

Licensing & Regulatory Committee

Agenda

Date

Thursday 29 October 2020

Members of the Licensing & Regulatory Committee

The meeting will comprise the Chairman and
2 other Members highlighted in bold below

Cllr A D Adams

Cllr S J Catchpole

Cllr R R Foulger

Cllr S C Gurney (Chairman)

Cllr D G Harrison

Cllr C Karimi-Ghovanlou

Cllr K S Kelly

Cllr D King

Cllr K G Leggett MBE

Cllr M L Murrell

Cllr N C Shaw

Cllr J L Thomas

Time

9.30am

Place

To be hosted remotely at
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Contact

Dawn Matthews tel (01603) 430404

Broadland District Council
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich NR7 0DU



E-mail: dawn.matthews@broadland.gov.uk

If any member wishes to clarify details
relating to any matter on the agenda they are
requested to contact the relevant Head of
Service.



@BDCDemServices

Public Attendance

This meeting will be live streamed for public viewing via the following link:
<https://www.youtube.com/channel/UCZciRgwo84-iPyRImsTCIng>.

A G E N D A

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| | To consider an application for a Premises Licence | |
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Trevor Holden
Managing Director

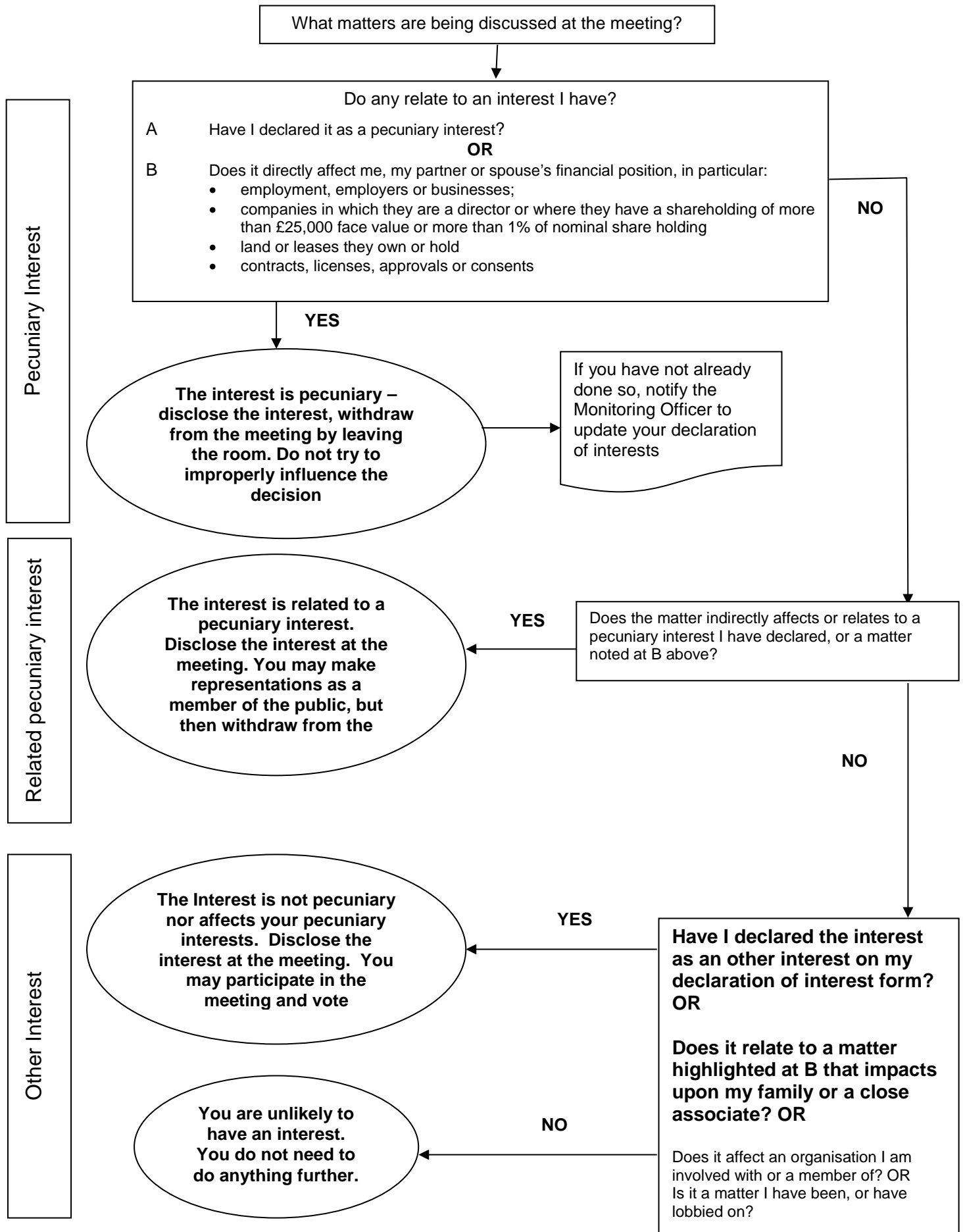
DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

