

Licensing & Regulatory Committee

Agenda

The following 3 Members ONLY
are needed to attend

Mrs S Gurney (Chairman)
Mr S Dunn
Mr V Tapp

Date

Thursday 18 April 2019

Time

9:30 am

Place

Council Chamber
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

The Openness of Local Government Bodies Regulations 2014

Under the above Regulations, any person may take photographs, film and audio-record the proceedings and report on all public meetings. If you do not wish to be filmed / recorded, please notify an officer prior to the start of the meeting. The Council has a protocol, a copy of which will be displayed outside of each meeting room and is available on request.

**The Chairman will ask if anyone wishes to
film / record this meeting**

A G E N D A

Page No

- 1 To receive declarations of interest under Procedural Rule no 8**
- 2 Apologies for absence**
- 3 Licensing Act 2003 – Application to Vary a Premises Licence –
East of England Co-op, 113 – 117 Crostwick Lane, Spixworth,
Norwich, NR10 3AF**

[To consider the above application to vary a premises licence](#)

7 - 50

[A copy of the procedure to be followed is attached](#)

3 - 6

Trevor Holden
Managing Director

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.

**LICENSING ACT 2003
APPLICATION TO VARY A PREMISES LICENCE**

**East of England Co-op, 113-117 Crostwick Lane, Spixworth,
Norwich, NR10 3AF**

Report Author(s): Paul Hemnell, 01603 430577, email
paul.hemnell@broadland.gov.uk

Sarah Harris, 01603 430580, email
sarah.harris@broadland.gov.uk

Portfolio Holder: Environmental Excellence

Ward(s) Affected: Spixworth

Purpose of the Report: This report details an application to vary a Premises Licence.

Recommendations:

The 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.

1 SUMMARY

- 1.1 The is requested, in accordance with the delegation of licensing functions contained in the Broadland District Council Statement of Licensing Policy to consider an application to vary a Premises Licence in respect of the East of England Co-op, 113-117 Crostwick Lane, Spixworth, Norwich, NR10 3AF.

2 BACKGROUND

- 2.1 An application has been received from East of England Co-operative Society Limited.
- 2.2 The application to Vary consists of the following proposals as contained within the Operating Schedule received for the applicant:

To vary the licence for the sale of alcohol by retail for consumption off the premises as follows:

- a. Monday to Sunday (including Good Friday): 06:00 to 23:00

- 2.3 The application outlines the steps the applicant intends to take to promote the four licensing objectives, copy attached at **Appendix One**.
- 2.4 A copy of the current licence issued to the premises is attached at **Appendix Two**.
- 2.5 A plan showing the location of the Co-op and the surrounding area is attached at **Appendix Three**.

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 – no representations

Environmental Health – no representations

Health and Safety – no representations

Fire Officer – no representations

Planning Officer – comments received (see **Appendix Four**)

Norfolk Local Safeguarding Children Board – no representations

Public Health Norfolk – no representations

Licensing Authority – no representations

4 OTHER PERSONS

- 4.1 Representations have also been received from other persons. Please see **Appendix Five** for details of the representations. Representations have been received in objection to the application.
- 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 no doubt 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 must determine this application with a view to promoting the Licensing Objectives.
- 5.2 In making its decision, the 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 when considering the Licensing Policy will in particular wish to have regard to those sections of the Council's Licensing Policy detailed at **Appendix Six**. The 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** – It is not anticipated that there will be any environmental impact as a result of this report.
- 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 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.

APPENDICES

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

Application to vary a premises licence 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/We East of England Co-operative Society Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
195178/11605

Part 1 – Premises Details

| | | | |
|--|---------|----------|----------|
| Postal address of premises or, if none, ordnance survey map reference or description East of England Co-op 113-117 Crostwick Lane Spixworth | | | |
| Post town | Norwich | Postcode | NR10 3AF |

| | |
|---|--------------|
| Telephone number at premises (if any) | 01603 898255 |
| Non-domestic rateable value of premises | £74500 |

Part 2 – Applicant details

| | | | |
|---|---|----------|---------|
| Daytime contact telephone number | 01473 786032 | | |
| E-mail address (optional) | jcarey@eastofengland.coop | | |
| Current postal address if different from premises address | Wherstead Park The Street Wherstead | | |
| Post town | Ipswich | Postcode | IP9 2BJ |

Part 3 - Variation

Please tick as appropriate

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

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

| DD | MM | YYYY |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

To vary the licence for the sale of alcohol by retail for consumption off the premises as follows:

Monday to Sunday (including Good Friday): 06:00 to 23:00.

