of the brewery grounds, from Friday afternoon until approx. 8pm on Sundays including groups of people, families, dogs and children. Although people were clearly enjoying themselves and not badly behaved, it was like having a noisy three-day party or</p>

Festival every weekend just over the fence, from midday (or earlier) until midnight by the time people cleared away, from Friday to Sunday. The volume of people created a wall of sound so that opening our back door was like opening an oven door but with sound instead of heat. Impossible to stay outside for long and we had to keep our doors and windows closed in order not to feel over-whelmed.

In the beginning (until late June) there was also live music and sound-system (very loud) music until we asked the Brewery to stop this, following an extremely loud and unbearable charity event which started at 11am on Saturday until we made them stop at 5pm (I recorded 85 decibels in our kitchen). Since then, music has been mostly curtailed but the concern is that with the license extension, it will start again as we know the Brewery want to run more music and other large scale events/hires etc.

When there is a special event such as a wedding, party or fund-raising event (over and above opening all weekend), we cannot get away from the noise without going away for the weekend. **We don't think this is reasonable.**

If we complain, we are also in a position of feeling that we are spoiling people's fun for no reason as mostly people are not aware that they are so close to people's homes. From the brewery side of the fence it just seems like a fun place to socialise with friends at whatever volume. **We don't think it is reasonable to have to complain weekend after weekend just to be able to live in our houses.**

We have consulted an estate agent who has said that a pub/bar running till 8 or 9pm will have an impact on the value and saleability of our houses, albeit not insurmountable, but after 9pm will be significantly detrimental to both saleability and value. They advised us to object. **This is more than just public nuisance as far we are concerned – it is vital to our livelihoods.**

I would like to point out that we were not consulted with or notified as near neighbours when the initial license for the current times was granted four years ago. However, they rarely used that license until the new owners took over in January 2018. We would have made objections to the original application had we known about it, and the potential for a bar. We are wiser now.

In the application, the extent of the activity is underplayed and not obvious to anyone that has not been to the brewery on a busy summer weekend.

I would also like to say that we are not in any way against the Brewery or the new owners, in fact they are friends of ours, we like and respect them and we like visiting the brewery ourselves. We have talked to them constantly and we know that they have listened to what we have to say and tried to mitigate the impact of their non-brewing/ retail activities, in the same way that we have tried to be accommodating, supportive and understanding about their situation.

However to manage the problems caused by such close proximity takes constant attention and monitoring by both us and them and is a virtually impossible task– it is wearing and we are dependent on their goodwill, which could change at any time. In spite of their

significant efforts, there continues to be a noise issue even though there are fewer people in the autumn than in the summer. It is better, though, since they have reverted to shorter hours as per the original licence.

Although we appreciate their efforts to minimise disturbance, it is even more worrying that if they relax *any* control it will get worse and worse. With every effort they have made, a new issue has cropped up as it is really hard to control people's behaviour, especially when they are drinking alcohol and having a good time. Whenever their staff changes (frequently) there are 'leaks' in the procedures. The directors/shareholders are not normally at the bar when it is open to keep control themselves, and in any case it is an impossible task when the bar and grounds are full and busy.

The internal bar and outside areas combined are huge and in the summer, the numbers of people are too many to manage. At the moment, everyone is trying their best to keep a reasonable level but it is not really working, despite their best efforts and that amount of effort is unlikely to last forever as they get busier and more successful. **This will cause significant nuisance to us and our near neighbours on both sides of the bridge.**

The original concept of a small capacity community/neighbourhood taproom has completely gone out of the window in favour of (potentially) a full-time pub and music venue. We were happy to have a small taproom nearby as proposed but this is a very different proposition.

We understand that the brewery owners have made an investment and that people's jobs are involved but it is the same for us – we have made investments in our homes (and several of us work from home), and unlike the Brewery owners, we cannot go anywhere else, we cannot go home when we are already at home whereas the owners and staff can work or party and then go home to their families for a peaceful weekend doing what they want to do. We cannot get away. **This constitutes a public nuisance.**

This summer we couldn't sit out in our courtyard or entertain as we normally do because of the level of noise. Even without music, the noise from people is like a wall of sound. I am describing it at its worst, but that is how it was for most of the summer months, and even now in mid October, it is quieter but still significant – and that is with the controls that are currently in place (ie shorter hours). **This is also a public nuisance as we should be able to use the outside areas of our home.**

