

### **Licensing sub committee**

**Date:** Friday, 14 January 2022

**Time:** 10:15

**Venue:** Remote access

**[Venue Address]**

**Pre-meeting briefing for members of the committee only  
30 minutes before the start of the meeting**

**Committee members:**

**For further information please contact:**

**Councillors:**

Stutely (chair)

Ackroyd

Giles

**Committee officer:** Alex Hand

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### **Information for members of the public**

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website.

## **Agenda**

### **1 Apologies**

To receive apologies for absence

### **2 Declarations of interest**

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

### **3 Application for the Grant of a Premises Licence – 77 & 79 Ber Street Norwich NR1 3AD 3 - 36**

**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 77 & 79 Ber Street Norwich NR1 3AD following the receipt of relevant representations.

Date of publication: **Thursday, 06 January 2022**

**Report to** Licensing sub committee

14 January 2022

Item 3

**Report of** Head of planning and regulatory services

**Subject** Application for the Grant of a Premises Licence –  
77 & 79 Ber Street Norwich NR1 3AD

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### **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 77 & 79 Ber Street Norwich NR1 3AD following the receipt of relevant representations.

### **Recommendation**

That Members determine the application to grant 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 priorities**

The report helps to meet the corporate priorities of inclusive economy and people living well.

### **Financial implications**

None.

**Ward/s:** Mancroft

**Cabinet member:** Councillor Jones – Safer, stronger neighbourhoods

### **Contact officers**

Maxine Fuller – Public Protection Licensing Advisor

01603 989400

### **Background documents**

None

## **Report**

### **The application**

1. The applicant is Nadarajan Logeswaran.
2. The proposed DPS is Nadarajan Logeswaran.
3. The application seeks to allow the licensable activities, times and opening hours as set out in the application form, which is attached at appendix A. This also includes the steps proposed to promote the licensing objectives (operating schedule).

### **Relevant representations**

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

Police – representation received, applicant has agreed to the conditions (copy attached at appendix B)

Public 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

Representations objecting to the application have been received from 3 local residents (copy attached at appendix C).

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

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

### **Norwich City Council Statement of Licensing Policy**

6. Norwich City Council Statement of Licensing Policy was adopted on 1 December 2021 and can be viewed on the Norwich City Council [website](#).

## Summary

7. In determining the application with a view to promoting the licensing objectives the sub-committee must give appropriate weight to:
  - the steps that are appropriate to promote the licensing objectives (i.e. the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm);
  - the representations (including supporting information) presented by all the parties;
  - the guidance issued under Section 182 of the Licensing Act 2003 (national guidance); and
  - the council's own statement of licensing policy.
8. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
  - Grant the application as asked;
  - Modify the conditions of the licence by altering or omitting or adding to them;
  - Reject the whole or part of the application
  - refuse to accept the proposed DPS
9. The sub-committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.
10. The representations received appear to relate to issues that fall under the licensing objectives.



**NORWICH**  
City Council

**Norwich**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensingapplications@norwich.gov.uk](mailto:licensingapplications@norwich.gov.uk)  
Telephone: 0344 980 3333

\* required information

**Section 1 of 21**

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

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

**Applicant Details**

\* First name

Logeswaran

\* Family name

Nadarajan

\* E-mail

Main telephone number

Other telephone number

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

**RECEIVED**

12 NOV 2021

**LICENSING OFFICE**

Include country code.

Are you:

- ☒ 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?

☐ Yes ☒ No

Is your business registered outside the UK?

☐ Yes ☒ No

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

Business name

Logeswaran Nadarajan

If your business is registered, use its registered name.

VAT number

- None

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

Legal status

Sole Trader

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Business Address**

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

### Section 3 of 21

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

#### Confirm The Following

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

### Section 4 of 21

#### INDIVIDUAL APPLICANT DETAILS

##### Applicant Name

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No



Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes

☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

\* Date of birth

dd mm yyyy

\* Nationality

British

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Add another applicant

### Section 5 of 21

#### OPERATING SCHEDULE

When do you want the premises licence to start?

/  /   
dd mm yyyy

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

/  /   
dd mm yyyy

Provide a general description of the premises

*Continued from previous page...*

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.