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

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

| Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|----------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

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|--|-------|--------|--|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 8) | | | Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 6) | | |
| | | | | | |
| Thur | | | | | |
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| Fri | | | <u>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</u> (please read guidance note 7) | | |
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|--|-------|--------|---|----------|--------------------------|
| Films Standard days and timings (please read guidance note 8) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
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| Tue | | | | | |
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| Wed | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6) | | |
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| Thur | | | | | |
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| 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 7) | | |
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C

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|---|-------|--------|---|
| Indoor sporting events Standard days and timings (please read guidance note 8) | | | Please give further details (please read guidance note 5) |
| Day | Start | Finish | |
| Mon | | | |
| Tue | | | State any seasonal variations for indoor sporting events (please read guidance note 6) |
| Wed | | | |
| Thur | | | |
| Fri | | | 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 (please read guidance note 7) |
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|---|-------|--------|---|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 8) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6) | | |
| | | | | | |
| 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 7) | | |
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|---|-------|--------|---|----------|--------------------------|
| Live music Standard days and timings (please read guidance note 8) | | | Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
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| Tue | | | | | |
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| Wed | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) | | |
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| Thur | | | | | |
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| Fri | | | <u>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</u> (please read guidance note 7) | | |
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| Recorded music Standard days and timings (please read guidance note 8) | | | <u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u> | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here (please read guidance note 5)</u> | | |
| | | | | | |
| Tue | | | | | |
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| Wed | | | <u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u> | | |
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| Thur | | | | | |
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| Fri | | | <u>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 7)</u> | | |
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|---|-------|--------|---|--|----------|--------------------------|
| Performances of dance Standard days and timings (please read guidance note 8) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | | Indoors | <input type="checkbox"/> |
| | | | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | | |
| | | | | | | |
| Tue | | | | | | |
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| Wed | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 6) | | | |
| | | | | | | |
| Thur | | | | | | |
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| 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 7) | | | |
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|--|-------|--------|--|-----------------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8) | | | 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 4) | Indoors <input type="checkbox"/> |
| Mon | | | | Outdoors <input type="checkbox"/> |
| | | | | Both <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 5) | |
| | | | | |
| 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 6) | |
| | | | | |
| 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 7) | |
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I

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|--|-------|--------|---|--------------------------|
| Late night refreshment Standard days and timings (please read guidance note 8) | | | <u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | |
| | | | Indoors | <input type="checkbox"/> |
| | | | Outdoors | <input type="checkbox"/> |
| | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | |
| | | | | |
| Tue | | | | |
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| Wed | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6) | |
| | | | | |
| Thur | | | | |
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| 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 7) | |
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| Sat | | | | |
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J

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|---|-------|--------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 8) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 9) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input checked="" type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) N/A | | |
| Mon | 06:00 | 23:00 | | | |
| | | | | | |
| Tue | 06:00 | 23:00 | | | |
| | | | | | |
| Wed | 06:00 | 23:00 | | | |
| | | | | | |
| Thur | 06:00 | 23:00 | | | |
| | | | | | |
| | | | | | |
| | | | <u>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</u> (please read guidance note 7) N/A | | |
| Fri | 06:00 | 23:00 | | | |
| | | | | | |
| Sat | 06:00 | 23:00 | | | |
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| Sun | 06:00 | 23:00 | | | |
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K

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| <p>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 10).</p> <p>N/A</p> |
|---|

L

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|---|-------|--------|--|
| Hours premises are open to the public Standard days and timings (please read guidance note 8) | | | State any seasonal variations (please read guidance note 6) N/A |
| Day | Start | Finish | 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 7) N/A |
| Mon | 06:00 | 23:00 | |
| | | | |
| Tue | 06:00 | 23:00 | |
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| Wed | 06:00 | 23:00 | |
| | | | |
| Thur | 06:00 | 23:00 | |
| | | | |
| Fri | 06:00 | 23:00 | |
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| Sat | 06:00 | 23:00 | |
| | | | |
| Sun | 06:00 | 23:00 | |
| | | | |