The brewery team have told us that the retail side of their business is temporary (a five year plan) while they build up the wholesale side and it is clear that the retail side is no longer 'ancillary' to their main business, (brewing) as they have stated that they are dependent on the income to reinvest (which we understand). They have invested in the bar area and I understand are installing a kitchen and more toilets. They are their own best customers and so it is in their interests to attract as many people to the brewery as they can and to get the Redwell brand better known – the more people the better. Whilst we can understand their position, this business approach will clearly create too much impact on a neighbourhood community, these days (for the last 20 years) mostly residential. **Again a significant public**

	<p>nuisance</p> <p>In summary, whilst we are supportive of the brewery and wish them well, we have to try and protect our own well-being, quality of life and financial investments. I have only described problems which affect me, my husband and close neighbours directly but I am aware that other neighbours also have different issues such as parking, noise from cars, people poking in their gardens etc, all caused by greater numbers of people being regularly attracted to a compact area with a strong sense of community.</p> <p>We all bought our homes before there was any idea of a pub or bar in the vicinity. Many of us have been residents here for 20 or more years and are embedded in the neighbourhood community. We don't expect complete quiet. We are used to the trains and occasional football disruption, the noise of cars over the bridge and the operational noise of the brewery during the week-days but they are not relentless for three days non-stop at the weekend, every weekend, which is what we have experienced this summer. It is the constant pressure that is unbearable. Several people are considering selling their homes and moving – we should not be forced out of our homes - this should not be a consequence of an ancillary operation to a business and is certainly a public nuisance.</p> <p>I regret that I have to make this objection as the activities themselves are not harmful, they are just too close to our (pre-existing) home to be acceptable for longer hours and with the number of people involved and the fact that they can't be contained within a sound-proofed building.</p> <p>I would throw the challenge that any of the Redwell owners, or the licencing team or committee would also be contesting this licence extension if they themselves lived this close to the brewery, or a similar operation came and opened up next to their home.</p>
<p>To protect children from harm</p>	<p>I have no objections on the grounds of harm to children visiting the brewery under its current operations</p> <p>However, our very close neighbours have 5 children under 8 between them who are frequently disturbed – either unable to go to sleep initially or woken up by sudden noises such as doors banging or people shouting after their bedtimes.</p>
<p>Please suggest any conditions which would alleviate your concerns.</p>	<p>An on-site visit by the licensing team/committee before making a decision. We know that the brewery hosted a visit recently but residents were not involved. We would like to be able to show exactly how close we are and explain the impact from our point of view as this is not just an issue of a two-hour extension. The main problem is not the hours but the volume of people. There should be controls applied to the whole license.</p> <p>Limited opening times for the bar – not later than 9pm (8pm weekdays and Sundays) with controls on use of the outside area to limit noise at all times</p> <p>A limit on the number of people attending the brewery at any one time</p> <p>At least two people constantly patrolling the outside areas to</p>

remind people to keep their voices down – the brewery have tried this with limited success as people are hard to control especially as they are mostly just having fun but they need a specific brief to keep noise down.

No music except for a limited number of TEN events – four or five a year would be acceptable to me (although not necessarily to other residents). Music changes the composition of the clientele and raises the noise level considerably as people talk much louder

Adequate soundproofing for the brewery building to contain the noise, especially the roller shutter door

Containment of people within the building

Showing of films indoors is a 'quiet' activity and I do not believe it will attract more people to come just for the films but it would help to occupy customers in a way that would not create more noise as well as offering an 'extra' to drinking, eating and talking rather than music. I do not object to films

