

# Licensing Sub-Committee



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27 April 2017

A meeting of the **Licensing Sub-Committee** of North Norfolk District Council will be convened in the **Council Chamber** at the Council Offices, Holt Road, Cromer on **Monday 15 May 2017 at 11.00 am.**

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours. Refreshments will be available for Members in the Canteen.

**Emma Denny**  
**Democratic Services Manager**

To: **Mr R Shepherd, Mr N Pearce and Mrs V Uprichard**

All other Members of the Council for information.

Members of the Management Team and appropriate Officers.



**If you have any special requirements in order  
to attend this meeting, please let us know in advance**

If you would like any document in large print, audio, Braille, alternative format  
or in a different language please contact us

**Large print version can be made available**

**Heads of Paid Service:** Nick Baker and Steve Blatch  
**Tel:** 01263 513811 **Fax:** 01263 515042 **Minicom:** 01263 516005  
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## A G E N D A

### 1. TO RECEIVE APOLOGIES FOR ABSENCE

### 2. ITEMS OF URGENT BUSINESS

To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

### 3. DECLARATIONS OF INTEREST

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest.

### 4. APPLICATION FOR A NEW PREMISES LICENCE - WALLED GARDEN, RAYNHAM HALL, SWAFFHAM ROAD, EAST RAYNHAM, NORFOLK, NR21 7EL

(Procedure to be followed at the Hearing attached – page 4; Report attached – page 6; Appendix A – page 22; Appendix B – page 42; Appendix C – page 43; Appendix D – page 46)

**Summary:** This is an application for a new Premises Licence

**Conclusions:** That Members consider and determine the case from the written and oral information provided.

**Recommendations:** That Members consider and determine this case

Cllr H Cox – Chairman  
Licensing Committee  
Contact Officer, telephone  
number, and e-mail:

Ward(s) affected: **East Raynham**

**Licensing Team**

**01263 516189**

**Public.Protection@north-norfolk.gov.uk**

**5. APPLICATION FOR A NEW PREMISES LICENCE - SHERINGHAM & CROMER LIONS CLUB ON THE CARNIVAL FIELD, RUNTON ROAD, CROMER, NORFOLK**

(Procedure to be followed at the Hearing attached – page 4; Report attached – page 47; Appendix E – page 64; Appendix F – page 79; Appendix G – page 80; Appendix H – page 83)

**Summary:** This is an application for a new Premises Licence

**Conclusions:** That Members consider and determine the case from the written and oral information provided.

**Recommendations:** That Members consider and determine this case

Cllr H Cox – Chairman  
Licensing Committee  
Contact Officer, telephone  
number, and e-mail:

Ward(s) affected: **Cromer**

**Gemma Faircloth**

**01263 516139**

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**6. EXCLUSION OF THE PRESS AND PUBLIC**

To pass the following resolution, if necessary:

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A (as amended) to the Act.”

# NORTH NORFOLK DISTRICT COUNCIL

## Licensing Sub-Committee Hearings

### Information to Accompany Notice of Hearing



#### 1. Consequences if the Party does not attend Hearing

- 1) If a party has informed the Authority that he does not intend to attend or be represented at a Hearing, the Hearing may proceed in his absence.
- 2) If a party who has not so indicated fails to attend or be represented at a Hearing the Authority may –
  - a) Where it considers it to be necessary in the public interest, adjourn the Hearing to a specified date, or
  - b) **Hold the Hearing in the party's absence.**
- 3) Where the Authority holds the Hearing in the absence of a party, the Authority shall consider at the Hearing the application, representations or notice made by that party.
- 4) Where the Authority adjourns the Hearing to a specified date it must forthwith notify the parties of the date, time and place to which the Hearing has been adjourned.

#### 2. Procedure to be followed at the Hearing

Please note: before the Hearing begins the Licensing Representative will take the names of everyone attending and find out if they want to speak.

##### 1. The **Chairman** introduces

- a) Himself or herself and the Members of the Committee
- b) The Legal Advisor
- c) The Licensing Representative
- d) The Committee Administrator.

##### 2. The **Legal Advisor**

- a) Introduces the subject of the Hearing
- b) Notes attendances
- c) Outlines the procedure and explains her part in it.
- d) Asks if there are any preliminary matters, such as requests for adjournment.

##### 3. The **Chairman** asks the Licensing Representative to explain the application.

##### 4. The **Licensing Representative** refers the Sub Committee to the report, which they have read beforehand, and updates them on any new information. S/he may call witnesses.

##### 5. The **Licensing Representative** invites questions on the report from all parties (The Applicant, the Objectors, the Board Members and the Legal Advisor)

##### 6. The **Chairman** asks the **Applicant** (or his/her representative) to put forward their case. The Applicant may also call witnesses.

##### 7. The **Chairman** invites questions to the **Applicant** from the Objectors, the Board Members and the Legal Advisor.

8. The **Chairman** invites the **Objectors** to put forward their case.
9. The **Chairman** invites questions to the **Objectors** from the Applicant, the Board Members and the Legal Advisor. Any party may call witnesses or ask questions of the witnesses.

#### 10. Closing Statements

The **Chairman** invites closing statements:

FIRST: Objectors (or Objectors Spokesman)  
LAST: Applicant (or his/her representative)

The **Chairman** will ask the Legal Advisor if there is any advice before the Sub-Committee retires.

11. The **Chairman** thanks all those who have spoken and invites the Sub Committee to retire to the Members' Room to make a decision.
12. The **Legal Advisor** accompanies the Sub Committee to provide legal advice and to assist them to formulate their reasons (but does not take part in the making of the decision).
13. The **Sub Committee** makes the decision.
14. The **Sub Committee** returns. The **Chairman** reads out the decision and the reasons for the decision.

**Application for a new Premises Licence - Walled Garden, Raynham Hall,  
Swaffham Road, East Raynham, Norfolk, NR21 7EL**

**Summary:** This is an application for a new Premises Licence

**Conclusions:** That Members consider and determine the case from the written and oral information provided.

**Recommendations:** That Members consider and determine this case

Cllr H Cox – Chairman  
Licensing Committee

Ward(s) affected: **East Raynham**

Contact Officer, telephone  
number, and e-mail:

**Licensing Team**

**01263 516189**

**Public.Protection@north-norfolk.gov.uk**

**1. Jurisdiction**

- 1.1. North Norfolk District Council is the Licensing Authority under the Licensing Act 2003 in respect of Premises licences for the sale of alcohol or regulated entertainment. Where a valid application for a premises licence or variation is received and relevant representations are made, before determining the application, the authority must hold a hearing to consider the case.
- 1.2. The four licensing objectives to be considered when determining the application, and relevant representations, are:
  - a. the prevention of crime & disorder
  - b. public safety
  - c. the prevention of public nuisance, and
  - d. the protection of children from harm

## 2. The Application

- 2.1 Mr Thomas Charles Raynham has made an application for a new Premises Licence. The application can be seen in **Appendix A** and the premises plan **Appendix B**.
- 2.2 The Premises are a walled garden within the grounds of Raynham Hall to be used for provision of entertainment, alcohol and late night refreshment; this may include plays, films, live music, recorded music, dance or a combination of the described entertainment.
- 2.3 The applicant seeks permission to operate as follows:

Licensable activity	Days	Times
Sale of Alcohol On Premises Sale of Alcohol Off Premises Plays Films Live Music Recorded Music Performance of Dance Entertainment Similar to I/J	Monday to Sunday	00:00 - 00:00
Late Night Refreshment	Monday to Sunday	23:00 - 05:00
<b>Hours Premises open to the public:</b>	Monday to Sunday	00:00 - 00:00

## 3. Conditions

- 3.1 The premises licence is subject to the following mandatory conditions:
- LIP001** No supply of alcohol may be made under the premises licence, at a time when there is no designated premises supervisor in respect of the premises licence or at a time when the designated premises supervisor does not hold a personal licence, or the personal licence is suspended.
  - LIP002** Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- c. **LIP003** Where a premises licence includes the condition that at specified times one or more individuals must be at the premises to carry out a security activity; each such individual must be licensed by the Security Industry Authority.
- d. **LIP004** Where a premises licence authorises the exhibition of films, the admission of children to the exhibition of any film to be restricted in accordance with this section.
- e. **LIP006**
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- f. **LIP008** The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.



g. **LIP009**

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) 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 either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

i. **LIP010** The responsible person shall ensure that:

- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
  - i) beer or cider: ½ pint;
  - ii) gin, rum, vodka or whisky: 25ml or 35ml; and
  - iii) still wine in a glass: 125ml; and
- b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

j. **LIP011** A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

3.2 The licence will be subject to the following conditions which are consistent with the operating schedule:

- a. For all events within the area of the premises licence an Event Management P (EMP) will be prepared to take into account the requirements of all the licensing objectives. The EMP detail will depend on the type and scale of event, including anticipated attendance numbers. Events planned for in excess of 500 persons the Licensing Authority and Police will be given at least 4 weeks notice. Any event planned to extend beyond midnight will only occur between March and

October, such events will be limited in frequency and notification to the Licensing Authority and Police will be given with at least 4 weeks notice of the event taking place.

- b. As in (a) above and EMP will provide details in securing and dealing with the prevention of crime and disorder. The EMP will details stewarding and Security Industry Authority qualified personnel, in accordance with the type and scale of event as described in (a) above and will details reporting of incidents.
- c. The EMP will detail requirements in relation to public safety
- d. The EMP will detail requirements for managing public nuisance, including traffic management, noise management and monitoring of sound systems.
- e. The EMP will detail procedures to ensure the protection of children from harm. There will be effective management and supervision of any bar selling alcohol in accordance with licensing laws.

#### 4. Representations from Responsible Authorities

4.1 Section 13(4) of the Act defines the 'Responsible Authorities' as the statutory bodies that must be sent copies of an application. Representations made must relate to the licensing objectives.

4.2 The following comments have been received from the Responsible Authorities:

<b>Responsible Authority</b>	<b>Comments</b>	<b>Date</b>
Commercial Team, Env. Health	Nil Response (to date 26/04/17))	-
Environmental Protection, Env. Health	No Objection – the Event Management Plan will deal with Public Nuisance matters	26 April 2017
Fire Brigade	No Objection	18 April 2017
Public Protection/Licensing, Env Health	No Objection. The Event Management Plan will deal with issues relating to Public Safety and Licensing matters	20 April 2017
Primary Care Trust, Norfolk County Council	Nil Response (to date 26/04/17))	-
Planning North Norfolk District Council	No Objection	19 April 2017
Licensing Team Norfolk Constabulary	No Objection	18th April 2017
Norfolk Safeguarding Children's Board	Nil Response (to date 26/04/17))	-
Trading Standards, Norfolk County Council	Nil Response (to date 26/04/17))	-

## 5. Representations from Other Persons

- 5.1 Section 13(3) of the Act describes interested parties as local residents/businesses (or their representatives) who live/are involved in a business in the vicinity of the premises. Representations made must relate to the licensing objectives.
- 5.2 There has been correspondence received from three residents concerning this application. Copies of all the correspondence is attached for information. The predominant relevant issue raised has been that of public nuisance. See the table below and **Appendix C** for details of the objections received.

### Representations from Other Persons

Name	Representation	Date	Relevant
Mr Jack Bedingfield-Dennis	Public Nuisance - noise	7 April 2017	Yes
Mrs E Coghill	Public Nuisance - Noise	4 April 2017	Yes
Ms Clare Malcolm	Public Nuisance - Noise	24 April 2017	Yes

## 6. Notices

- 6.1 The applicant is responsible for advertising the application by way of a notice in the specified form at the premises for not less than 28 consecutive days and in a local newspaper. The Public Notice appeared in the on the **31 March 2017** and a Notice should have been displayed on the premises until **27 April 2017**.

## 7. Plans

- 7.1 A location plan showing the general location of the premises is attached at **Appendix D**.

## 8. North Norfolk District Council Licensing Policy

- 8.1 The current Statement of Licensing Policy was approved by Council on 18 December 2016 and became effective on 7 January 2016 and the following extracts may be relevant to this application:

### 3.0 Main Principles

3.1 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

3.2 Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act, and conditions that are attached to licences, certificates will be focused on matters which are within the control of individual licensee or club, i.e. the premises and its vicinity.

3.3 Whether or not incidents can be regarded as being 'in the vicinity' of licensed premises is a question of fact and will depend on the particular circumstances of the case. In dispute, the question will ultimately be decided by the courts. 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.

3.4 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. 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:

- planning and environmental health 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 or District Councillor to seek a review of the licence or certificate

#### **4 Crime and Disorder**

4.1 The Council acknowledges that the Police are the main source of advice on crime and disorder.

4.2 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. The Council will expect Operating Schedules to satisfactorily address these issues from the design of the premises through to the daily operation of the business.

## **5 Public Safety**

5.1 Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety included the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.

5.2 A number of matters should be considered in relation to public safety, these could include;

- Fire safety
- Ensuring appropriate access for emergency services such as ambulances
- Good communication with local authorities and emergency services
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits
- Ensuring the safety of people when leaving the premises (for example through the provision of information on late-night transportation)
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles
- Ensuring appropriate limits on the maximum capacity of the premises; and
- Considering the use of CCTV

5.3 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. The Council expects applicants to consider, when making their application, which steps it is appropriate to take to promote the public safety objective and demonstrate how they will achieve that.

## **6 Prevention of Public 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 vicinity of the premises.

6.2 The concerns mainly relate to noise nuisance, light pollution and noxious smells and due regard will be taken of the impact these may have. The Council will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Health and Pollution Enforcement Officers before preparing their plans and Schedules.

6.3 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 relating to 'Public Nuisance'.

## **7 Prevention of Harm to Children**

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.

7.2 The 2003 Act makes it an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a temporary event notice.

7.3 In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or temporary event notice. Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. Between 5am and midnight the offence would not necessarily apply to many restaurants, hotels, cinemas and even many pubs where the main business activity is the consumption of both food and drink. This does not mean that children should automatically be admitted to such premises and the following paragraphs are therefore of great importance notwithstanding the new offences created by the 2003 Act. (See the Licensing Policy for further detail)

## **10 Standard Conditions**

10.1 Conditions attached to licences or certificates will be tailored to the individual style and characteristics of the particular premises and events concerned.