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

N/A

Please tick as appropriate

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

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.
N/A

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

By monitoring, reviewing and updating our policies and procedures we will ensure that the licensing objectives are met.

b) The prevention of crime and disorder

We will maintain a recordable CCTV system, capable of providing pictures of evidential quality. Cameras shall (where permitted) encompass all ingress and egress from the premises including fire exits, outside areas and all working areas where the sale/supply of alcohol occurs. The CCTV system within the premises is remotely monitored 24 hours a day by the Society's control centre at Wherstead Park. In the event of an incident being reported the footage will be downloaded at Wherstead Park, time and date marked, and retained for no less than 28 days. The footage will be made available to the Police/Local Authority within 36 hours of their request.

Records of all incidents (injury/refusals/age challenge) are kept and maintained on the premises. Records are time and date marked and produced to the Police/Licensing Officers on demand. A record of all injury/accidents on the premises is also maintained off-site at Wherstead Park.

c) Public safety

The store manager retains responsibility for the premises whilst it is open, with a wider Management Team to support and deputise in their absence. Bespoke policies, processes, procedures and risk assessments have been developed and enforced to ensure and maintain the health, safety, welfare and security of employees and the public at the premises.

d) The prevention of public nuisance

Whilst recognising that it cannot be responsible for the conduct of third parties, the Society will continue to take action to alleviate public nuisance on and in the immediate vicinity of its premises by means of properly considered hours of operation during which alcohol and other age-related products will be sold to the public.

e) The protection of children from harm

The Society has in place policies for the regular training of its employees to prevent the sale of alcohol to those under the age of 18 years. The Society maintains a refusal register at the premise. The Society's policy requires its employees to actively challenge any individual who wishes to purchase alcohol or any other age related product, but appears to be under 25 years of age (Challenge 25), to prove their age by means of a photographic identification.

The Society actively supports the use of photo identity cards and will use the Citizen Card where local authority schemes are not available or suitable. All staff are trained on the Society's Challenge 25 policy (including the completion of a questionnaire) prior to being permitted to serve alcohol. Management are trained to the minimum standard of Highfield Level 2 Award for Personal Licence Holders. Training records are maintained at the Society's head office and will be available on request by the Police and Local Authority Licensing Officers. Staff members receive re-fresher training every 6 months to ensure that they are up to date with the latest legislation/policies.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|-----------|---|
| Signature |  |
| Date | 21/02/2015 |
| Capacity | Deputy Secretary |

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

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

| | | | |
|---|--|-----------|--|
| Capacity | | | |
| Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) | | | |
| Post town | | Post code | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please 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.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please 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 or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Broadland District Council takes your privacy very seriously and provides the following information in compliance with *Data Protection Legislation*. Under data protection legislation we lawfully process your personal information as a public authority which may involve sharing your information with other regulatory authorities.

Data received as a result of any Licensing application will be retained for the period of your licence and for a period of 7 years once the licence has lapsed. We may need to share your information with other regulatory authorities, any relevant Council Committees and other departments within Broadland District Council to ensure the best possible service.

Under data protection law you have the right to request access to, rectification, restriction or objection to the processing of your personal data, as detailed in our Privacy Policy (on our website). You can contact our Data Protection Officer at dpo@broadland.gov.uk or 01603 430615. You also have the right to lodge a complaint with the regulator, the Information Commissioner's Office.

Premises Licence Number:**195178 / 11605****Part 1 – Premises Details**

| | |
|--|------------------------------|
| Postal address of the premises, or if none, ordnance survey map reference or description. | |
| Co-op Food Store 113-117 Crostwick Lane Spixworth | |
| Post Town Norwich | Post code NR10 3AF |
| Telephone number (01603) 898255 | |

Where the Licence is time limited the dates

This premises licence is not time limited.