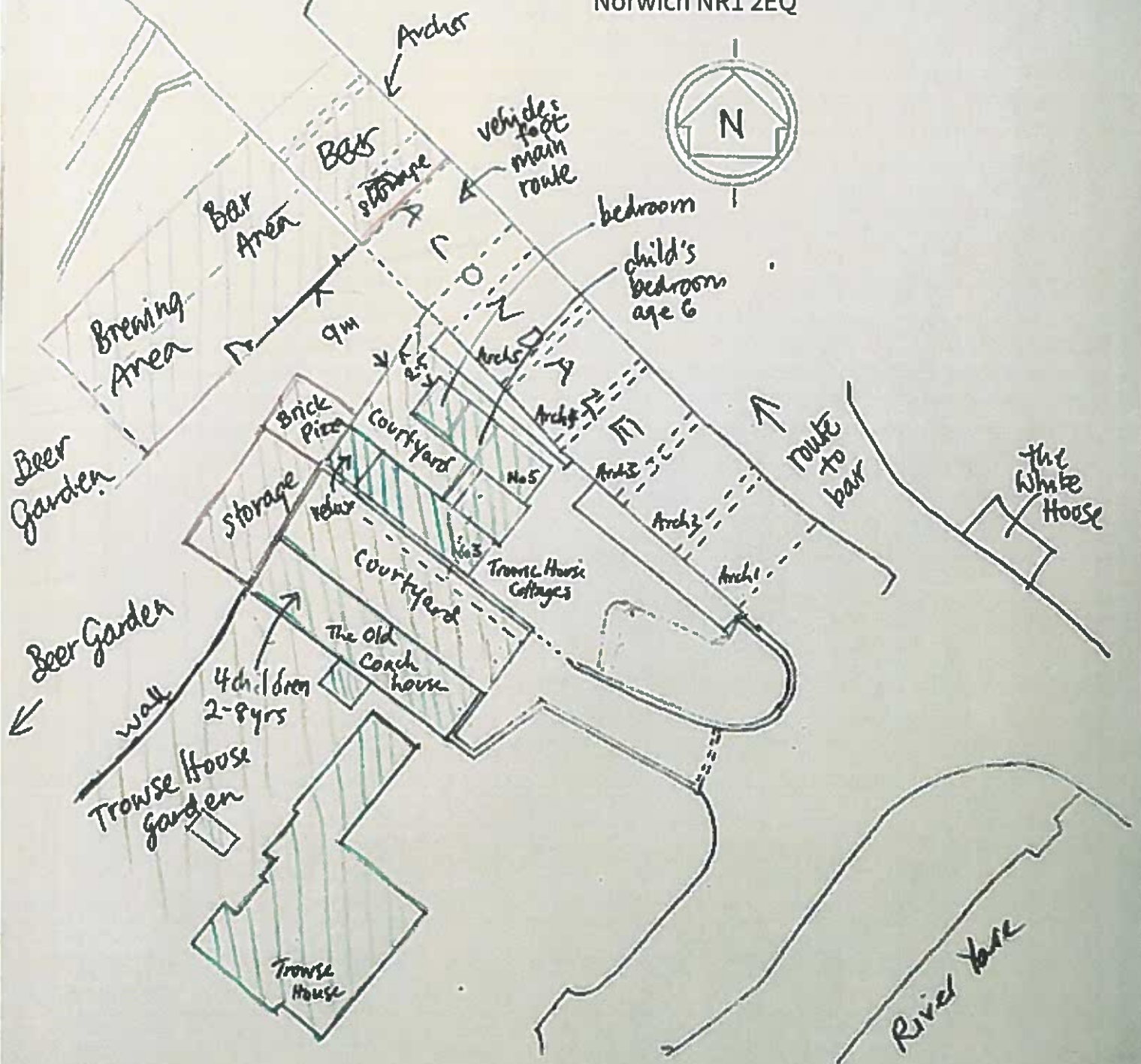
The real issue for me is that granting the extension opens a permanent flood-gate for years ahead, of noise and public nuisance which will, in the long-term (as well as short-term) affect our well-being, quality of life and financial security. Currently we depend on the goodwill of the people that work there at the moment whereas the license will set a precedent and once granted it will be impossible to return. This would be disastrous for the neighbourhood.

It is important to realise that the granting of this extension effectively gives a greenlight to the potential establishment of a full-time pub (whether by the current owners or future owners) on the doorstep of a residential community which is not appropriate in an out-of-town area.

Signed: Marion Catlin

Date: 18 October 2018

Ref: Redwell Licence Application
 From Marion Catlin, 3 Trowse House Cottages
 Norwich NR1 2EQ



- /// residential
- /// Redwell Brewery & bar
- /// outside area
- /// redwell outside area

Scale 1:500
 Feb 2004



NORWICH
City Council



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)	Andrew Fearnley Smith
Postal address	5 Trowse House Cottages Bracondale Millgate, Norwich NR1 2EQ
Email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you wish to support or object to	Three Arches Brewing Ltd t/a Redwell Brewing
Address of the premises you wish to support or object to	7 The Arches, Bracondale, Norwich, Norfolk NR1 2ED/2EF

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	
Public safety	
To prevent public nuisance	<p>My wife and I own 3 and 5 Trowse House Cottages. There are generally three occupants of 5 Trowse House Cottages. Two of these are professional musicians who perform and teach, mostly for the Sistema organisation, who give valuable music instruction to 3 local schools. They practice at home, and the noise from a bustling, and generally good natured pub crowd is distracting, and has kept them awake.</p> <p>One of the occupants is a 6 year old, whose bedtime is 7.30. Her bedroom window (traditional single glazed) is 6 Metres (20') from the outside brewery space, and 12Metres from the metal roller shutter of the brewery building. This shutter has very little sound reducing capability.</p> <p>At 3 Trowse House Cottages, our closest window (again a traditional single glazed) is less than 1.5Metres (5') from the outside space of the brewery. We generally keep this window closed, but a nearby Velux roof light is very often open, and this seems to catch and direct the noise into the house.</p> <p>The owners of the brewery have tried to control the noise levels in the last few weeks, but really this has only been since the re-evocation of the previous licensing times, due to an error of public</p>