| |
|---|
| Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed. |
| <p>Does the interest directly:</p> <ol style="list-style-type: none">1. Affect yours, or your spouse / partner's financial position?2. Relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?3. Relate to a contract you, or your spouse / partner have with the Council4. Affect land you or your spouse / partner own5. Affect a company that you or your partner own, or have a shareholding in <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p> |
| <p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p> |
| Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item. |
| Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting. |

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER
IN THE FIRST INSTANCE

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



Minutes of a meeting of the **Licensing & Regulatory Committee** held by video link on **Wednesday 23 September 2020** at **9.00am** when there were present:

Cllr S C Gurney – Chairman

Cllr C Karimi-Ghovanlou

Cllr K G Leggett MBE

Also in attendance were the Democratic Services Manager, Licensing and Enforcement Officer (CN) and the Democratic Services Officer (JO).

4 MINUTES

The Minutes of the meetings held on 18 March and 22 July 2020 were confirmed as a correct record.

5 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 PRIVATE HIRE VEHICLE DRIVER LICENSING

The Committee considered an application for a Private Hire Vehicle Driver's Licence from Mr Andrew Broadhead.

Mr Broadhead had stated in his application that he was related to a member of staff working at Broadland and South Norfolk Council. Therefore, in accordance with the Council's Constitution, the application had been referred to the Licensing and Regulatory Committee for determination.

The Licensing and Enforcement Officer advised the meeting that following his application for a Private Hire Vehicle Driver Licence on 5 March 2020, copies of Mr Broadhead's DVLA and DBS checks had been received and there were no matters listed on these checks.

Where there were no matters arising in respect of an application for a Private Hire Vehicle Driver Licence, the Council was required to grant the application and this would normally be authorised by officers using delegated powers.

However, in the interests of transparency, when an applicant was related to a member of staff the Committee was required to determine whether to grant the application.

Members were asked to note that there was a risk that the Council could incur costs in officer and legal representative time if a person was aggrieved by the decision of the Committee and pursued an appeal to the Magistrates' Court.

In response to a query, the Committee was informed that the applicant had been driving since 1988.

The Chairman noted that the applicant was not present and that there were no representations from other parties.

DECISION

Members considered all the information before them and decided to grant the licence.

The Chairman noted that there were no concerns raised by officers in respect of this application, however she emphasised that in future she would like to see the application form and any accompanying papers attached to the Agenda.

RESOLVED

To grant the Private Hire Vehicle Driver Licence.

6 LICENSING ACT 2003 APPLICATION FOR A PREMISES LICENCE

This application was not considered, as the objection had been withdrawn, and as such could be dealt with by officers under delegated powers.

The meeting closed at 9.14am.

QUASI-JUDICIAL PROCEDURE RULES

Hearings for licensing matters under the Licensing Act 2003 (“the act”) and the Licensing Act 2003 (Hearings) Regulations 2005 (“the regulations”)

When dealing with licensing matters, the rules of natural justice must be seen to be applied in that all parties must be afforded an equal opportunity to present their cases. Thus, when determining an application, the Licensing and Regulatory Committee (in these rules “the committee” unless the context requires otherwise) will be required to act in a judicial manner and to conduct the proceedings in accordance with the following rules. In these rules words and expressions not defined in the rules have the same meaning as they have in the act and the regulations.

1. Declarations of interest

- 1.1 The committee will receive any declarations of interest under the members’ code of conduct.

2. Apologies for absence

- 2.1 The committee will receive any apologies for absence.

3. Quorum

- 3.1 The committee shall comprise three members and a quorum shall be two.

4. Opening remarks by the chairman of the committee

- 4.1 The chairman will introduce those present at the hearing and will ensure those present understand the procedure to be followed.
- 4.2 The chairman will give brief details of the matter before the committee.
- 4.3 The committee shall determine the matter before them in accordance with this procedure.