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities**Supply of Alcohol Off The Premises**

Monday: 8.00 to 23.00

Tuesday: 8.00 to 23.00

Wednesday: 8.00 to 23.00

Thursday: 8.00 to 23.00

Friday: 8.00 to 23.00

Saturday: 8.00 to 23.00

Sunday: 10.00 to 22.30

Good Friday 8.00 to 22.30

Christmas Day 12.00 to 15.00 and 19.00 to 22.30

The opening hours of the premises

There is no restriction on the hours the premises may be open to the public for **non-licensable activities**.

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

Off the Premises

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premise licence.

East of England Co-operative Society Limited, Wherstead Park, The Street,
Wherstead, Ipswich, Suffolk, IP9 2BJ

Telephone Number 01473 786000
E-mail (where relevant)

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

Company 1099R

Name , address and telephone number of Designated Premise Supervisor where the premise licence authorises the supply of alcohol.

Lee Robert Hills, 16 Blyths Wood Avenue, Queens Hills, Costessey, Norwich,
Norfolk, NR8 5HA

Telephone Number

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

Personal Licence Number 216848/66606
Issuing Authority Broadland District Council

Annex 1 – Mandatory conditions

Premises - Supply of Alcohol

1. Where a premise licence authorises the supply of alcohol, the licence must include the following conditions.

2. The first condition is that no supply of alcohol may be made under the premise licence:

a) at a time when there is no designated premise supervisor in respect of the premise licence, or

b) at a time when the designated premise supervisor does not hold a personal licence or his personal licence is suspended.

3. The second condition is that every supply of alcohol under the premise licence must be made or authorised by a person who holds a personal licence.

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 – Conditions consistent with the operating schedule

Embedded restrictions in the Licensing Act 1964 and Children's Act 1933 excepting restrictions superceded by the granting of this licence.

Conversion of existing licence

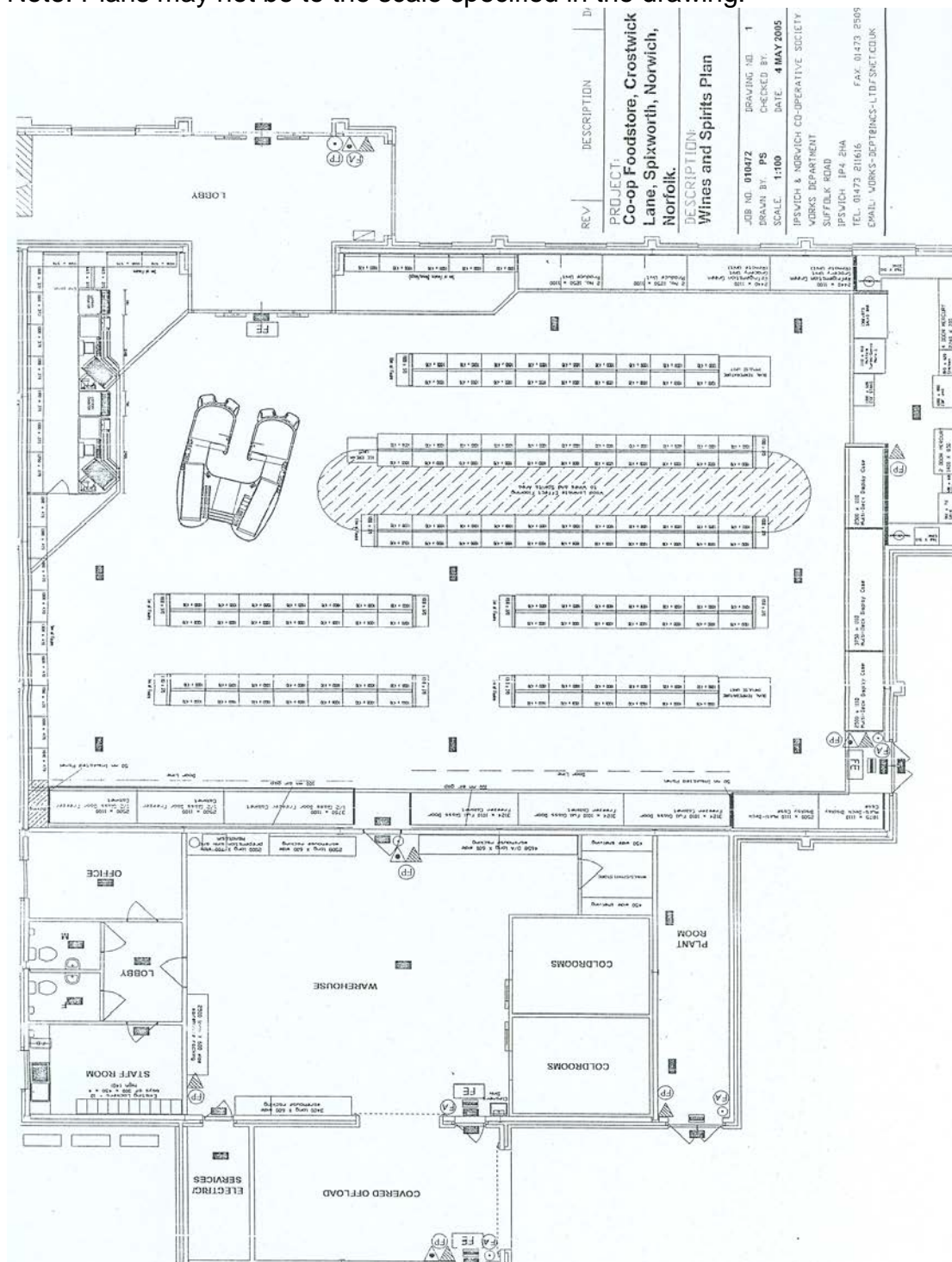
This Licence has been granted upon the conversion, under Schedule 8 to the Licensing Act 2003, of the existing justices' licence and such rights and restrictions that apply thereto and hereby incorporated into this licence, subject to any terms herein to the contrary and/or any limitation or restriction imposed by the Licensing Act 2003 or any subsequent amendment thereto.