	<p>notification. Before this we, as residents, have suffered a 'wall of sound'. To open our back door is well described as the sonic equivalent of opening a hot oven door.</p> <p>In an extreme case the noise during a charity event was so loud that all our windows, kitchen cabinets and the very fabric of the house vibrated to the bass lines, and there was absolutely no escape from this anywhere in the house. This was equal to being next to a music festival, and rather upset any notion that the brewery had any real grasp of the residential nature of our neighbourhood.</p> <p>We have been advised by estate agent, William H Brown, that a license to serve alcohol up to 9.00pm would probably not affect the value of our property, providing the noise is properly and sympathetically controlled. Extending the license beyond that time would be likely to reduce the value and the sale-ability.</p> <p>I would like to point out that we residents were not aware of the original application for a license to serve alcohol 3 or 4 years ago and I feel that we should have been informed at least by the Licensing Department at that time. It seems that there was little understanding of just how close we were to the brewery.</p>
To protect children from harm	Noise from the brewery after bedtime is detrimental to the health and wellbeing of the 6 year old who lives at 5 Trowse House Cottages.
Please suggest any conditions which would alleviate your concerns.	<p>On the application form the applicant states in the box titled 'Describe briefly the nature of the proposed variation' that "In reality we are anticipating calling last orders at 21.45 on Friday and Saturdays and 19.45 on Sundays and Bank Holidays".</p> <p>I suggest and recommend that this application should be rejected, and that there should be no Temporary Entertainment Notices and no music at any time.</p>

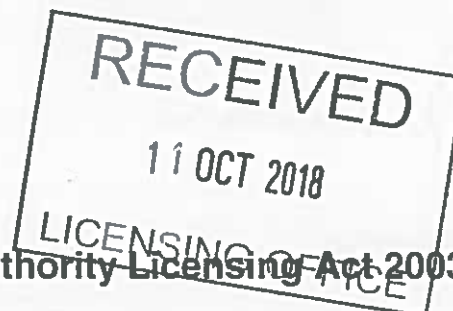
Signed: Andrew Smith

Date: 18 October 2018

Please see notes below



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Norwich City Council Licensing Authority Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	Richard Pearson
Postal address	5, Pumping Station Cottages, Bracondale Norwich NR1 2EG
Email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you wish to support or object to	Redwell Brewery,
Address of the premises you wish to support or object to	7, The Arches Bracondale , Norwich NR1 2EF

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	As a resident of a house within 100 metres of the subject site I have encountered cases of fighting and abuse which have only occurred since the brewery opened a bar. These are on Friday and Saturday nights, usually at the time of closing.
Public safety	
To prevent public nuisance	My property is subject to substantial disturbance particularly late at night on Fridays and Saturdays through shouting and swearing. Vehicular access to my house has been prevented and disrupted through visiting vehicles blocking the driveway.
To protect children from harm	The increased vehicular access to and egress from the site is inherently dangerous owing to the poor site lines. Children live on the adjacent site and are vulnerable to this increased activity.
Please suggest any conditions which would alleviate your concerns.	The premise do not have planning consent for the use to which they are now being put. If your Council is minded to allow the use to continue through granting of a Licence then the hours of operation must be restricted to no later than 9pm on Fridays and Saturdays, 7pm on Sundays and no use at any other time.

Signed:

Date: 10th October 2018

Please see notes below



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Norwich City Council Licensing Authority Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	Ms M Comerford
Postal address	2 Pumping Station Cottages Lower Bracondale NR1 2EG
Email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you wish to support or object to	Redwell Brewery
Address of the premises you wish to support or object to	7 The Arches Bracondale Trowse Millgate NR1 2EF



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	During recent months we have had a fight on the bridge as people left the brewery, evidence of drug use, lots of yelling and shouting and the chaos of cars arriving and leaving. In comparison the football fan parking here is well behaved, quiet and occasional.
Public safety	The buildings and surrounding areas in the Pumping Station yard are very unsafe, slipping slates, broken glass, used needles, buildings broken open and left open. Cars from brewery now constantly reverse out onto main road and footpath. They also park adjacent to the currently used pump station where they are in the centre of all the old buildings.
To prevent public nuisance	As residents we are now subjected to hundreds of people and cars trying to get into the space around us. As designated this is an area of light industry/residence. The business emphasis of the brewery has changed to entertainment, drink sales, food and music all inappropriate to such an area.
To protect children from harm	As previously stated the Pumping Station yard is unsafe. Children would need to be closely supervised. Does this happen when parents are drinking and unaware of the risks.