10.2 However, where considered appropriate, and necessary for the promotion of the Licensing Objectives, the Council will consider attaching Conditions drawn from the relevant Model Pools of Conditions and from any published Local Pool of Conditions

## **9. Guidance Issued under section 182 of the Licensing Act 2003**

9.1 The current Guidance was issued by the Home Office in March 2015 and offers advice to Licensing authorities on the discharge of their functions under the Licensing Act 2003.

9.2 The following extracts may be relevant to this application and assist the panel:

### **Licensing conditions – general principles**

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will”, is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met,
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

### **Each application on its own merits**

1.17 Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case

### **Public Nuisance**

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on

business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (See Chapter 15). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11pm and 8am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants,



licensing authorities and responsible authorities will need to balance these issues.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area or that, if they wish to smoke, to do so at designated places on the premises instead of outside and to respect the rights of people living nearby to a peaceful night.

### **Determining applications**

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

### **Relevant, Vexatious and Frivolous Representations**

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other

person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

#### **Determining actions that are appropriate for the promotion of the licensing objectives**

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case by case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The

licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

### **Conditions attached to Premises Licences**

10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.

10.3 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below

#### **Proposed Conditions**

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention

#### **Imposed Conditions**

10.8 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. This provision also applies to minor variations.

10.9 It is possible that in some cases no additional conditions are appropriate to promote the licensing objectives.

#### **Proportionality**

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises

concerned. Conditions should be determined on a case by case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

### **Hours of trading**

10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which the premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

10.15 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

## **10. Determination**

- 10.1 The Sub Committee are requested to consider the application, representations, and determine this application.
- 10.2 When considering this application the Sub Committee will need to have regard to the North Norfolk District Council Licensing Policy and to statutory guidance under the Licensing Act 2003 issued by the Secretary of State
- 10.3 In determining the application for a Premises Licence the Sub Committee may take the following actions:
  - a. Grant the application
  - b. Grant the application subject to conditions relevant to the promotion of the licensing objectives
  - c. Refuse the application
- 10.4 This application must be determined and notified to the applicant within 5 working days from the conclusion of the hearing. Reasons for the Panel's decision must

be given as both the applicant and objectors have a right of appeal against that decision to the Magistrates Court.

- 10.5 There is a right of appeal to the decision of the Sub Committee to the Magistrates court within 21 days.

**Appendices:**

- A. Copy of Application
- B. Plan of Premises
- C. Letters/emails of objection or support from interested parties
- D. Location Plan

**Background Papers:**

- 1. The Licensing Act 2003
- 2. North Norfolk District Council Statement of Licensing Policy (18 December 2015)
- 3. Guidance issued under section 182 of the Licensing Act 2003 (March 2015)



Licensing Team  
North Norfolk District Council  
Council Offices  
Holt Road  
Cromer  
Norfolk  
NR27 9EN

Reference number

(office use only)

## Schedule 2

### 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 booklet.

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 ..... Thomas Charles Raynham ..... apply for a  
(Insert name(s) of applicant)  
**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	
RaynhamWalled Garden Raynham Estate East Raynham	
Post town Fakenham	Post code NR21 7EP
Telephone number of Premises	

Non-domestic rateable value of premises

£ n/a

(This can be obtained from the Valuation Office website [www.voa.gov.uk](http://www.voa.gov.uk))

## **Part 2 – Applicant Details**

In state whether you are applying for a premises licence as

Please tick ✓

a) An individual or individuals*	<input checked="" type="checkbox"/> <b>Please complete Section A</b>
b) A person other than an individual* <ul style="list-style-type: none"> <li>i. as a limited company</li> <li>ii. as a partnership</li> <li>iii. as an unincorporated association</li> <li>iv. other</li> </ul>	<input type="checkbox"/> <b>Please complete Section B</b> <input type="checkbox"/> <b>Please complete Section B</b> <input type="checkbox"/> <b>Please complete Section B</b> <input type="checkbox"/> <b>Please complete Section B</b>
c) A recognised club	<input type="checkbox"/> <b>Please complete Section B</b>
d) A charity	<input type="checkbox"/> <b>Please complete Section B</b>
e) The proprietor of an educational establishment	<input type="checkbox"/> <b>Please complete Section B</b>
f) A Health Service Body	<input type="checkbox"/> <b>Please complete Section B</b>
g) An individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	<input type="checkbox"/> <b>Please complete Section B</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	<input type="checkbox"/> <b>Please complete Section B</b>
h) The Chief Officer of Police of a police force in England and Wales	<input type="checkbox"/> <b>Please complete Section B</b>

\* If you are applying as a person described in (a) or (b) please confirm:

▪ 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

Please tick ✓ yes

**SECTION A – INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title   
(please state)

Surname

First names

I am 18 years old or over  Yes

**Current postal address if different from premises address**

<input type="text" value="REDACTED"/>	
Post Town: <input type="text" value="REDACTED"/>	Postcode: <input type="text" value="REDACTED"/>

Daytime contact telephone number

E-mail address (optional)

**Second individual applicant (if applicable)**

Mr  Mrs  Miss  Ms  Other title   
(please state)

Surname

First names

I am 18 years old or over  Yes

**Current postal address if different from premises address**

<input type="text"/>	
Post Town: <input type="text"/>	Postcode: <input type="text"/>

Daytime contact telephone number

E-mail address (optional)



## Section B – OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (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? .....

Day		Month		Year			
2	9	0	4	2	0	1	7

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

Day		Month		Year			

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

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

The premise is a 5.18 acre walled garden in the shape of a trapezoid (see plan attached) which is situated about 50 yards to the east of the A1065 at East Raynham and approximately 200 yards to the south of the A1065 entrance to Raynham Hall. The main access to the area of the premise is via a driveway from the east side of the A1065 immediately south of a complex of farm buildings between the road and the walled garden. The wall which forms the walled boundary of the garden is approximately 4 metres high all the way round. It has an main entrance wide enough for vehicular access half way along the east wall and emergency vehicular access within the north wall. There are numerous other pedestrian gates within all the walls. The walled garden is currently laid to grass and is a flat surface. At the centre of the garden is the old gardeners cottage and a large greenhouse. There are numerous water stand pipes situated around the garden and a covered septic tank near the cottage.

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

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

#### **Provision of regulated entertainment**

Please tick any that apply

- a) Plays (if ticking yes, fill in **Box A**).....
- b) Films (if ticking yes, fill in **Box B**).....
- c) Indoor sporting events (if ticking yes, fill in **Box C**).....
- d) Boxing or wrestling entertainment (if ticking yes, fill in **Box D**).....
- e) Live music (If ticking yes, fill in **Box E**).....
- f) Recorded music (if ticking yes, fill in **Box F**).....
- g) Performances of dance (if ticking yes, fill in **Box G**).....
- h) Anything of a similar description to that falling within e,f or g (if ticking yes, fill in **Box H**)...

Please tick any that apply

**Provision of late night refreshment** (if ticking yes, fill in **Box I**).....



The supply of hot food or hot drink to the public for consumption on or off the premises between 11.00pm and 5.00am.

