



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

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

On **12<sup>th</sup> August 2021** the licensing authority received from you, **Mr Dean Bath**, a temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place on **28<sup>th</sup> August 2021** at the Car Park, Lower Clarence Road, Norwich, namely in respect of the premises to use the area of 25m x 25m as more particularly shown on a plan for the sale by retail of alcohol between 12:30 to 15:00 (this period was amended at committee to 13:00 to 14:30). The licensing authority received an objection under section 104(2) of the Licensing Act 2003 from the Norfolk Constabulary to the notice on the basis that the licensing objectives, specifically the prevention of crime and disorder and public safety would be seriously undermined if the proposed temporary licensable activity took place, and a hearing took place on the **24<sup>th</sup> August 2021** at which it was determined to serve a counter notice for the reasons given below.


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

In coming to this view the committee took account of the evidence provided by yourself and the Norfolk Constabulary, including the Event Safety Management Plan updated on **18<sup>th</sup> August 2021** provided by you and the overhead photographs and memorandum of **17<sup>th</sup> August** provided by the Norfolk Constabulary. The committee noted that the concerns originally expressed by the Environmental Health team of the council had been withdrawn in advance of committee following discussions.

The basis of the committee decision is as follows:

1. That the police are the prime source of advice to the council regarding the crime and disorder licensing objective, under statutory guidance to which the council must have regard. The police continued to oppose this application, even after the comments made during the hearing, and there were no changes to police concerns. The council gives significant weight to the views of the police.

2. The committee is unable to impose conditions, even if appropriate to do so there is no underlying premises licence in effect from which conditions could be considered.
3. Regardless of how experienced the security presence is, many football fans who would otherwise disperse into smaller groups will gather in a large group primarily to consume alcohol. The police evidence is that this will increase the risk of disorder.
4. SIA staff present are unlikely to be able to prevent persons leaving the site with alcohol, especially if the persons leave in a large group.
5. It was made clear that the police are not available to manage this event.
6. The site has no seating and rapid consumption of alcohol is likely in a standing group.
7. The council accepts the evidence of the police that a flashpoint with fans of the opposing team is likely to be created.
8. The police are concerned regarding the easy availability of missiles (stones) on the site and their view is given weight.
9. The applicant has addressed traffic concerns in part, in that there will be a SIA person involved with traffic safety and that the area by the TEN will be for the use of coaches rather than for both coaches and cars. The committee is still concerned as to the promotion of the public safety licensing objective when there are large vehicles moving in an area where pedestrians are gathered to access the proposed TEN area.

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|------------------------------|---|-------------|------------|
| <b>SIGNATURE</b>             | <br>On behalf of the licensing authority | <b>DATE</b> | 26/08/2021 |
| <b>Name of Chair signing</b> | Councillor Ian Stutely  |             |            |

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