5. Admission of the public

- 5.1 The hearing shall normally take place in public which expression includes:

- (1) any person assisting or representing a party,
- (2) any member of the council who is not a member of the committee making the determination and
- (3) any officer or legal advisor of the council.

- 5.2 The committee may exclude the public (except the committee officer and legal advisor) where it considers that the public interest in doing so outweighs the public interest in the hearing, or part of it, taking place in public.

- 5.3 The public will normally be excluded at the conclusion of the hearing when the committee is deliberating on the determination to be made.

6. Absence of parties

- 6.1 If a party has told the committee that they do not intend to attend or be represented at the hearing, the hearing may proceed in his absence.

- 6.2 If a party otherwise fails to attend or be represented the committee may
- (1) where necessary in the public interest, adjourn the hearing to a date specified by the committee before the adjournment, or
 - (2) conduct the hearing in the party's absence, considering the matter, representations or notice made by them.

7. Documents

- 7.1 The committee may take into account documentary or other information produced by a party in support of their case, representations or notice (as applicable). Such material should be provided to the committee before the hearing.
- 7.2 Documentary or other information provided by parties at the hearing may be considered by the committee provided that all other parties consent.

8. Report from licensing officer

- 8.1 The licensing officer or his representative will present their report on the matter to be determined by the committee.
- 8.2 Members of the committee may ask questions of the licensing officer.
- 8.3 The applicant/licence holder or their representative may ask questions of the licensing officer.
- 8.4 The other parties or their representatives may then ask questions of the licensing officer.

9. The applicant's case

- 9.1 The applicant/licence holder or his representative will be asked to speak in support of their application.
- 9.2 The applicant/licence holder or their representative may call witnesses.
- 9.3 The committee may then ask questions of the applicant/licence holder or their witnesses.
- 9.4 The other parties or their representatives may then question the applicant/licence holder, their representative or witnesses.
- 9.5 The applicant/licence holder or their representative will be invited to respond to any new point arising from the questions.

10. The representations of other parties to the hearing

- 10.1 The representations of the other parties to the hearing will then be considered in turn by the committee in the order determined by the committee and in accordance with the following procedure:
- 10.2 The other parties will be invited to speak in support of their representations.
- 10.3 The other parties or their representatives may call witnesses.
- 10.4 The committee may then ask questions of the other parties or their witnesses.
- 10.5 The applicant/licence holder or their representative may then question the other parties, their representatives or witnesses.

- 10.6 The other parties or their representatives will be invited to respond to any new points arising from the questions.
11. **Closing statements**
- 11.1 Closing statements will then be made in the following order:
- (1) the parties who made representations or their representatives;
 - (2) the applicant/licence holder or their representative.
12. **The committee's decision**
- 12.1 The committee will then consider its decision. This will normally take place in the absence of the public.
- 12.2 During the decision making process, the committee may seek the advice and guidance of its legal advisor.
- 12.3 When it has made a determination the committee will announce its decision in public with a summary of the reasons.
- 12.4 A detailed decision with reasons shall follow no later than five days after the hearing.

Agenda Item: 5

**Licensing and Regulatory Committee
29 October 2020**

**LICENSING ACT 2003
APPLICATION FOR A PREMISES LICENCE**

15 Joyce Way, Thorpe St Andrew, Norwich, NR7 0ZG

| | |
|-------------------------------|---|
| Report Author(s): | Sarah Harris, email sarah.harris@broadland.gov.uk Claire Norman, email claire.norman@broadland.gov.uk |
| Portfolio Holder: | Environmental Excellence |
| Ward(s) Affected: | Thorpe St Andrew |
| Purpose of the Report: | This report details an application for a Premises Licence. |

Recommendations:

The Committee must take such steps as it considers necessary for the promotion of the licensing objectives:

Grant the application

Modify the conditions of the licence, altering or omitting or adding to them

Reject the whole or part of the application

Refuse to specify a person in the licence as the premises supervisor.

1 SUMMARY

- 1.1 The Committee is requested, in accordance with the delegation of licensing functions contained in the Broadland District Council Statement of Licensing Policy to consider an application for a Premises Licence in respect of 15 Joyce Way, Thorpe St Andrew, Norwich, NR7 0ZG.