**Sale by retail of alcohol** (if ticking yes, fill in **Box J**).....



**IN ALL CASES PLEASE COMPLETE BOXES K, L AND M**

<b>Box A</b> <b>Plays</b> Standard days and timings (Please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick ✓ (Please read guidance note 2)		Indoors	
					Outdoors	
					Both	✓
Day	Start	Finish	<u>Please give further details here (read guidance note 3)</u>  Performance of plays by visiting performers from a prepared area within the outside area of the premise or from within a temporary structure such as a marquee.  <u>State any seasonal variations for performing plays (read guidance note 4)</u>          <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 (read guidance note 5)</u>			
Mon	0001	2400				
Tue	0001	2400				
Wed	0001	2400				
Thur	0001	2400				
Fri	0001	2400				
Sat	0001	2400				
Sun	0001	2400				

<b>Box B</b> <b>Films</b> Standard days and timings (Please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick ✓ (Please read guidance note 2)		Indoors	
					Outdoors	
					Both	✓
Day	Start	Finish	<p><u>Please give further details here</u> (read guidance note 3)</p> <p>The projection of films onto a temporary screen erected in a prepared area within the outside space or from within a temporary structure such as a marquee.</p> <p><u>State any seasonal variations for exhibition of films</u> (read guidance note 4)</p> <p><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> (read guidance note 5)</p>			
Mon	0001	2400				
Tue	0001	2400				
Wed	0001	2400				
Thur	0001	2400				
Fri	0001	2400				
Sat	0001	2400				
Sun	0001	2400				

<b>Box C</b> <b>Indoor sporting events</b> Standard days and timings (Please read guidance note 6)			
Day	Start	Finish	<u>Please give further details here</u> (read guidance note 3)  <u>State any seasonal variations for indoor sporting events</u> (read guidance note 4)  <u>Non standard timings. Where you intend to use the premises for the indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

<b>Box D Boxing or wrestling entertainment</b> Standard days and timings Please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> (Please read guidance note 2)		Indoors	
					Outdoors	
Day	Start	Finish			Both	
Mon			<u>Please give further details here (read guidance note 3)</u>			
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment (read guidance note 4)</u>			
Thur						
Fri						
Sat			<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 (please read guidance note 5)</u>			
Sun						

<b>Box E</b> <b>Live music</b> Standard days and timings (Please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick ✓ (Please read guidance note 2)		Indoors	
					Outdoors	
					Both	✓
Day	Start	Finish	Please give further details here (read guidance note 3)  Live music performed by visiting artists or bands either amplified or unamplified from a prepared area within the outside space or from within a temporary structure such as a marquee.  State any seasonal variations for the performance of live music (read guidance note 4)  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 5)			
Mon	0001	24000				
Tue	0001	2400				
Wed	0001	2400				
Thur	0001	2400				
Fri	0001	2400				
Sat	0001	2400				
Sun	0001	2400				



<b>Box F</b> <b>Recorded music</b> Standard days and timings (Please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick ✓ (Please read guidance note 2)		Indoors	
					Outdoors	
					Both	✓
Day	Start	Finish	Please give further details here (read guidance note 3)  Recorded music delivered from a sound system from a prepared area within the outside space or from within a temporary structure such as a marquee.  State any seasonal variations for playing recorded music (read guidance note 4)  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 5)			
Mon	0001	2400				
Tue	0001	2400				
Wed	0001	2400				
Thur	0001	2400				
Fri	0001	2400				
Sat	0001	2400				
Sun	0001	2400				

<b>Box G</b> <b>Performance of dance</b> Standard days and timings (Please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick ✓ (Please read guidance note 2)		Indoors	
					Outdoors	
					Both	✓
Day	Start	Finish	<u>Please give further details here</u> (read guidance note 3) Performances of contemporary or traditional dance from performing groups (nothing of an adult nature) from within a prepared area within the outside space or from within a temporary structure such as a marquee.  <u>State any seasonal variations for performance of dance</u> (read guidance note 4)          <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 5)			
Mon	0001	2400				
Tue	0001	2400				
Wed	0001	2400				
Thur	0001	2400				
Fri	0001	2400				
Sat	0001	2400				
Sun	0001	2400				


<b>Box H</b> <b>Anything of a similar description to that falling within e, f or g</b> Standard days and timings (Please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>  Any combination of live music, recorded music or dancing.		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (Please read guidance note 2)	Indoors	
Mon	0001	2400		Outdoors	
				Both	<input checked="" type="checkbox"/>
			<u>Please give further details here</u> (read guidance note 3)		
Tue	0001	2400	Combinations of all three types of entertainment could include speciality acts, circus type performances, fetes and the like, where both forms of musical entertainment and dancing could be available during an event.		
Wed	0001	2400	<u>State any seasonal variations for entertainment of a similar description to that falling within e, f or g</u> (read guidance note 4)		
Thur	0001	2400	Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within e, f or g at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	0001	2400			
Sat	0001	2400			
Sun	0001	2400			


<b>Box 1</b> <b>Late night refreshment</b> Standard days and timings (Please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (Please read guidance note 2)		Indoors					
					Outdoors					
					Both	<input checked="" type="checkbox"/>				
			<u>Please give further details here (read guidance note 3)</u>							
Day	Start	Finish	The provision of hot food and drinks from a prepared area (or from permitted vendors) within the outside space or from within a temporary structure such as a marquee.							
Mon	2300	0500								
Tue	2300	0500								
							<u>State any seasonal variations for the provision of late night refreshment (read guidance note 4)</u>			
Wed	2300	0500								
Thur	2300	0500								
Fri	2300	0500								
							<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u>			
Sat	2300	0500								
Sun	2300	0500								


<b>Box J</b> <b>Supply of alcohol</b> Standard days and timings (Please read guidance note 6)			Will the sale of alcohol be for consumption – please tick <input checked="" type="checkbox"/> (Please read guidance note 7)		On premises	
					Off premises	
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (read guidance note 3)</u>  The sale of alcohol from properly supervised bar(s) or stalls within the outside space or from within a temporary structure such as a marquee.			
Mon	0001	2400	<u>State any seasonal variations for the supply of alcohol (read guidance note 4)</u>      <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 (read guidance note 5)</u>			
Tue	0001	2400				
Wed	0001	2400				
Thur	0001	2400				
Fri	0001	2400				
Sat	0001	2400				
Sun	0001	2400				

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

Name ..... Thomas Charles Raynham .....

Address .....  , .....

.....  : .....

Postcode .....  .....

Personal Licence number, if known, ..... To be notified .....

Issuing licensing authority, if known ..... To be notified .....

## Box 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 8)

NIL

<b>Box L</b> <b>Hours premises are open to the public</b> Standard days and timings (Please read guidance note 6)			<u>State any seasonal variation</u> (read guidance note 4)
Day	Start	Finish	
Mon	0001	2400	
Tue	0001	2400	
Wed	0001	2400	
Thur	0001	2400	<u>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	0001	2400	
Sat	0001	2400	
Sun	0001	2400	

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

### a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

For all events planned to take place within the area of the premise an Event Management Plan (EMP) will be prepared to take account of the requirements of all the licensing objectives. The detail within an EMP will be dependant upon the scale of any proposed event giving regard to the type of event and the anticipated number of persons attending. For events planned to cater for in excess of 500 persons the Licensing Authority and the Police will be given at least 4 weeks notice. Any event planned to extend beyond midnight will only occur between March to October. Such events will be limited in frequency and the Licensing Authority and the Police will be given at least 4 weeks notice of such an event taking place.