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

The application for this premise licence was not subject to a hearing by the licensing authority.

Annex 4 – Plans

Note: Plans may not be to the scale specified in the drawing.



Part B
Premise Licence Summary

Premises Licence Number: 195178/11605

Premises Details

Postal address of the premises, or if none, ordnance survey map reference or description.

Co-op Food Store
113-117 Crostwick Lane
Spixworth

Post Town

Norwich

Post code

NR10 3AF

Telephone number

(01603) 898255

Where the Licence is time limited the dates

This premises licence is not time limited.

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol Off The Premises

Monday: 8.00 to 23.00

Tuesday: 8.00 to 23.00

Wednesday: 8.00 to 23.00

Thursday: 8.00 to 23.00

Friday: 8.00 to 23.00

Saturday: 8.00 to 23.00

Sunday: 10.00 to 22.30

Good Friday 8.00 to 22.30

Christmas Day 12.00 to 15.00 and 19.00 to 22.30

The opening hours of the premises

There is no restriction on the hours the premises may be open to the public for **non-licensable activities**

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

Off the Premises

Name, (registered) address of holder of premise licence

East of England Co-operative Society Limited, Wherstead Park, The Street,
Wherstead, Ipswich, Suffolk, IP9 2BJ

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

Company 1099R

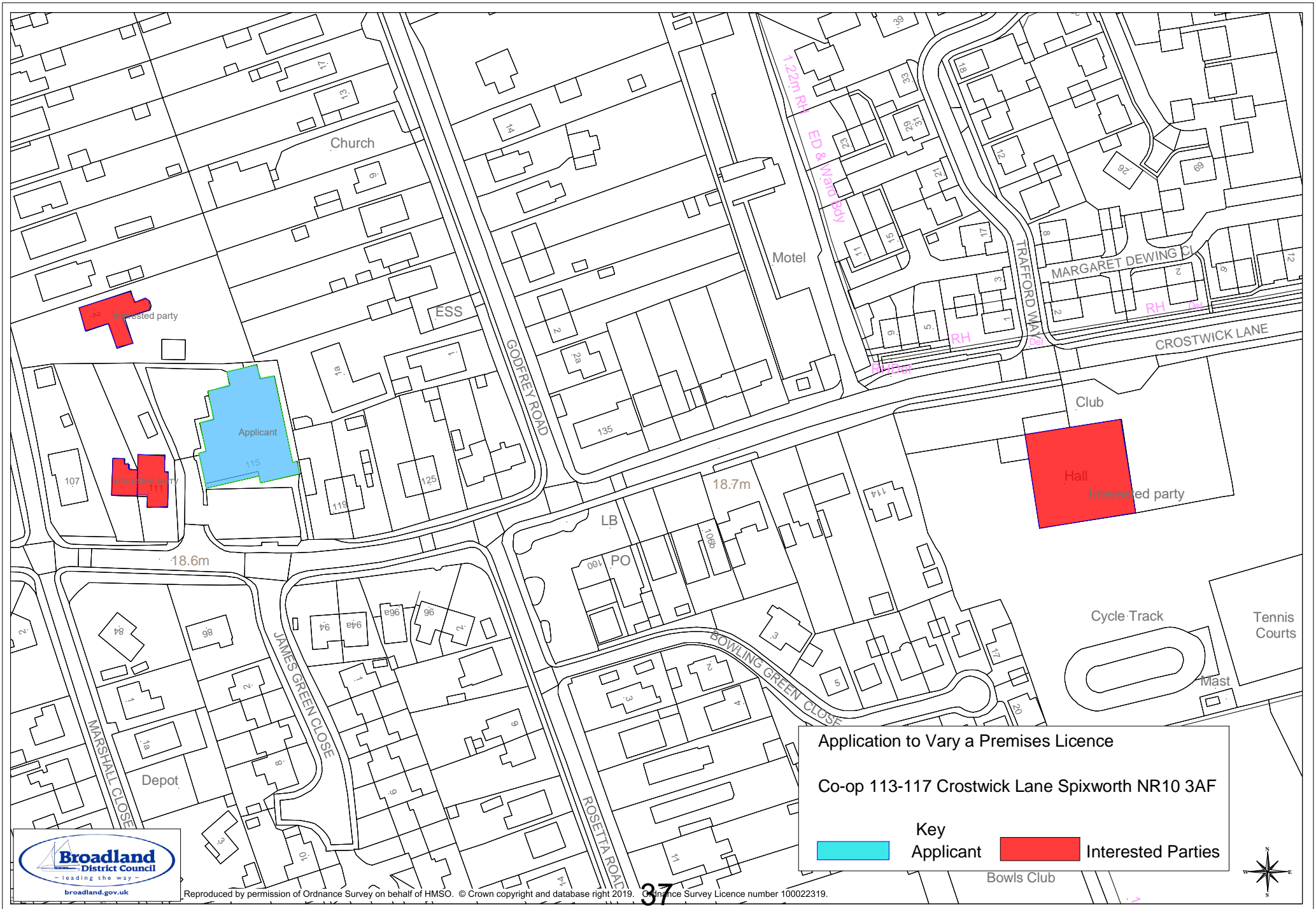
Name of designated premise supervisor where the premise licence authorises for the supply of alcohol

Lee Robert Hills

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

Any restriction or prohibition (if any) relating to access to the premises by children are those that existed under such authorisation(s) as applied to the premises prior to their conversion to a premises licence, under Schedule 8 to the Licensing Act 2003.

Access to the premises by children may also be restricted or prohibited by other statutory provisions, including the provisions of the Licensing Act 2003.



From: [Nigel Harriss](#)
To: [Licensing \(EH\)](#)
Cc: [Matthew Rooke](#); [Petra Whitton](#)
Subject: RE: East of England Co-op - Premises Licence Variations - Cannerby Lane and Spixworth [ME-190227-311466]
Date: 28 February 2019 10:57:40
Attachments: [20170133 Appeal Decision Letter.pdf](#)
[image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)

Further to below please note that the permitted hours of opening of the Spixworth store are 07:00 hours to 23:00 hours – as allowed on Appeal – Decision Notice attached. Therefore the proposed variation of the premises licence would be at odds with the store hours permitted by the Planning Permission.