Convenience stores would like sell alcohol off the premises

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

#### Section 6 of 21

##### PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes ☒ No

#### Section 7 of 21

##### PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes ☒ No

#### Section 8 of 21

##### PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes ☒ No

#### Section 9 of 21

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

#### Section 10 of 21

##### PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes ☒ No

#### Section 11 of 21

##### PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

☐ Yes

☒ No

#### Section 12 of 21

##### PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

#### Section 13 of 21

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

See guidance on regulated entertainment

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

☐ Yes

☒ No

#### Section 14 of 21

##### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

#### Section 15 of 21

##### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

##### Standard Days And Timings

###### MONDAY

Start

End

Start

End

###### TUESDAY

Start

End

Start

End

###### WEDNESDAY

Start

End

Start

End

###### THURSDAY

Start

End

Start

End

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

Continued from previous page...

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 22:00

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.

Not applicable

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

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

Not applicable

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Logeswaran

Family name

Nadarajan

Date of birth

dd mm yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

Not applicable

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start 07:00

End 23:00

Start

End

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

Continued from previous page...

**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.

Not applicable

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

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

Not applicable

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

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

*Continued from previous page...*

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

We participate in NO ID NO SALE policy. Relevant signage will be display clearly visible to every customer. All staff whose responsibilities include the retail sale of alcohol will receive the necessary training on induction and every 6 months. The training will include the understanding of the terms, conditions and restrictions of the Premises licence & the operation of the CCTV equipment & also the prevention of unlawful sales of alcohol.

b) The prevention of crime and disorder

Premise will be installed with 24-hour CCTV recording focusing on licensed products and customer service area. Refusal register will be kept in store to note all the underage attempts to buy any age restricted goods. We will make sure the CCTV system serving the premises will be maintained fully operational and in good working order at all times & the system will be able make and retain clear images.

c) Public safety

All necessary steps will be taken to ensure all the fire & safety regulations are active and adhered to all times. Fire fighting equipment are installed and easily accessible. We will keep records written in English with the date, time and circumstances of any challenges made in accordance with the "Challenge 25" scheme & disorder, ejection or other relevant incident that occurs on the premises. This book of records will be kept on the premises at all times

d) The prevention of public nuisance

Prominent signage will be in display advising customers not to gather in large numbers in or outside the premises. CCTV will be in operation 24 hours and any customers causing nuisance will be advised to respect neighbours. Front and rear of the premises are kept litter free at all times. ~~No alcohol products are allowed to be consumed off the premises. Alcohol consumption is only allowed inside the premises.~~

e) The protection of children from harm

We participate in challenge 25 and NO ID NO sale policy so that children have no access to any age restricted products. We will operate "Challenge 25" age verification policy at the premises. Any person who appears under 25 years of age will be requested to provide acceptable form of ID such as passport, UK photo driving licence.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.



*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an Immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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#### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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 21 of 21

### 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.

Premises Licence 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](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 £125000 £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 you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event 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 (£)

190.00

### DECLARATION

*Continued from previous page...*

\* 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 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:

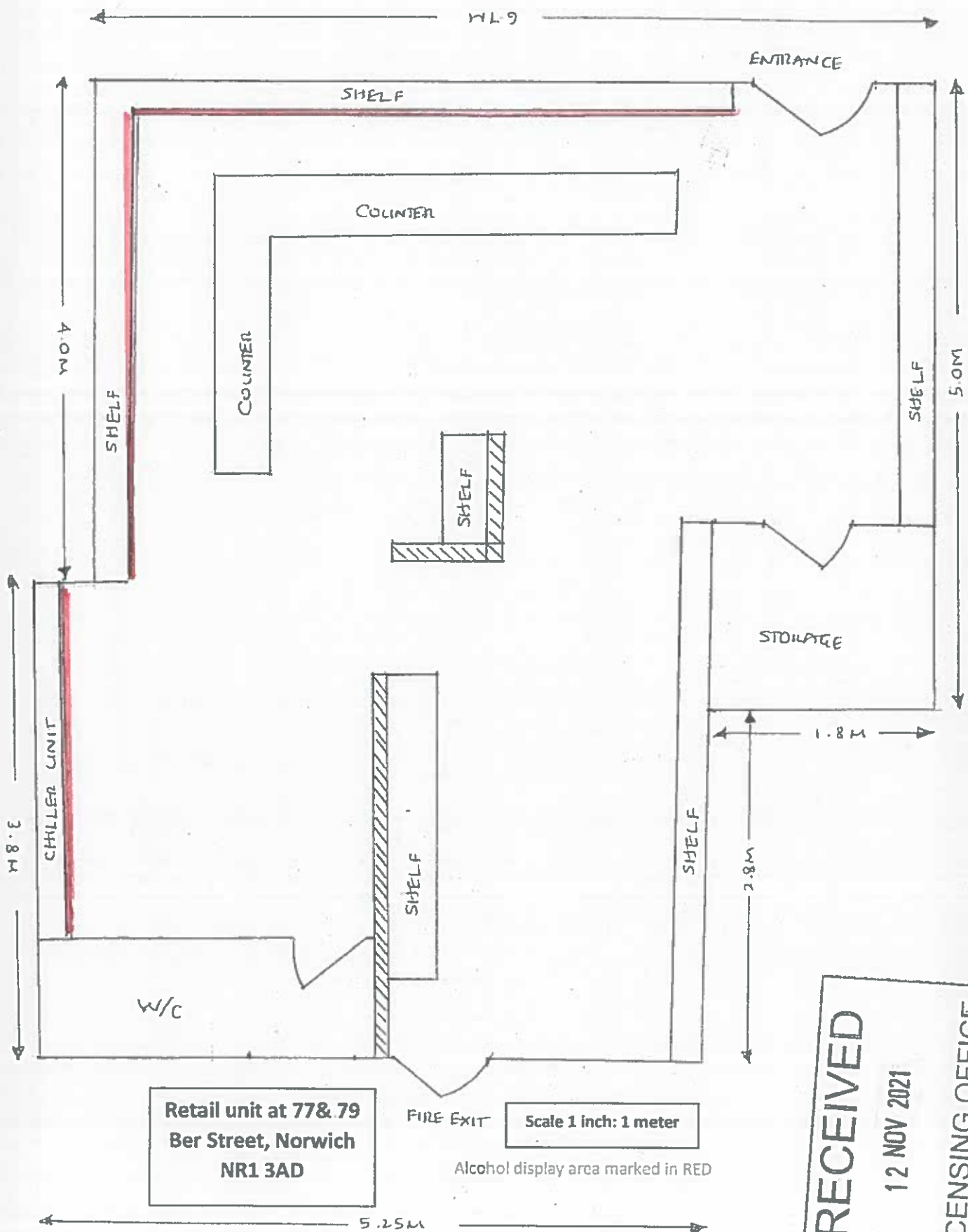
1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/norwich/apply-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 LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**



**RECEIVED**  
 12 NOV 2021  
 LICENSING OFFICE

**NORFOLK**  
CONSTABULARY*Our Priority is You*

Licensing Department  
Norwich City Council  
St Peters Street  
Norwich  
NR2 1NN

Monday 29th November 2021

The Licensing Team

Bethel Street Police Station  
Norwich  
Norfolk  
NR2 1NN

Tel: 01603 276020

Fax: 01603 276025

Email: [licensingteam@norfolk.pnn.police.uk](mailto:licensingteam@norfolk.pnn.police.uk)

[www.norfolk.police.uk](http://www.norfolk.police.uk)

Non-Emergency Tel: 0845 456 4567

Dear Sir/Madam

I can confirm that Norfolk Police have been consulted on the application for a new premises licence for 77-79 Waterloo Road Norwich

This application is requesting the sale of alcohol 0800-2300 hrs daily. The applicant Mr Logeswaren has been linked to a number of licensed convenience stores.

The operating schedule of the application Challenge 25 Policy, CCTV, refusal book and staff training.

In order to promote the licensing objectives and tighten the conditions offered, I request that further conditions are added on the licence:

- **CCTV footage to record for 28 days and be available to Police or Licensing Authority on request.**
- **Staff will be in trained in relation to the sale of alcohol and records will be kept at the premises and available to Police or Licensing Authority on request.**
- **A notice will be on display informing the customers of the city PSPO (no alcohol drinking within the city)**
- **No single Cans or bottles of beer or cider will be sold at the premises.**
- **No super-strength beer, lagers, or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.**


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

Yours faithfully,

Michelle Bartram  
Licensing Officer

Fuller, Maxine

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**From:** Zulienne Tait <  
**Sent:** 05 December 2021 19:35  
**To:** LICENSING  
**Subject:** OBJECTION TO LIQUOR LICENCE/BER STREET

**CAUTION! – This email originates from outside Norwich City Council.**

**If you are unsure of this email, do not click the link or open the attachments – please delete the email.**

Dear Sirs,

Re: Liquor Licence- new convenience store (ex Chinese Shop, Ber Street, Norwich.)