### b) The prevention of crime and disorder

As stated in (a) above, any EMP prepared for an event will cater for any perceived crime prevention risk and will highlight a strategy to deal with such risk. The requirement for stewarding and or a physical security presence will form part of the overall consideration as will the reporting of incidents to responsible persons present or to the Police if necessary.

### c) Public safety

Any EMP formulated for an event within the area of the licensed premise will take into account requirements for the safety of the attending public bearing in mind the nature of an event. Attention will be given to ensuring that equipment of any kind used during an event is safe and that the event venue is properly supervised. First aid facilities and procedures will be in evidence.

### d) The prevention of public nuisance

Any EMP formulated for an event will take into account the effect that running the event may have to persons who live nearby. Attention will be given to traffic management concerning vehicular movements to and from the site. Attention will also be given to ensuring that any possible noise disturbance is minimised by using effective noise management techniques and monitoring of sound systems thus reducing the risk of complaint from neighbours.

### e) The protection of children from harm

Any EMP formulated for an event will highlight procedures put in place to ensure that children are protected from any perceived harm. The effective management and supervision of any bar selling alcohol will be paramount in ensuring that licensing laws in relation to children are not breached.

## **CHECKLIST**

Please tick to indicate agreement

- I have made or enclosed payment of the fee .....
- I have enclosed a 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 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 or my application is not completed correctly, my application will be rejected.....

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**



# Part 4 – Signatures

Please read guidance note 10

**Signature of applicant (the proposed current premises licence holder) or applicant’s solicitor or other duly authorised agent.** (See guidance note 11) **If signing on behalf of the applicant please state in what capacity.**

Signature .....  .....

Date ..... 31st March 2017 .....

Capacity..... Licensing Consultant - acting on behalf of the applicant.....


**Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the proposed current premises licence holder) or 2<sup>nd</sup> applicant’s solicitor or other duly authorised agent.** (Please read guidance note 12) **If signing on behalf of the applicant please state in what capacity.**

Signature .....

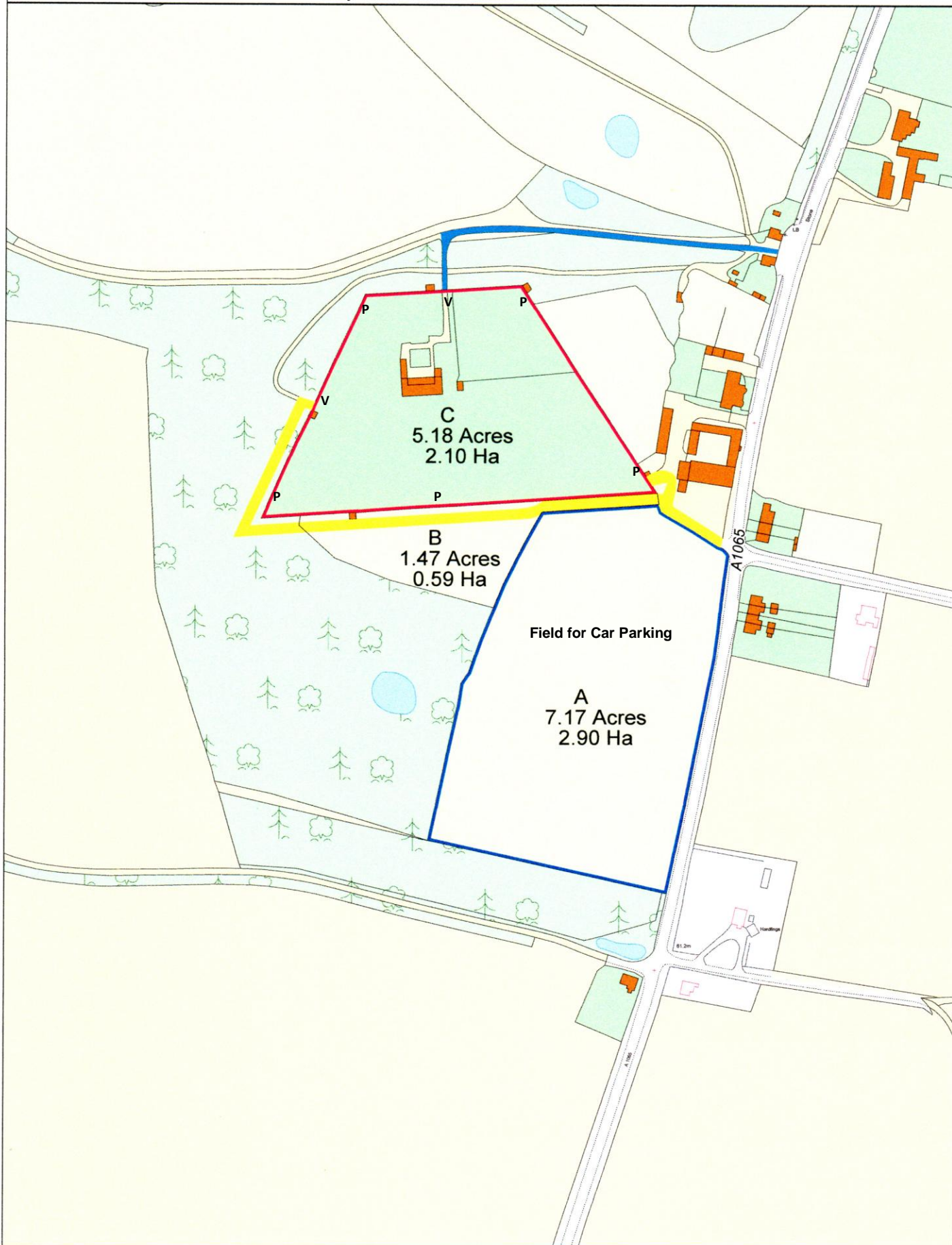
Date .....

Capacity .....

**Contact name** (where not previously given) **and address for correspondence associated with this application** (please read guidance note 13)

Tony Grover SMART Licensing 8 Wigg Road	
Post Town: Fakenham	Postcode: NR21 9RU
Daytime contact telephone number E-mail address (optional)	
	tony@smartlicensing.co.uk

Raynham Walled Garden Licence Plan



Produced by:  
 Mapping and GIS Department  
 Knight Frank LLP  
 Ramebury House, 22 High Street  
 Hungerford, Berkshire, RG17 0NF  
 (t) 01488 685508 (f) 01488 685505  
 (e) mapping@knightfrank.com



- Event Site
- Parking Area
- Access for Emergency Services Only
- Access for Commercial and Event goers
- P = Pedestrian gate
- V = Vehicle access

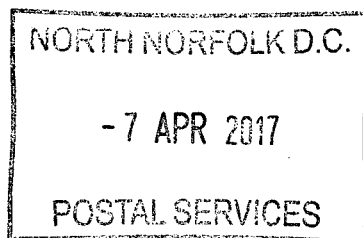


Date: 29.03.17 Drawn By: MM/CW Scale: 1:2000 @ A3 Plan Ref:

Title: **Raynham Walled Garden Licence Plan**

This Plan is published for guidance only, and although it is believed to be correct, its accuracy is not guaranteed, nor is it intended to form part of any contract. Where this plan is based on the Ordnance Survey data it is with the sanction of the controller of H. M. Stationery Office Crown Copyright reserved. Licence No. 1000171

E

4<sup>th</sup> April 2017

Dear Sirs,

**Licensing Application - Walled Garden, Raynham Hall, E. Raynham, Norfolk**

My wife and I have read the public notice concerning this application and are essentially supportive. That said, and based on our first hand evidence of an event held at the venue one weekend last summer, we are very worried about the musical aspect of the application.