Please suggest any conditions which would alleviate your concerns.

Think the brewery should find a suitable site to create a huge outdoor pub and events venue.

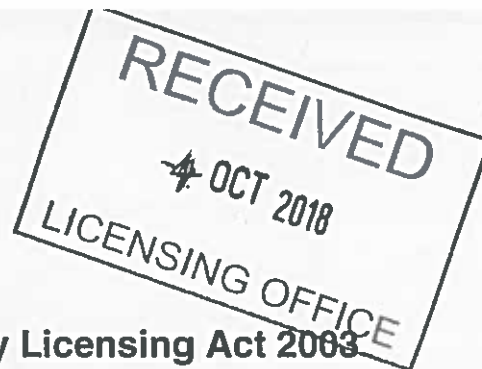
Signed:M. Comerford

Date:5.10.18

Please see notes below



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Norwich City Council Licensing Authority Licensing Act 2003

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

Your name/organisation name/name of body you represent (see note 1)	James Rose & Pilar Rose-Alcorta
Postal address	The White House, Bracondale, Norwich NR1 2EG
Email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you wish to support or object to	Redwell Brewery
Address of the premises you wish to support or object to	7 The Arches, Bracondale, Norwich NR12EF

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>The Brewery promotes itself as a community project serving the people of Trowse; however, skilful marketing and social media is drawing in crowds from much further away. Using the Brewery's own figures, "events" are attracting in between 200-300 people. The planned Christmas party has already sold nearly 400 tickets.</p> <p>July this year the Brewery had a private party and the following day I found soiled condoms and syringes dumped behind my house. This may have been a coincidence but when I reported it to the Brewery they advised me the private party had gone in an unexpected direction and that as a result they were given their staff training on substance misuse.</p> <p>The site where I live has a history of drug users and prostitutes using the area. Hard work by the Pumping Station Cottages' residents has seen that eradicated, but their work is being undermined by the Brewery's lack of understanding of running licensed premises. Staff should have been trained about drug awareness as soon as the earlier (invalid) licence alteration was granted.</p> <p>I have observed one fight so far outside my house between customers leaving the Brewery. If the Brewery had employed the security staff they listed in the April application this would possibly been avoided. The staff promised in April started in September.</p> <p>Residents have tried to stop Brewery customers parking on land around the site because the Brewery is unable to manage. One reason for this is to stop Brewery customers blocking access to residences, the other is for the safety of the Brewery customers</p>

	<p>themselves. Lighting in these areas is poor; there has been a history of car crime and theft on the site and the customers and their cars are at risk. The Brewery has no rights over this area so they cannot change anything. As a resident I am now only interested in stopping people blocking access to my home.</p> <p>Some of the buildings on the Anglian Water Site are derelict and in poor repair. Anyone walking or parking around them has a genuine risk of injury to their car or themselves. The derelict buildings have been broken into and parking near these buildings may encourage car crime.</p>
Public safety	<p>Access to the Brewery is by a narrow un-adopted road. The Brewery has a right to use the road but they cannot change, modify or upgrade it. The turn from Bracondale (when travelling from Norwich) is dangerous as vehicles have to turn 180 degrees back on themselves; I recommend the NCC Highways Dept. give advice on this.</p> <p>Turning onto Bracondale towards Norwich from the site is risky because you cannot see what is coming over the bridge. The massive increase in traffic caused by the change of use of the Brewery is causing a potential accident black spot.</p> <p>The Brewery has tried to stop customers and taxis coming to the Brewery but has had limited success. The road leading to its premises is narrow and there is no-where to turn around when they get to the Brewery itself; vehicles have to reverse back up the lane and then onto Bracondale. This is dangerous as pedestrian and children are around and reversing onto a main road is illegal. The Highways Department should advise on this.</p> <p>The road leading to the Brewery is a popular parking spot; the Brewery cannot legally control the parking. On nights when the Brewery is open, both sides of the narrow road will have parked vehicles; this means that the emergency services can get nowhere near them. A fire engine will be unable to get under the arch to get besides the building even if the road is clear. This situation needs to be checked with the Fire Brigade -especially as the Brewery regularly accommodates 200-300 people (figures supplied by the Redwell Brewery). As the Fire Brigade and the public share the same access, I see a significant danger.</p> <p>The road to the Brewery is narrow with no space for a pedestrian path. The access road also serves the seven houses and Anglian Water properties on the site. When the Brewery is open there is a massive increase in foot and vehicular traffic. As the cars and pedestrians cannot be separated, there is significant risk to the pedestrians going to the Brewery. The Brewery is unable to reduce this risk.</p> <p>The access to the Brewery is poorly lit. There are no street lights; the Brewery has put up a string of lights on a wall. These lights help but do not meet current public lighting standards. The Brewery cannot ensure adequate lighting outside their premise because they do not own or manage the entrance/road. The owner of the wall could theoretically demand the lights the Brewery has installed be removed.</p>