I wish to OBJECT to the issuing of a Liquor Licence to the above store, as in this area of Ber Street is Residential Housing and

we do not wish to have any late night drinking on our door step. We already have anti social behaviour in this area which the police are aware of and trying to sort out, also the speeding traffic which roars along Ber Street, no one seems to know the Speed Limit is 20 miles per hour.

Yours sincerely,

Zulienne Tait.

48 Warmingier Court, Ber Street, Norwich.



63 Warmingier Court,  
Ber Street,  
Norwich  
NR1 3ED

RECEIVED ON  
29 NOV 2021

25th November 2021

Dear Sir,

We would like to make an objection to the planning application for an alcohol licence for 77-79 Ber Street, Norwich.

Today was a good example of a group of younger people in possession of bottles and exchanging money at the junction of Ber Street and Thorn Lane which has been noted on numerous occasions. During day and night several groups of people walk past with cans in their hand, and often with raised voices. Particularly at night there are groups of people, going on into the early hours of the morning standing outside our building. Therefore we feel that an off licence would create more noise and disruption encouraging people to come to the premises for alcohol.

Yours faithfully

Jane and Christopher Brown

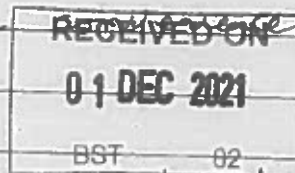
Norwich City Council 1  
City Hall, St Peter Street,  
Norwich, NR2 1NH

For the attn of The Licensing  
Officer - Private & Confidential

---

Re 77,79 Ber Street Norwich

Re the above property and the  
subsequent application to sell  
alcohol in ~~three~~ premises, 7 days  
a week 7am - 11pm in the  
capacity of a ~~general~~ store  
(early to late.)



I wish to raise my objection via  
the contents to this letter. I am  
a resident of Waminger Court, flat  
which runs parallel to <sup>the street</sup> and down  
Thorn Lane Norwich, this leading to

2/

The Waterfront & Riverside view  
King Street Norwich and River Road.

On a Friday & Saturday night  
we are subjected (because of  
the complex position — Be Street  
& Thorn Lane) to antisocial behaviour  
in the form of fights, heavy drinking  
— the leaving of cans & bottles & glasses  
around this area, urination &  
vandalism along our perimeters,  
to say nothing of the bad language,  
~~the~~ loud voices & extra traffic along  
Be Street as its Friday & Saturday  
night. We have police contact  
numbers on our board & e-mail  
addresses to contact, they have been  
into Warringer Court to see us as  
we also have the problem of speeding  
along Be Street which is 20 mph.  
It becomes far worse at night.

This is a complex for active retired  
persons age ranging from 55-100.

3/

The only way I can get my  
rest is to sleep with earplugs but  
even then it only diminishes the  
problem a small bit as I am grand  
fear + frightening to have outside yourself.

I feel 7779 Be Street Norwich  
being allowed to sell alcohol  
will bring the problem even more  
on our doorstep and encourage  
even more anti social behaviour.

We have students + persons with various  
problems living around here, we already  
have the Pig + Whistle pub, (no food)  
and the Woolpack (food) + Tesco  
Petrol store in Westgate all of  
which are open all day until late  
pubs late morning + supermarket early  
morning until late. The amount of  
litter + cars etc that are left around  
Westgate is upsetting to see as  
especially in summer they drink on  
Westgate + Be Street benches. <sup>you stop</sup> over vomit  
Please don't allow this + cause more

distress and upset to the 4/  
residents around here. Thank you.

1 Warringer Court  
Hornchurch  
NR13ED

PS In spring & summer on a Friday  
& Saturday night I can hear  
the voices of various people sitting  
on the benches at Wallgate drinking  
well into the early hours. This is in  
my front garden & by the way - they  
sit on the benches which run alongside  
Bea Street & drink and it gets louder &  
louder the more they consume.  
At night time sand dunes. My front  
is on the apex of Bea Street. I hear  
them through my windows.

### 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.