We were unable to attend a drinks party in the Walled Garden for Raynham residents on the Friday of the weekend concerned but we had been told that this would be followed by music and a barbecue. The music was played at a reasonable level and finished at around 2300hrs. None of this was a problem but what occurred the following day, and about which we had been told nothing, most certainly was.

We do not know the precise nature of what took place but loud popular music of various types started on Saturday afternoon and continued non stop certainly until about 0500hrs, when we finally managed to fall asleep. It was a warm night but even with all our double glazed windows and doors closed we could hear the bands and vocalists. The music began again at about 1000hrs on Sunday.

In a direct line our house is about 200-250 yards from the Walled Garden and the noise was almost deafening at times. We later learned that the sound had carried to the villages of Colkirk, Oxwick and Whissonsett.

Although both of us are in our 70s we don't regard ourselves as "Old Fogies." We would not want to deprive those of the music they clearly love. What we would like to recommend is that the Licensing Department impose a restriction on the number of events of this kind that can be held per year, and an obligation for the organisers to give advance notice of them. This will enable us and others like us to be able to organise time well away from the scene of the sound blasting action. Alternatively might a noise curfew be imposed from midnight Saturday to 1100hrs on Sunday?

Yours faithfully,

Jack Bedingfield Dennis

Licensing Department  
North Norfolk District Council  
Holt Road  
CROMER  
Norfolk  
NR27 9EN

## Gemma Faircloth

---

**From:** Edwina Coghill <[REDACTED]>  
**Sent:** 04 April 2017 16:09  
**To:** Licensing  
**Cc:** tom.fitzpatrick@norfolk.gov.uk  
**Subject:** Raynham Hall Application.  
  
**Categories:** Lara

Dear Sir

In respect of the application for a licence under section 12 of the Licensing Act 2003 at Raynham Walled Garden, Raynham Estate, East Raynham, Fakenham, NE21 7EP I would like to make the following comments.

The application does not specify any days or dates.

Apart from a request for music, films or plays until midnight there is also an all night music request until 5am.

This might possibly be acceptable once or twice a year but not at any time.

There was a concert last year and all the local residents were kept awake by the loud thumping music. Music carries a long way at night in a quite rural area. I have been told that it was heard in Whissonsett some miles away.

There will be increased traffic on an already busy road in the summer months.

Music and alcohol can cause unruly behaviour and bad driving on local roads.

In the unfortunate circumstance of the Licensing Authority granting this license it should be restricted, monitored and reviewed on a regular basis.

Yours faithfully

Edwina Coghill

## Gemma Faircloth

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**From:** [REDACTED]  
**Sent:** 24 April 2017 15:36  
**To:** Licensing  
**Subject:** Premises Licence for Thomas Charles Raynham

**Categories:** Lara

Dear Sir/Madam

I wish to object to the licence application submitted by Thomas Charles Raynham on 31<sup>st</sup> March 2017 for

Raynham Walled Garden  
Raynham Estate  
East Raynham  
NR21 7EP

The premises held an event in July 2016 which caused noise disruption across the whole weekend with loud music going well into the early hours. We live 4 miles away in Weasenham and were disturbed by the music.

On a more worrying note I personally was woken up around 1am on the Saturday morning by a number of cars (at least 3-4) driving at speed down the road outside my house in Low Street. They proceeded to race up and down 2 private farm tracks approximately 100 yards further down the road and caused damage to the farmers property (including the destruction of a number of bee hives).

I rent a field for my horses between these 2 tracks, thankfully my horses weren't in the field that night but I dread to think what could have happened if they had been. I was alone in the house that weekend and was quite frightened by the incident.

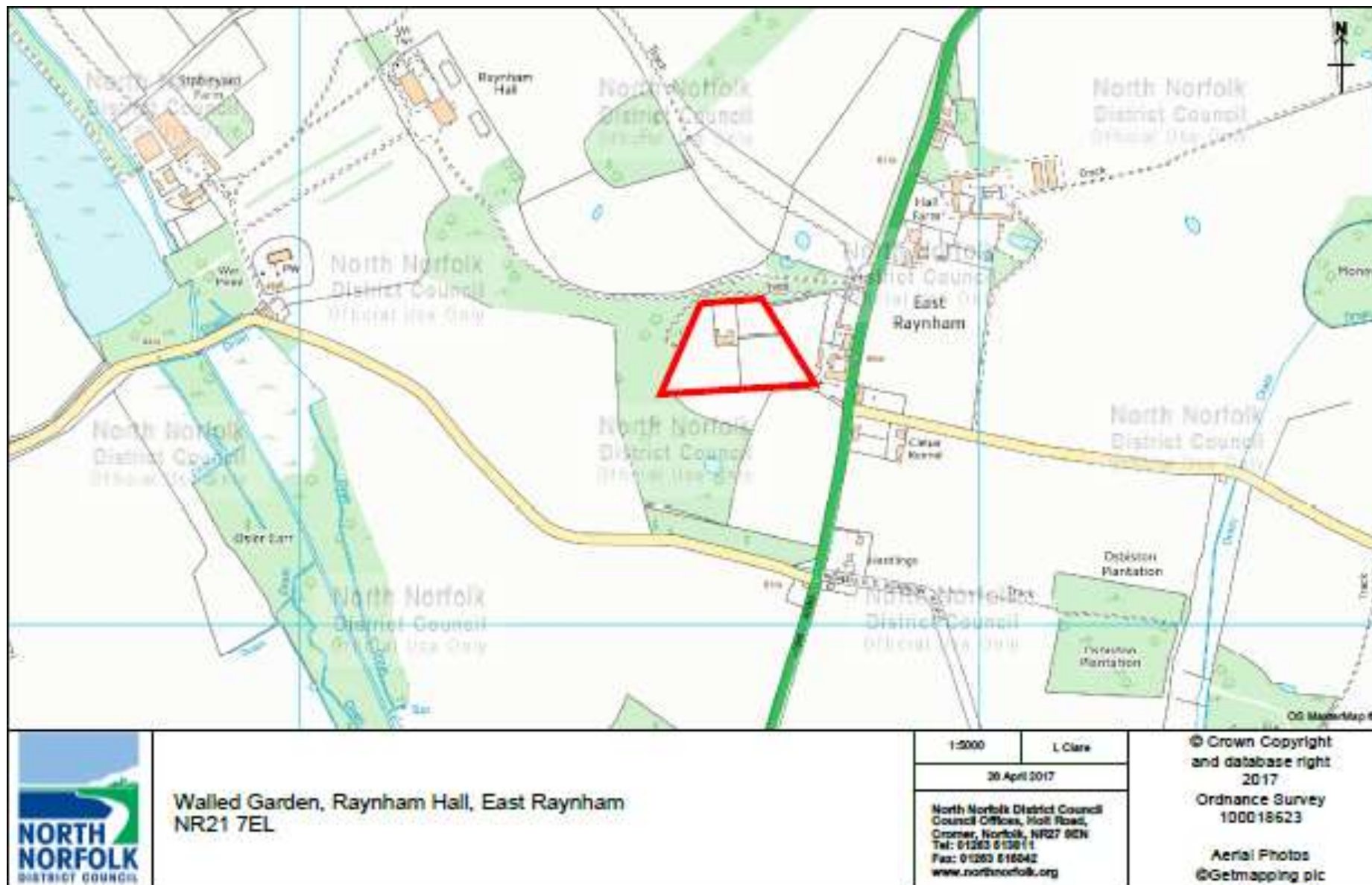
It may be a coincidence and completely unrelated to the event taking place in the walled garden at Raynham, however, I have lived here for 18 years and have never experienced any such behaviour before or indeed since that event. Therefore I'm afraid I have to link the incident to that event.