2 BACKGROUND

- 2.1 An application has been received from Imogen Oliver.
- 2.2 The application consists of the following proposals as contained within the Operating Schedule received from the applicant:

Licensable Activity:

- ***J. Supply of alcohol (for consumption off the premises)***

Monday to Sunday 07.00 to 22.00

- 2.3 It is proposed that the premises will be open 07.00 to 22.00 Monday to Sunday.
- 2.4 The application outlines the steps the applicant intends to take to promote the four licensing objectives, copy attached at **Appendix One**.
- 2.5 A plan showing the location of 15 Joyce Way is attached at **Appendix Two**.

3 RELEVANT REPRESENTATIONS

- 3.1 All relevant representations have to relate to one or more of the Licensing Objectives.

The Prevention of Crime and Disorder

The Protection of Children from Harm

The Prevention of Public Nuisance

Public Safety

- 3.2 The responses from the Responsible Authorities are as follows:

Police – representation received (see **Appendix Three**)

Environmental Health (Community Protection) – no representations

Health and Safety – no representations

Fire Officer – no representations

Planning Officer – no representations

Norfolk Local Safeguarding Children Board – no representations

Public Health Norfolk – no representations

Licensing Authority – no representations

- 3.3 The applicant has agreed the conditions proposed by the Police Licensing Officer and the Police representation has subsequently been withdrawn (see **Appendix Three** for further details).

4 OTHER PERSONS

- 4.1 Representations have also been received from other persons. (Please see **Appendix Four**).
- 4.2 All representations have been detailed in full. The Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018 edition) recommends the benefit of the doubt about any aspect of the representation should be given to the person making the representation. Committee will wish to carefully consider the representations and take into account only those matters which are relevant to the subject area of the representation.

5 PROPOSED ACTION

- 5.1 The Committee must determine this application with a view to promoting the Licensing Objectives.
- 5.2 In making its decision, the Committee must have regard to guidance issued under Section 182 of the Licensing Act 2003 (as amended April 2018) and the Council's Licensing Policy. The Committee, when considering the Licensing Policy, will in particular wish to have regard to those sections of the Council's Licensing Policy detailed at **Appendix Five**. The Committee must also have regard to all of the representations made and the evidence placed before it.

6 ISSUES AND RISKS

- 6.1 **Resource implications** – The Council could incur costs in officer and legal representative time if a person is aggrieved by the decision of the Committee and pursues an appeal to the Magistrates' Court.
- 6.2 **Legal implications** – There are no legal implications other than the issues detailed at 6.1 and 6.3.

- 6.3 **Equality implications** – There are human rights implications associated with this matter. The interests of the applicant have to be balanced against the interests and protection of the wider community. Any actions proposed in respect of the application, must be proportionate to the matter under consideration, the decision making process must be transparent and the applicant must be given full opportunity to make representations. The Committee is therefore required to balance the interests of the applicant against the interests of the community and decide where the balance should lie.
- 6.4 **Environmental impact** – In making their determination Committee is requested to ensure that the principals of the prevention of public nuisance licensing objective are upheld.
- 6.5 **Crime and disorder** – In making their determination Committee is requested to ensure that the principals of the prevention of crime and disorder licensing objective are upheld.

7 RECOMMENDATIONS

- 7.1 The Committee must take such steps as it considers necessary for the promotion of the licensing objectives:

Grant the application

Modify the conditions of the licence, altering or omitting or adding to them

Reject the whole or part of the application

Refuse to specify a person in the licence as the premises supervisor

APPENDICES

| | |
|--------------|--|
| One | Copy of Application |
| Two | Location Plan |
| Three | Comments from Police |
| Four | Representations received from other persons |
| Five | Sections of the Council's Licensing Policy |

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/ Imogen Lucy Oliver

We

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises details

| | | | |
|--|---------|-----------------|----------------|
| Postal address of premises or, if none, ordnance survey map reference or description | | | |
| 15 Joyce Way Thorpe St Andrew Norwich Norfolk | | | |
| Post town | Norwich | Postcode | NR7 0ZG |

| | |
|---|----------|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £ 0-4300 |

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | |
|--|-----------------------------|
| a) an individual or individuals * ✓ | please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | please complete section (B) |
| ii as a partnership (other than limited liability) | please complete section (B) |
| iii as an unincorporated association or | please complete section (B) |
| iv other (for example a statutory corporation) | please complete section (B) |
| c) a recognised club | please complete section (B) |
| d) a charity | please complete section (B) |
| e) the proprietor of an educational establishment | please complete section (B) |

- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or



I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | | |
|--|-----|----------------------|-------------------------------------|--|--------------------------------|--|
| Mr | Mrs | Miss | <input checked="" type="checkbox"/> | Ms | Other Title (for example, Rev) | |
| Surname Oliver | | | | First names Imogen Lucy | | |
| Date of birth over | | I am 18 years old or | | Please tick yes. <input checked="" type="checkbox"/> | | |
| Nationality | | | | | | |
| Current residential address if different from premises address | | | | | | |
| Post town | | | | Postcode | | |
| Daytime contact telephone number | | | | | | |
| E-mail address (optional) | | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|---|-----|----------------------|-------------|--------------------------------|--|
| Mr | Mrs | Miss | Ms | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| Date of birth over | | I am 18 years old or | | Please tick yes | |
| Nationality | | | | | |
| Current postal address if different from premises address | | | | | |
| Post town | | | | Postcode | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |

(B) OTHER APPLICANTS

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

| |
|---|
| Name |
| Address |
| Registered number (where applicable) |
| Description of applicant (for example, partnership, company, unincorporated association etc.) |
| Telephone number (if any) |
| E-mail address (optional) |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|----|----|------|
| DD | MM | YYYY |
| 05 | 09 | 2020 |

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

| | | |
|----|----|------|
| DD | MM | YYYY |
|----|----|------|

Please give a general description of the premises (please read guidance note 1)

Residential home address with three floors. It is located down a quiet street in a large residential estate. No alcohol is to be consumed on site, and therefore the alcoholic beverages will be delivered to the customer's home address, and will be consumed there.

The premises has five bedrooms, distributed throughout the second and third floor. The ground floor consists of the living area, a dining area, kitchen, toilet, utility room and study. The licensable activities will primarily take place in the kitchen and dining room areas, both making and storing.

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

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

| Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|---|----------------------------|
| a) plays (if ticking yes, fill in box A) | N/A |
| b) films (if ticking yes, fill in box B) | N/A |
| c) indoor sporting events (if ticking yes, fill in box C) | N/A |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | N/A |
| e) live music (if ticking yes, fill in box E) | N/A |
| f) recorded music (if ticking yes, fill in box F) | N/A |
| g) performances of dance (if ticking yes, fill in box G) | N/A |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | N/A |

Provision of late night refreshment (if ticking yes, fill in box I)

N/A

Supply of alcohol (if ticking yes, fill in box J)

✓

In all cases complete boxes K, L and M

A

| | | | | | |
|---|-------|--------|--|----------|--|
| Plays Standard days and timings (please read guidance note 7) | | | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for performing plays (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

B

| | | | | | |
|--|-------|--------|---|----------|--|
| Films Standard days and timings (please read guidance note 7) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

C

| | | | |
|--|-------|--------|---|
| Indoor sporting events Standard days and timings (please read guidance note 7) | | | <u>Please give further details</u> (please read guidance note 4) |
| Day | Start | Finish | |
| Mon | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5) |
| Tue | | | |
| Wed | | | |
| Thur | | | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6) |
| Fri | | | |
| Sat | | | |
| Sun | | | |

D

| | | | | | |
|--|-------|--------|--|----------|--|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

E

| | | | | | |
|--|-------|--------|---|----------|--|
| Live music Standard days and timings (please read guidance note 7) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| | | | | Both | |
| Day | Start | Finish | | | |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

F

| | | | | | |
|--|-------|--------|---|----------|--|
| Recorded music Standard days and timings (please read guidance note 7) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| | | | | Both | |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the playing of recorded music (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

G

| | | | | | |
|--|-------|--------|--|----------|--|
| Performances of dance Standard days and timings (please read guidance note 7) | | | Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

H

| | | | | | |
|--|-------|--------|--|----------|--|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7) | | | Please give a description of the type of entertainment you will be providing | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | |
| Mon | | | | Outdoors | |
| | | | | Both | |
| | | | | | |
| Tue | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sun | | | | | |

I

| | | | | | |
|--|-------|--------|--|----------|--|
| Late night refreshment Standard days and timings (please read guidance note 7) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

J

| | | | |
|---|-------|--------|---|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) <input type="checkbox"/> On the premises <input checked="" type="checkbox"/> Off the premises <input type="checkbox"/> Both |
| Day | Start | Finish | |
| Mon | 07:00 | 22:00 | |
| Tue | 07:00 | 22:00 | |
| Wed | 07:00 | 22:00 | State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A |
| Thur | 07:00 | 22:00 | |
| Fri | 07:00 | 22:00 | |
| Sat | 07:00 | 22:00 | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) N/A |
| Sun | 07:00 | 22:00 | |

