

Report to	Licensing sub committee 12 February 2015	Item
Report of	Head of citywide services	3
Subject	Licensing Act 2003: Application for the grant of a fixed term Premises Licence - Norfolk & Norwich Festival Trust Chapelfield Gardens Chapelfield East Norwich NR2 1SF	

Purpose

Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider the application for the grant of a Premises Licence in respect of Norfolk & Norwich Festival Trust, Chapelfield Gardens, Chapelfield East, Norwich, NR2 1SF for the period 13 May 2015 – 24 May 2015 following the receipt of relevant representations.

Recommendation

That members determine the application to grant a premises licence for the period 13 May 2015 – 24 May 2015 in respect of the Norfolk & Norwich Festival Trust Chapelfield Gardens Chapelfield East Norwich NR2 1SF 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: All wards

Cabinet member: Councillor Harris – customer services

Contact officers

Ian Streeter, licensing manager

01603 212761

Background documents

None

Report

The application

1. The applicant is Christopher Harding who is clerk to the Norfolk & Norwich Festival Trust, 8 Burroughs Way, Wymondham, Norfolk, NR18 0WE.

2. The application seeks to allow the licensable activities of:

- the provision of plays (indoors and outdoors)
- the provision of films (indoors and outdoors)
- the provision of live music (indoors and outdoors)
- the provision of recorded music (indoors and outdoors)
- the provision of performances of dance (indoors and outdoors)
- the provision of anything of a similar description to live music, recorded music or performances of dance (indoors and outdoors)
- late night refreshment (indoors and outdoors)
- the supply of alcohol for consumption on the premises.

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

The provision of plays (indoors and outdoors):

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00
Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of films (indoors and outdoors)

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00

Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of live music (indoors and outdoors):

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00
Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of recorded music (indoors and outdoors):

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00
Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of performances of dance (indoors and outdoors):

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00

Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of anything of a similar description to live music, recorded music or performances of dance (indoors and outdoors):

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00
Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

Late night refreshment – (indoors and outdoors):

Monday	23.00 – 01.00
Tuesday	23.00 – 01.00
Wednesday	23.00 – 01.00
Thursday	23.00 – 01.00
Friday	23.00 – 02.00
Saturday	23.00 – 02.00
Sunday	23.00 – 00.00

Supply of alcohol (for consumption on the premises):

Monday	11.00 – 01.00
Tuesday	11.00 – 01.00
Wednesday	11.00 – 01.00

Thursday	11.00 – 01.00
Friday	11.00 – 02.00
Saturday	11.00 – 02.00
Sunday	11.00 – 00.00

4. The opening hours of the premises are:

Monday	10.00 – 01.30
Tuesday	10.00 – 01.30
Wednesday	10.00 – 01.30
Thursday	10.00 – 01.30
Friday	10.00 – 02.30
Saturday	10.00 – 02.30
Sunday	10.00 – 00.30

5. A copy of the operating schedule, with the steps put forward by the applicant to promote the licensing objectives is attached at appendix A to the report.

6. In addition to the proposed controls the applicant has agreed with Norfolk Constabulary the following additional conditions:-

- Patrons will be prevented from taking open drinking vessels of alcohol off the site
- The risk assessment will assess if there is a requirement for replacing glass drinking vessels to plastic.
- The final written copy of the risk assessment will be submitted and agreed with police and licensing authority 14 days prior to the event.

Relevant representations

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

Police – no representations

Environmental Protection – representations received (see appendix B).

Fire Officer – no representations.

Planning Officer – no representations.

Area Child Protection Committee – no representations.

Trading Standards – no representations.

Primary Care Trust – no representations

8. Relevant representations have been received in respect of the application with concerns which appear primarily to relate to the licensing objective of the prevention of public nuisance. Copies of the representations received are attached at appendix C to the report.
9. A site map of the area identifying the application premises in relation to the relevant representation party address will be available at the meeting.

Norwich City Council Statement of Licensing Policy

10. Attached at appendix D are the elements of the City Council's local Licensing Policy which are considered to have a bearing upon the application:

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

11. Attached at appendix E are the elements of the National Guidance issued by the Secretary of State that are considered to have a bearing upon the application.

Summary

12. 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.
13. 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
14. 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.

15. The representations received appear to relate to issues that fall under the licensing objective of the prevention of public nuisance. The Sub-Committee is directed to paragraph 24 of the local licensing policy at appendix D which contain examples of factors that impact on the licensing objective 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.
16. 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.