I reported the incident to the estate Gamekeeper and I believe Mr Raynham was contacted and advised.

I would not be in favour of a licence being issued due to the noise pollution and possible nuisance caused to neighbouring villages by the actions of people attending such events

Yours faithfully

Clare Malcolm  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]





**Application for a new Premises Licence – Sheringham & Cromer Lions Club on the Carnival Field, Runton Road, Cromer, Norfolk**

**Summary:** This is an application for a new Premises Licence

**Conclusions:** That Members consider and determine the case from the written and oral information provided.

**Recommendations:** That Members consider and determine this case

Cllr H Cox – Chairman  
Licensing Committee

Ward(s) affected: **Cromer**

Contact Officer, telephone  
number, and e-mail:

**Gemma Faircloth**

**01263 516139**

**Public.Protection@north-norfolk.gov.uk**

**1. Jurisdiction**

1.1. North Norfolk District Council is the Licensing Authority under the Licensing Act 2003 in respect of Premises licences for the sale of alcohol or regulated entertainment. Where a valid application for a premises licence or variation is received and relevant representations are made, before determining the application, the authority must hold a hearing to consider the case.

1.2. The four licensing objectives to be considered when determining the application, and relevant representations, are:

- a. the prevention of crime & disorder
- b. public safety
- c. the prevention of public nuisance, and
- d. the protection of children from harm

## 2. The Application

- 2.1 Sheringham & Cromer Lions Club has made an application for a new Premises Licence. The application can be seen in **Appendix E** and the premises plan **Appendix F**.
- 2.2 The Premises are to be used as a Bikers Rally with Display Ring, Rock Concert and Trade and Food Stalls
- 2.3 The applicant seeks permission to operate as follows:

Licensable activity	Days	Times
Live Music	Saturday	19:30 - 00:00
Recorded Music	Saturday Sunday	10:30 - 19:00 10:30 - 17:00
Sale of Alcohol On Premises	Saturday Sunday	10:30 - 23:30 10:30 - 16:30
Late Night Refreshment	Saturday	23:00 - 23:30
<b>Hours Premises open to the public:</b>	Saturday Sunday	10:00 - 00:00 10:00 - 18:00

## 3. Conditions

- 3.1 The premises licence is subject to the following mandatory conditions:
- LIP001** No supply of alcohol may be made under the premises licence, at a time when there is no designated premises supervisor in respect of the premises licence or at a time when the designated premises supervisor does not hold a personal licence, or the personal licence is suspended.
  - LIP002** Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
  - LIP003** Where a premises licence includes the condition that at specified times one or more individuals must be at the premises to



carry out a security activity; each such individual must be licensed by the Security Industry Authority.

d. **LIP004** Where a premises licence authorises the exhibition of films, the admission of children to the exhibition of any film to be restricted in accordance with this section.

e. **LIP006**

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

f. **LIP008** The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

g. **LIP009**

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) 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 either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
- i. **LIP010** The responsible person shall ensure that:
    - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
      - i) beer or cider: ½ pint,
      - ii) gin, rum, vodka or whisky: 25ml or 35ml; and
      - iii) still wine in a glass: 125ml; and
    - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
    - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
  - j. **LIP011** A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

3.2 The licence will be subject to the following conditions which are consistent with the operating schedule and conditions proposed by Environmental Protection:

**Environmental Protection will have no objections providing the following conditions are adhered to:**

- 3.2.1. The Rock Concert shall finish at 11pm. There shall be no further recorded or live amplified music after this time.
- 3.2.2. Arthur Bailey is the Nominated Representative (NR) and is responsible for the music.

- 3.2.3. The NR should arrange for the perimeter of the site to be patrolled and the music levels monitored – please add the following conditions:

PN19 The NR shall receive and respond to complaints throughout the duration of all noisy events and will have full control at all times over the sound amplification.

PN20 The NR shall have full control at all times over the sound amplification equipment to the main stage. The volume shall be adjusted according to the requirements of the Licensing Authority/Responsible Authority.

PN21 The specification and orientation of all speakers shall be agreed with the Licensing Authority/Responsible Authority.

PN22 The NR shall ensure that no nuisance is caused by noise emanating from the premises by implementing a Self-Policing Policy which shall include sound checks inside and out.

- 3.2.4. Prior to the event an officer from Environmental Protection shall visit the Premises to agree siting of speakers and discuss controlling noise levels during the rock festival.

- 3.2.5. Signage shall be in place to remind people to leave the area quietly:

PN14 Prominent, clear notices shall be displayed at [all exits] requesting customers to respect the needs of local residents and leave the premises and the area quietly.

- 3.2.6. Contact numbers shall be provided to enable officers to contact the event in the event of complaints.

- 3.2.7. During the hours of the evening rock concert (18:00 - 24:00) there will be extra professional security guards on duty.

- 3.2.8. Each rider will be given a list of requested requirements as to actions when leaving the event, so as to ensure that exhaust noise is kept to a minimum.