Nigel Harriss

Area Planning Manager (East)

t 01603 430529 e nigel.harriss@broadland.gov.uk

cid:image001.jpg@01D4991D.217C1BB0



South Norfolk Council Logo



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From: Jonathan Carey [<mailto:JCarey@eastofengland.coop>]
Sent: 27 February 2019 22:40
To: Food Safety Team; Environment Protection; planning
Subject: East of England Co-op - Premises Licence Variations - Cannerby Lane and Spixworth [ME-190227-311466]

Good evening,

Please find attached copies of our applications to vary the licenced hours (for the sale of alcohol by retail) for the following foodstores; along with the existing premises licences, for your reference:

- 87 Cannerby Lane, Sprowston, Norwich
- 113-117 Crostwick Lane, Spixworth

The attached have today been submitted to Broadland District Council who have confirmed that the consultation end date for both is the 27th March 2019.

If you have any questions regarding the attached applications please do not hesitate to contact me on 01473 786032.

Kind regards

Jonathan Carey
Deputy Secretary

 eastofengland.coop
  [/eastofenglandcoop](http://eastofenglandcoop)
 @eoecoop

Did you know? Every year we support over 300 local good causes through our community token scheme? [Find out More.](#)

This email is for the intended recipient only and is confidential. If this email has been misdirected, please let the sender know and delete it. Any disclosure, copying, distribution is prohibited. Although we take great care to protect our network from computer viruses, we accept no responsibility for mail-borne viruses and recommend that you scan the email and its attachments.

Wendy Sayers

From: spc.clerk@spixworth-pc.org.uk
Sent: 14 March 2019 11:58
To: Wendy Sayers
Subject: Application to vary hours for the sale by retail of alcohol-East of England Co-operative Society Limited, 113-117 Crostwick Lane, Spixworth, Norwich, NR10 3AF.

Dear Wendy

Following on from my last email, Spixworth Parish Council wishes to object to the above application on the same grounds as before:

- ? Noise levels to surrounding residents
- ? Effect on smaller businesses in the village

Kind regards

Carolyn Lake

Clerk to Spixworth Parish Council

Tel: 01603 890290



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From: spc.clerk@spixworth-pc.org.uk [mailto:spc.clerk@spixworth-pc.org.uk]

Sent: 12 March 2019 11:39

To: 'Licensing (EH)'

Subject: Application to vary hours for the sale by retail of alcohol-East of England Co-operative Society Limited, 113-117 Crostwick Lane, Spixworth, Norwich, NR10 3AF.

Dear Wendy

Spixworth Parish Council wishes to **object** to the above application to vary the hours for the sale by retail of alcohol to 06:00 to 23:00 hours Monday to Sunday for East of England Co-op, Crostwick Lane, Spixworth.

Kind regards

Carolyn Lake

Clerk to Spixworth Parish Council

Tel: 01603 890290

Sarah Harris

From: Sarah Harris
Sent: 25 March 2019 21:07
To: Licensing (EH)
Cc: Sarah Harris
Subject: Spixworth Co-op Application Licence Variation Objection
Importance: High

(A small village)

From Miss L Howes - 109 Crostwick Lane Spixworth Norwich NR10 3AF

Dear Sir/Madam

Re: Application for Spixworth Co-Operative Society for A Premises
Licence Variation - Licensing Act 2003 - Vary hours of Sale.

I am contacting you to stress my strong objection to this application request by the Spixworth Co-operative Society.

To Vary their hours for the sale of Alcohol I feel would only encourage more anti social behaviour in the area/village & noise to myself and other residents.

I am an immediate neighbour to the Co-op Store and regularly experience noise disturbance from this shop.

From too early & late noisy lorry deliveries & Staff noisy arrival & departures.
And loud noise from Cars & People using the store and their cash-point machine.
Plus anti-social behaviour from local Youths hanging around the shop which is only encouraged by the selling of alcohol for long periods of time.

The hours they currently open 8am to 10pm Monday To Saturday & Sunday 10am to 4pm are very long already & I do not think Spixworth (A Small Village) Warrant's such long store opening hours that the Co-op is requesting ie 6am to 11pm Monday to Sunday. These hours would only give us local residents more noise & disturbance and no peace & quiet at all on a Sunday!
Selling of Alcohol for a such long trading hours in my opinion would not benefit the local community and not help the anti-social behaviour we currently experience in the village.

There is no evidence that there is such a demand for such long opening hours.
I also think that co-op having such long opening hours would put other local business's at jeopardy & risk as they could not fairly compete.

I am totally fed up with the co-op continually putting in applications to change their business opening hours & selling requirements and myself and other residents/neighbours having to take our time in appealing to deny their requests.