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

| | |
|---|--|
| Name | |
| Imogen Lucy Oliver | |
| Date of birth | |
| Address | |
| Postcode | |
| Personal licence number (if known). 605801/165020 | |
| Issuing licensing authority (if known). Broadland District Council. | |

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
|---|-------|--------|---|
| Day | Start | Finish | Will not be open on Christmas Day. |
| Mon | 07:00 | 22:00 | |
| Tue | 07:00 | 22:00 | |
| Wed | 07:00 | 22:00 | |
| Thur | 07:00 | 22:00 | |
| Fri | 07:00 | 22:00 | |
| Sat | 07:00 | 22:00 | |
| Sun | 07:00 | 22:00 | |
| | | | Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) |
| | | | N/A |

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

I shall ensure that all policies and procedures are followed at all times when licensable activities are taking place. I will be responsible for maintaining a safe environment in which both myself and other residents are free from harm. My staff and I shall regularly familiarise ourselves with training, whether that be about challenging Under 25, regulations surrounding the sale of alcohol, health and safety, and relevant compliances. My current full time job provides me with many of this training, to which I can implement to my premises accordingly.

b) The prevention of crime and disorder

- Security procedures in place such as alarms both during opening and closing hours.
- Personal items and business stock are to be locked in appropriate rooms and cupboards away from unauthorised personnel.
- Any incidents or accidents are to be reported to the police immediately, and recorded in an accident book.
- I shall be holding no large events, nor customers at the premises, which will avoid big crowds of people gathering, and therefore prevents acts of violence.
- My training, and any employees' training must be recorded and updated regularly.

c) Public safety

- Fire evacuation procedure in place for myself and other residents.
- Good lighting throughout the premises to prevent slips and trips.
- Easy access to fire exits, to which no exits are blocked by furniture.
- Smoke detectors are positioned throughout the premises.
- Regular training will take place regarding fire exit procedures, how to clean up spillages safely, how to keep a trip free environment and drunkenness.

d) The prevention of public nuisance

- No customers are to consume alcohol on the premises, so therefore no noise can be generated at the premises from customers.
- Limited hours means that no licensable activities will occur after 9pm.

e) The protection of children from harm

- I shall undertake regular training on ID checks and the consequences of underage drinking.
- I will have an Under 25 policy in place, challenging anyone who looks under 25 to show ID.
- ID checks are to be thorough both before the order is placed, and during the delivery. The person receiving the delivery must be at least 18 or over.
- Alcoholic beverages are to be kept in high up or locked cupboards out of reach of children.

Checklist:

Please tick to indicate agreement

- | | |
|---|---|
| I have made or enclosed payment of the fee. | ✓ |
| I have enclosed the plan of the premises. | ✓ |
| I have sent copies of this application and the plan to responsible authorities and others where applicable. | ✓ |
| I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. | ✓ |
| I understand that I must now advertise my application. | ✓ |
| I understand that if I do not comply with the above requirements my application will be rejected. | |
| [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). | ✓ |

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.

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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

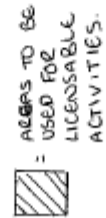
| | |
|--------------------|--|
| Declaration | <ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15) |
| Signature | |
| Date | 03/09/2020 |
| Capacity | N/A |

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

| | | | |
|---|--|----------|--|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) | | | |
| | | | |
| Post town | | Postcode | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

SCALE 1:100



Appendix Two





NORFOLK
CONSTABULARY
Our Priority is You

Licensing Officer
Broadland District Council
Thorpe Lodge,
Yarmouth Road
Norwich

Thursday 1st October 2020

The Licensing Team

Bethel Street Police Station
Norwich
Norfolk
NR2 1NN

Tel: 01603 276020

Fax: 01603 276025

Email: licensingteam@norfolk.pnn.police.uk

www.norfolk.police.uk

Non-Emergency Tel: 0845 456 4567

Dear Sir/Madam

Application for a new premises licence 15 Joyce Way Norwich

Norfolk Police have received a copy of the application for a new premises licence for 15 Joyce Way Thorpe St Andrew Norwich.

This application is requesting the sale of alcohol for consumption off the premises from 0700 hrs until 2200 hrs daily. My understanding is that the applicant Miss Oliver is intending on selling and delivering alcoholic cocktails.

The operating schedule within the application includes Challenge 25 policy, training procedures and security measures of the property.