	<p>The access road may well suit an industrial unit, but it does not suit a public venue whose owner encourages up to 300 customers at a time (figures supplied by the Redwell Brewery) and the Brewery is endangering the general public by encouraging them to visit the site.</p>
To prevent public nuisance	<p>A clerical error by the Brewery means that the Redwell Brewery has been operating by the hours covered in this application for approximately six months. The nuisances listed have been occurring and are real rather than projections.</p> <p>Every vehicle and every pedestrian have to pass within 20ft (6m) of the front of our house. Since the Brewery opened, there has been a massive increase in vehicular and pedestrian traffic; on an event day we can expect 200+ (figures supplied by Redwell Brewery) people to go past our house. The re-launch in April and with the extended opening hours and the special events the Brewery organise this now regularly exceeds 300 (figures supplied by Redwell Brewery.)</p> <p>The front of our house is a natural gathering place where people meet and greet or linger over goodbyes. We are subjected to the constant chatter of the customers if we are in the living room or dining room of our house. The introduction of alcohol to the customers makes them louder and occasionally argumentative.</p> <p>The front of our house is also an obvious drop off and collection point for cars and taxis, so when the Brewery is open we have the constant sound of cars arriving and leaving with doors slamming.</p> <p>The Brewery has tried to stop the people and cars gathering outside our house but they are unable to control human nature.</p> <p>The Brewery is in an industrial building that is surrounded by residential properties; the licence to sell alcohol is ancillary to the main use of beer production as is compatible with the building's planning status. Brewing is now secondary to the building owner's prime objective of turning the building into a public house. This use attracts more visitors and creates a public nuisance.</p> <p>Brewing equipment has been removed to create more bar space and Redwell are currently organising a Christmas party where 400 people can fit into the building. Alcohol sales are no longer ancillary to brewing; it is the other way around. This is a public nuisance.</p> <p>The showing of films at the venue has nothing to do with the production of beer. I would expect to see this type of request applied to a public house rather than an industrial building. The additional people visiting the "Brewery" will create a nuisance.</p> <p>With the emphasis changing from brewing to the sale of alcohol I believe the Norwich City Planning Department need to be involved as it appears the building's planning use is being changed to that of a Public House.</p> <p>At the last Neighbours Meeting, the Brewery advised they were considering buying more arch space to convert into additional bars. This increase of use will increase the public nuisance the</p>

	<p>Brewery is already causing and take the building further away from its light industrial planning use.</p> <p>The Brewery has inadequate toilet provision. As a result, their customers use the surrounding open areas to urinate. At our house we lock our gate when the Brewery is open to prevent customers using our garden to relieve themselves. Mothers have also brought small children into our front garden to use it as a toilet.</p> <p>The Brewery has implemented a complaints procedure which is in itself a nuisance. We, the aggrieved residents, are expected to complete a form in a manner that suits the Brewery and their consultant. Some residents are concerned that if they do not comply, their complaint is somehow not valid. All meetings are at the Brewery because it is more convenient for the brewer; failure to turn up to a meeting is also seen by some as tacit approval of what the Brewery is doing.</p> <p>After the re-launch in April 2018, the Redwell Brewery made no direct contact with the residents around the site until July. This was despite the promise to keep residents apprised of planned events. Only after repeated complaints from the residents did the Brewery take any interest. They have listened politely to all the complaints, apologised if necessary -and then carried on with no change. Now that we, the residents, have found out that there was an error by the Brewery in their licence extension application, we are getting promises of change but the Brewery lacks the skills or the ability to make the changes needed.</p> <p>Neither the Brewery's representatives, nor their consultant has ever visited our house to consider the harm the Brewery and their customers are causing to our quiet enjoyment of our house.</p>
To protect children from harm	<p>Access, means of escape in case of fire, toilet provision are all inadequate. Taking a child to this venue is a risk.</p>

Please suggest any conditions which would alleviate your concerns.	<p>A maximum capacity of people using the Brewery at any time agreed with Fire Brigade and Environmental Health.</p> <p>Install more toilets</p> <p>Agree safe means of escape with the local Fire Brigade</p> <p>No Temporary Entertainment Notices to keep numbers manageable.</p>
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Signed:

Date:

Please see notes below



NORWICH
City Council

RECEIVED

19 OCT 2018

LICENSING OFFICE

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 R White [REDACTED]
Postal address	3 Pumping Station Cottages Norwich NR1 2EG
Email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you wish to support or object to	Redwell Brewery
Address of the premises you wish to support or object to	7 The Arches, Bracondale, Norwich NR1 2EF

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>In early 2018 the new Brewery owners met with local residents to advise they intended to open to the general public on a Friday, Saturday and Sunday, with a view to being a family friendly local establishment. Prior to this, despite having the license, only a limited number of events were held on an infrequent basis, which allowed the residents to live in a peaceful and safe area.</p> <p>Despite the Brewery stating they would only be open for a short period of time in the evenings, this rapidly escalated into weekend events with outside catering companies providing food and alcoholic beverages. The Brewery, unbeknown to the residents, had applied for an extension. Following local residents raising issues e.g. noise, volume of people, anti-social behaviour and parking, it was established that the previous licence application was not valid due to a clerical oversight by the Brewery.</p> <p>The Brewery appear to have been non-compliant in adhering to the relevant legislation. This is evidenced by their licence extension being revoked, and also during the weekend of 8th September 2018 promoting and allowing customers to consume alcohol outside the premises on the access road (photos provided if required). This continues to raise concern regarding the compliance of the Brewery.</p> <p>The Brewery is situated off the public highway surrounded by a working water treatment plant and two derelict buildings. There have been numerous break ins placing people at risk of physical harm.</p>

One incident involved a young person being hurt and taken to hospital due to them forcing entry to the buildings. The Police will be able to evidence the call outs and the illegal access that has continued to occur. Alongside this, neighbours have also witnessed people being stood on top of the damaged roofs, which has led to Police involvement.

The local residents have already experienced what life is like with the requested extended opening hours. Since April 2018 the Brewery has been holding weekly events and the number of people interested in these buildings has increased. This has been both at the weekends, weekdays and bank holidays. The general public, including children, continue to walk around the buildings late at night and during the day. This also includes customers parking their vehicles close to and under the building. This continues to limit access to emergency services, potentially impacting public safety and wellbeing. The general public remain at risk through this, especially those who are under the influence of alcohol as they are more likely to be at risk of injury. The buildings are unsafe and there are various hazards around them which encourages crime and anti-social behaviour.

In August 2018, there was a fire which was started just outside the Brewery. The Brewery and local residents are unsure of the how this started, however they are aware this began in the early hours of the morning. This suggests again there continues to be foot traffic late at night, which is not lit and not safe for people to access.

The Brewery brew and distribute high percentages of alcoholic beers ranging from 4 – 6.4%. In the event the extension is granted, this will result in customers consuming alcohol later into the night encouraging alcoholism and increased likelihood of customers becoming involved in anti-social behaviour. The Brewery previously marketed themselves on being a family friendly venue, however it is of concern they wish to promote children and their caregivers being out later at night and under the influence of alcohol.

Public safety

The access to the Brewery itself can be very dangerous.

The access is a narrow and sharp turning off the highway, 100yds away from the brow of a bridge. Vehicles travel quickly down this road and are not able to see any traffic that may be waiting to turn into or exit the Brewery entrance.

Groups of people leaving the Brewery are also at risk of being injured due to the traffic leaving the main road and turning down towards the Brewery. Drivers are unable to see around the corner easily and to add to this, the Brewery have failed on numerous occasions to manage vehicles parked near the Brewery entrance, limiting drivers view. It is concerning despite the Brewery stating to residents they would employ suitable staff to manage public safety and noise this has not been consistently implemented.

On 7th September 2018, the Brewery was let down by a courier company. The Brewery opened to the public as usual at 5pm. Due to the issue with a courier they left stacked cans down on the access road with a fork lift truck parked close by. At approximately 19:45 a side loading lorry blocked off the access to the road whilst the delivery was loaded (photos to evidence if

required). As a result of this no vehicle was able to gain access to either the residents or Brewery during this time. This again causes concern due to emergency services not being able to access the residents and Brewery. In addition to this, vehicles wanting to gain access at the same time had to turn around onto a busy road, placing them and others at risk of harm.

The lighting near the entrance of the main access to the Brewery is poor, which also contributes to the dangers put upon the general public. There is however a string of lights which have been provided by the Brewery which do offer some limited light. It would be helpful if a health and safety officer could confirm the minimum lux level required for this area to ensure the safety to all.