I strongly object to this application and hope you seriously consider my comments.

Thank you in Advance

Yours Sincerely

Miss Lesley Howes

Sent from Windows Mail

Anthony Lee/ Carol Robbins

111 Crostwick Lane

Spixworth

Norwich

NR10 3AF

25/3/2019

Dear Sir/Madam,

We both wish to object to the grant of the change of licence for sale of alcohol for extended hours as stated in the application. The reasons for our objections are, we feel this could encourage ant-social behaviour and could give rise to significant detrimental impact on our health and quality of life as a result of the extended hours of the sale of alcohol if granted. Paragraph 17 of the National Planning Policy Framework (NPPF) is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Bullet points 1 and 2 in paragraph 123 are relevant and these state:

Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development:

Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

We both feel that the noise levels associated with the store may increase further due to the extended hours and sale of alcohol, our property and our bedroom is next door to the car park and we already experience a high level of noise from customers entering and leaving the car park. The extended hours of opening that were granted last year if implemented to the store with the extended hours of sale of alcohol would increase the noise levels we already have to incur, Especially late in the evening while we are trying to sleep, also more concerning this could lead to on the street drinking late at night and encourage ant-social behaviour to the local area. Please may we both ask you carefully consider our objections when making your decision.

Yours Faithfully Anthony Lee/Carol Robbins

2 Russell Avenue
Spixworth
Norwich
NR10 3NY

Licensing Team
1 Yarmouth Road
Thorpe St Andrews
Norwich
NR7 0DU

25th March 2019

Dear Sir/Madam

Notice of Application To Vary A Premises Licence Under The
Licence Act 2003 Sale of Alcohol By Retail For Consumption
Off The Premises Monday-Saturday (including Good Friday)
– 6.00am to 23.00pm.

I write with reference to the above Application that has been
submitted to you by the East of England Co-Op, 113-117
Crostick Lane, Spixworth, Norwich and detail below our
objections to the Application.

Firstly, in their previous application that was granted last year,
it was stated that the shop could not open before 7.00am but
they are now asking to open at 6am which is not acceptable as
it is surrounded by residential property. The back of their
premises where deliveries are made, is right next to our
property and we certainly do not want to be disturbed by
deliveries being made at such an early hour.

Secondly, I don't see any need to have another premises
selling alcohol until 11.00pm especially as there is licenced
premises at each end of Crostick Lane and also the Village
Hall. The Convenience Store just down from the Co-Op,
which sells alcohol also, closes at 8pm. By allowing the Co-
Op to open until late will only encourage off premises
drinking. As it is, we frequently get people who use Russell
Avenue as a cut through to Ivy Park, shouting late at night and
in the morning we have to pick beer cans, bottles etc. off our
front lawns which have been thrown over during the evening.

Thirdly, in light of what happened at Old Catton, which is just down the road from Spixworth, on Friday night, we feel that granting extended licencing hours will only create more problems.

I trust that in light of the above their application will be rejected.

Yours faithfully

Colin & Jenny Brockwell

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.

Access to Cinemas

7.7 In the case of premises which are used for film exhibitions, a mandatory condition will apply restricting access to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.

- 7.8 It may also be necessary to impose a condition to restrict the admission of children to theatres which are incorporating adult entertainment in their productions.

Children and Public Entertainment

- 7.9 Many children go to see and/or take part in an entertainment arranged especially for them, for example children's film shows and dance or drama school productions, and additional arrangements are required to safeguard them while at the premises.
- 7.10 Where entertainment requiring a licence is specially presented for children, the Council will require the presence of an appropriate number of adult staff to ensure public safety and their protection from harm.
- 7.11 The Council will expect the submitted Operating Schedules to satisfactorily address these issues.
- 7.12 Where relevant representations are received the Council will consider attaching conditions to licences and permissions to prevent harm to children, and these may include conditions drawn from the Model Pool of Conditions relating to the Protection of Children from Harm.
- 7.13 The Licensing Authority considers Norfolk County Council Children's Services to be the competent authority for matters relating to the protection of children from harm. However, as an agency regulated under section 11 of the Children Act, this Council is obliged to have in place safeguarding processes.