In order to promote the licensing objectives and ensure that the proposals offered are enforceable, I propose the following:

- **Staff involved in the sale and delivery of alcohol will be trained in relation to alcohol sales. A record of this training will be kept at the premises and available to Police or Licensing Authority on request.**
- **Any company website or social media marketing will inform customers of the age verification policy and that proof of age may be required on delivery if the person appears to be under the age of 18.**
- **Alcohol deliveries will not be made to public places.**
- **No customers will visit the premises to purchase alcohol.**

With these conditions added to the premises licence, there are no outstanding representations from Norfolk Police

Yours faithfully,

Michelle Bartram

Licensing Officer

Appendix Four

From: Bartram, Michelle
Sent: 01 October 2020 17:00
To: 'Sarah Harris'
Cc: Woods, Suzanne
Subject: FW: Letter of representation 15 Joyce Way Thorpe St Andrew

Hello Sarah

Please see the Police representation attached for 15 Joyce Way Thorpe St Andrew Norwich.

The email below is from the applicant agreeing to these proposals.

Therefore no outstanding objections from Norfolk Police.

Michelle Bartram

Licensing Officer
Licensing,
Norfolk Constabulary
Bethel Street Police Station
Norwich, Norfolk, NR2 1NN
Tel: 01603-276020

From: Imogen Oliver
Sent: 01 October 2020 15:48
To: Bartram, Michelle
Subject: Re: Letter of representation 15 Joyce Way Thorpe St Andrew

Hi Michelle,
I have read and understood the conditions below, and I agree to them being added to the license. Thanks so much.

Kind Regards,

Imogen

From: Christine Anderson
Sent: 24 September 2020 12:02
To: Licensing (EH)
Subject: Objection to premissis application for 15 Joyce Way, Thorpe St Andrews

To whom it may concern,

I firstly would like to say sorry if this email finds you late. I understood we had until 7th October to write with representations on the above premissis application but I see the blue notice is no longer displayed so may have missed the boat.

I do feel strongly on grounds of public nuisance this license does not be granted. I know of the applicant and to my knowledge she is 18/19, a younger sibling lives in the home and I do not think on a personal level yet there is the responsibility or maturity to run a premissis with an alcohol license, she needs some experience first in dealing with this kind of responsibility and the public before jumping in with both feet. I understand she does not own the property and in this regard think there will be less respect to the neighbours, with cars and deliveries coming at the bottom of a cul de sac all times of the day I think this will disrupt the peace enormously.

I also feel concern for the child at the property, living in essentially an off license. And to that note a 17 year old boy living there who I think it is too easy and tempting for him to get his hands on the alcohol on site. A family home and a family residential area is not the place for these activities.

I also feel extremely nervous as a resident of the amount of information online about this company and address already. It will be easy for anybody to see on social media the house (address and pictures have been put up online), this information coupled with the knowledge of alcohol on site could give the wrong people some ideas and break ins aren't out of the possibility. Or even demanding customers turning up on the doorstep, what 19 year old girl will be able to deal with this. Her demonstrating a naivety on what she shares online shows me she is not responsible enough to be granted a license to sell alcohol yet.

Overall, please accept my **STRONG** objection to the application. I hope you see my comments to be sensible and wish the applicant well in future endeavours, but please not in our neighbourhood

Yours

Christine Anderson
21 Skippon Way
Thorpe St Andrew
Norwich
NR7 0RU

**BROADLAND DISTRICT COUNCIL
LICENSING ACT 2003**

Licensing Policy

Main Principles of the Policy

- 2.1 Nothing in the 'Statement of Policy' will:
- undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits; and/or
 - override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.
- 2.2 Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act, and conditions may be attached to licences, certificates and permissions that will cover matters which are within the control of individual licensees.
- 2.3 When considering these conditions, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned. To this end, Town/Parish Councils will be notified of all Premises Licence and Club Premises Certificate applications received.
- 2.4 The Council acknowledges that the licensing function cannot be used for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned.
- 2.5 In this respect, the Council recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:
- pre-existing planning controls;
 - ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council Departments;
 - designation of parts of the District as places where alcohol may not be consumed publicly;
 - regular liaison with Police on law enforcement issues regarding disorder and anti-social behaviour, including the issue of fixed penalty notices, prosecution of those selling alcohol to people who are drunk, confiscation of alcohol from adults and children in designated areas and instantly closing down licensed

premises or temporary events on the grounds of disorder, or likelihood of disorder, or excessive noise from the premises;

- the power of the Police, other responsible authority, or a local resident or business to seek a review of the licence or certificate.