When the Brewery have supplied staff to aid with managing customers and cars, none of the staff have worn high visibility clothing; this means they are also being put at risk from the traffic that enters or exits the Brewery. The Brewery continue to have a high number of shift workers who are employed to manage the bar and public area. The Brewery have admitted this has caused issues relating to staff's understanding of their roles and responsibilities. This again places the general public at risk due to them not adequately being aware of the hazards within the Brewery itself.

As outlined within the 'To Prevent Crime and Disorder' section due to the increased numbers of people within the local area this continues to place both adults and children at risk of physical harm. The Brewery is close to 2x derelict buildings. The buildings have been secured by the landlord but it is clear illegal entries continue to be made. The buildings are unsafe and should not be entered or parked close to. The risk of materials falling from the worn-out roof or hazards due to the abandoned waste is high. This risk continues to be exacerbated by those who have consumed alcohol.

The new tap room has been installed well and is of good standard. However, due to the easy access of the industrial brewing cylinders within the main room this continues to be a risk to all customers who attend the Brewery. Customers sit at one end of the brewing room but currently there is no barrier between the seating area and the brewing area. No brewing appears to take place when the bar is open, however this continues to pose a risk due to the cylinders being in full access to the general public including children. I would recommend environmental health are consulted to ensure the safety of both the staff and customers.

The outside seating area is large and to allow enough space for all persons to be seated, the Brewery use empty beer barrels for customers to sit on. This again poses a physical risk due to some of the beer barrels having sharp edges on them (a customer had their hand cut open on 26th May 2018).

To prevent public nuisance

A clerical issue by the Brewery meant they had been operating by the hours covered in this application for approximately 6 months. The nuisances and issues listed have been occurring and are factual.

The Brewery has continued to attract increased numbers often between 200 – 300 people in one day. This has led to high levels

of foot and vehicle traffic making access to our home both frustrating and challenging. The Brewery have requested taxi companies no longer drive down the access road to drop off customers, this has again been inconsistent. Often drivers now refuse to collect or drop off residents meaning they have to walk in the dark to their property.

Due to the number of people attending the Brewery this led to customers often being loud on arrival and also departure. Alongside this there has continued to be an ongoing noise of vehicles arriving, leaving and door slamming which again has gone against the once peaceful and quiet weekends we as residents are used to.

Due to the Brewery's recent emphasis changing from brewing to the sale of alcohol/ public house, it is recommended Norwich City Planning Department review the current planning status to ensure there is the correct coding for this (currently B2).

Since July 2018 the Brewery now hold fortnightly meetings so residents can attend and share their views and issues. This is helpful and does allow some communication between residents and the Brewery. Although this is now in place it is worrying that, despite the Brewery in early 2018 stating they would update the residents with their plans and events, this has not consistently happened.

We live in one of 6x cottages which are extremely close to the Brewery. Although we are not and have never been opposed to the Brewery, the impact it has had on our lifestyle is significant. Throughout the weekends of the summer we have not been able to sit outside in our garden as now there continues to be a constant stream of chatter, shouting, vehicles and music. We do not understand why a 'family friendly venue' wishes to extend their opening hours into the late evening causing nuisance to local residents and promoting alcohol fuelled parenting.

To protect children from harm

The Brewery backs onto the properties of residents who have young children. These children have continued to be exposed to the loud music and noises throughout the summer. It is well known children require routine and stability in their caregiving. The Brewery are aware this has caused significant distress to the families backing onto the area causing emotional harm to the children.

It is understood the Brewery has access to two public toilets within the establishment. It is recommended the Brewery are referred to the Norwich City Council Licensing Policy relating to this due to the volume of customers attending the establishment.

There continues to be an ongoing issue relating to County Lines (substance misuse and dealing). This is centred around gang culture and vulnerable young people. The derelict buildings that are close to the Brewery continue to have graffiti and young people who break in. The Brewery opening later promotes more people being within the local area and potential involvement in substance misuse and anti-social behaviour.

Please suggest any conditions which would alleviate your

A maximum capacity of people using the Brewery at any time agreed with Fire Brigade and Environmental Health.

concerns.

Keep to the previous and current opening hours to ensure the safety of the public and prevent nuisance to those residents within the local area.

No Temporary Entertainment Notices to keep numbers manageable.

Norwich City Planning Department to review the Brewery's planning code.

Environmental Health to provide guidance relating to the lighting lux and welfare facilities.

Ensure security staff are available at all times when the Brewery are open to the general public to ensure access to the Brewery and manage any anti-social behaviour.

Signed:

 Mr Robert White

Date: 19/10/2018

Please see notes below

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.

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.