4 Crime Prevention

- 4.1 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.
- 4.2 The Council will expect Operating Schedules to satisfactorily address these issues, as appropriate, from the design of the premises through to the daily operation of the business.
- 4.3 Applicants are recommended to seek advice from Council Licensing Officers and Police, as well as taking account, as appropriate, of local planning and transport policies and tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 4.4 The Licensing Authority would encourage applicants and current licence holders to consider the use of toughened or plastic glasses when serving drinks to members of the public, particularly where they are to be consumed in beer gardens, at outside events or in premises where a risk assessment may indicate the use of toughened or plastic glasses would be of benefit in complying with the public safety licensing objective.
- 4.5 In addition to the requirements for the Council to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the district. The Licensing Authority also acknowledges powers contained within the Violent Crime Reduction Act 2006.
- 4.6 Where relevant representations are received the Council will consider attaching conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises. These may include conditions drawn from the Model Pool of Conditions relating to Crime and Disorder. The Council may also consider attaching a condition, where relevant representations are received, requiring a 'safe dispersal policy for customers' which would address:
 - Dispersing customers over an extended period;
 - Ensuring customers leave the premises in an orderly fashion and without bottles or glasses;
 - Offering a Neighbours' Charter to businesses and residents;
 - Placing marshals in high visibility jackets outside premises to promote order and speedy dispersal; and
 - Sending out a 'Rubbish Patrol' following closure in a designated area around the premises.

5 Public Safety

- 5.1 The 2003 Act covers a wide range of premises that require licensing, including, cinemas, concert halls, theatres, nightclubs, public houses, village halls, cafés/restaurants and fast food outlets/takeaways.
- 5.2 Each of these types of premises present a mixture of risks, with many common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.
- 5.3 The Council will expect Operating Schedules to satisfactorily address these issues, as appropriate, and applicants are advised to seek advice from Council Health and Safety Officers and the County Fire Officer before preparing their plans and Schedules.
- 5.4 Where relevant representations are received the Council will consider attaching conditions to licences and permissions to promote safety and these may include conditions drawn from the Model Pool of Conditions relating to 'Public Safety'.
- 5.5 Whenever security operatives/door supervisors are employed at licensed premises to carry out any security function they must be licensed by the Security Industry Authority (SIA). Competent and professional door supervisors are key to public safety at licensed premises and the provision of door supervisors is an action point for the leisure industry to consider in the Home Office Alcohol Harm Reduction Strategy. If a licensee directly employs security operatives he/she will need to be licensed by the SIA as a supervisor/manager.

6 Prevention of Nuisance

- 6.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the premises.
- 6.2 The concerns mainly relate to noise nuisance, light pollution and noxious smells and due regard will be taken on the impact these may have. The Council will expect Operating Schedules to satisfactorily address these issues, as appropriate. Applicants are advised to seek advice from the Council's Health and Safety and Pollution Control Officers before preparing their plans and Schedules.
- 6.3 Where relevant representations are received the Council will consider attaching conditions to licences and permissions to prevent public nuisance and these may include conditions drawn from the Model Pool of Conditions or local conditions relating to 'Public Nuisance' where relevant representations have been received.

7 Children

Access to Licensed Premises

- 7.1 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment. The Authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm. In all other cases it will be left to the discretion of the licensee.
- 7.2 The Council has a statutory obligation to ensure robust mechanisms are in place for safeguarding arrangements under Section 11 of the Children Act 2004. Therefore the Council will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises. The following are examples of premises that will raise concern:
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
 - Where there have been convictions for serving alcohol to minors or with a recorded history for underage drinking.
 - With a known association with drug taking or dealing.
 - Where there is a strong element of gambling on the premises.
 - Where entertainment of an adult or sexual nature is commonly provided.
- 7.3 The Council will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:
- Limitations on the hours when children may be present.
 - Limitations on the parts of premises to which the children might be given access.
 - Limitations on ages below 18.
 - Limitations or exclusion when certain activities are taking place.
 - Requirements for an accompanying adult.
 - Full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 7.4 No conditions will be imposed requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee.
- 7.5 The 2003 Act details a number of offences designed to protect children in licensed premises and the Council will work closely with the Police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.
- 7.6 Applicants may wish to consider including a statement within their operating schedule detailing how they will prevent underage drinking at their premises. This may be incorporated within the applicant's proof of age policy.