## Conditions consistent with the operating schedule

- 3.2.9. All marshals and members of the event organising committee will be trained prior to the start of the event on crowd control and event marshalling, plus fire evacuation instructions. A guide describing actions required in any unusual event, and the control of vehicle/bike movements. An event diary will be kept at the control point and must be completed with any matter or incident at least every hour whilst the event is open. The Health & Safety of every person at the event has to be top priority.
- 3.2.10. There will be on duty marshals and organising committee members at all times that the event is open. Any crimes or disorder will be dealt with by these supervisors and the Police called if required. During the hours of the evening Rock Concert (18:00 Hrs to 24:00), there will be appropriate number of SIA licensed security guards on duty.
- 3.2.11. The event has been designed to avoid dangers from interaction between moving vehicles and motorcycles. All motor vehicles, with the exception of catering or sales vehicles required on site for replenishment of stock, must leave the site prior to the entry of the public. Entry by motorcycle and entry by pedestrian will be by differing entrance/exits. Any movement by any motor vehicle or motorcycle must be agreed by senior committee member and be escorted by sufficient marshals to ensure no interaction between the vehicle and pedestrians. Movement, once the event is open, will only be allowed if moving to parade ring, or in extenuating circumstances.
- 3.2.12. There will be no revving of engines on site. Once the motorcycles have arrived, they will be requested to switch off the engine of the machine as soon as possible. Each rider will be given list of requested requirements as to actions when leaving the event, to ensure that exhaust noise is kept to a minimum. The "Rock Concert" on the Saturday night will be operated with the sound decibel levels as dictated by North Norfolk District Council Environmental Health Department by use of a meter. If the sound exceeds the designated levels, then the NR will insist on lowering the sound levels.
- 3.2.13. There will be a designated "Lost Children" area, which will be continuously manned by members of the Sheringham & Cromer Lions Club. Patrolling marshals will be requested to observe for any lost children, or any child who appears to be in danger. They must report to the control point if suspicious of any incident or lost child, reports to be kept in an event diary at the control point.

## 4. Representations from Responsible Authorities

- 4.1 Section 13(4) of the Act defines the 'Responsible Authorities' as the statutory bodies that must be sent copies of an application. Representations made must relate to the licensing objectives and can be seen at **Appendix G**.

4.2 The following comments have been received from the Responsible Authorities:

<b>Responsible Authority</b>	<b>Comments</b>	<b>Date</b>
Commercial Team, Environmental Health	No Response	25th April 2017
Environmental Protection, Environmental Health	No Objection if conditions listed above are adhered to	13th April 2017
Fire Brigade	No Objection	30th March 2017
Public Protection/Licensing, Environmental Health	Objection - Public Safety	19th April 2017
Primary Care Trust, N C C	No Response	25th April 2017
Planning North Norfolk District Council	No Objection	28th March 2017
Licensing Team Norfolk Constabulary	No Objection	7th April 2017
Norfolk Safeguarding Children's Board	No Response	25th April 2017
Trading Standards, N C C	No Response	25th April 2017

## **5. Representations from Other Persons**

5.1 Section 13(3) of the Act describes interested parties as local residents/businesses (or their representatives) who live/are involved in a business in the vicinity of the premises. Representations made must relate to the licensing objectives.

## **5.2 Representations from Other Persons**

None received

## **6. Notices**

6.1 The applicant is responsible for advertising the application by way of a notice in the specified form at the premises for not less than 28 consecutive days and in a

local newspaper. The Public Notice appeared in the North Norfolk News on the 24th March 2017 and a Notice was displayed on the premises until 21st April 2017.

## **7. Plans**

- 7.1 A location plan showing the general location of the premises is attached at **Appendix H.**

## **8. North Norfolk District Council Licensing Policy**

- 8.1 The current Statement of Licensing Policy was approved by Council on 18 December 2016 and became effective on 7 January 2016 and the following extracts may be relevant to this application:

### **3.0 Main Principles**

3.1 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

3.2 Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act, and conditions that are attached to licences, certificates will be focused on matters which are within the control of individual licensee or club, i.e. the premises and its vicinity.

3.3 Whether or not incidents can be regarded as being 'in the vicinity' of licensed premises is a question of fact and will depend on the particular circumstances of the case. In dispute, the question will ultimately be decided by the courts. 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.

3.4 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. 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:

- planning and environmental health 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 or District Councillor to seek a review of the licence or certificate

#### **4 Crime and Disorder**

4.1 The Council acknowledges that the Police are the main source of advice on crime and disorder.

4.2 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. The Council will expect Operating Schedules to satisfactorily address these issues from the design of the premises through to the daily operation of the business.

#### **5 Public Safety**

5.1 Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety included the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.

5.2 A number of matters should be considered in relation to public safety, these could include;

- Fire safety
- Ensuring appropriate access for emergency services such as ambulances
- Good communication with local authorities and emergency services
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits
- Ensuring the safety of people when leaving the premises (for example through the provision of information on late-night transportation)
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles



- Ensuring appropriate limits on the maximum capacity of the premises; and
- Considering the use of CCTV

5.3 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. The Council expects applicants to consider, when making their application, which steps it is appropriate to take to promote the public safety objective and demonstrate how they will achieve that.

## **6 Prevention of Public 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 vicinity of the premises.

6.2 The concerns mainly relate to noise nuisance, light pollution and noxious smells and due regard will be taken of the impact these may have. The Council will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Health and Pollution Enforcement Officers before preparing their plans and Schedules.

6.3 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 relating to 'Public Nuisance'.

## **7 Prevention of Harm to Children**

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.

7.2 The 2003 Act makes it an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a temporary event notice.

7.3 In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or temporary event notice. Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. Between 5am and midnight the offence would not necessarily



apply to many restaurants, hotels, cinemas and even many pubs where the main business activity is the consumption of both food and drink. This does not mean that children should automatically be admitted to such premises and the following paragraphs are therefore of great importance notwithstanding the new offences created by the 2003 Act. (See the Licensing Policy for further detail)

## **10 Standard Conditions**

10.1 Conditions attached to licences or certificates will be tailored to the individual style and characteristics of the particular premises and events concerned.

10.2 However, where considered appropriate, and necessary for the promotion of the Licensing Objectives, the Council will consider attaching Conditions drawn from the relevant Model Pools of Conditions and from any published Local Pool of Conditions

## **9. Guidance Issued under section 182 of the Licensing Act 2003**

9.1 The current Guidance was issued by the Home Office in March 2015 and offers advice to Licensing authorities on the discharge of their functions under the Licensing Act 2003.

9.2 The following extracts may be relevant to this application and assist the panel:

### **Licensing conditions – general principles**

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will”, is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met,
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

### **Each application on its own merits**

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case

### **Public Nuisance**

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (See Chapter 15). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11pm and 8am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area or that, if they wish to smoke, to do so at designated places on the premises instead of outside and to respect the rights of people living nearby to a peaceful night.

### **Determining applications**

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;

- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

### **Relevant, Vexatious and Frivolous Representations**

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

### **Determining actions that are appropriate for the promotion of the licensing objectives**

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case by case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

### **Conditions attached to Premises Licences**

10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.

10.3 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below

#### **Proposed Conditions**

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which

licensable activities will be conducted and any other hours during which the premises will be open to the public.

10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention

### **Imposed Conditions**

10.8 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. This provision also applies to minor variations.

10.9 It is possible that in some cases no additional conditions are appropriate to promote the licensing objectives.

### **Proportionality**

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case by case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

### **Hours of trading**

10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which the premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

10.15 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is



open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

## **10. Determination**

- 10.1 The Sub Committee are requested to consider the application, representations, and determine this application.
- 10.2 When considering this application the Sub Committee will need to have regard to the North Norfolk District Council Licensing Policy and to statutory guidance under the Licensing Act 2003 issued by the Secretary of State
- 10.3 In determining the application for a Premises Licence the Sub Committee may take the following actions:
  - a. Grant the application as applied for
  - b. Grant the application subject to conditions relevant to the promotion of the four licensing objectives
  - c. Refuse the application
- 10.4 This application must be determined and notified to the applicant within 5 working days from the conclusion of the hearing. Reasons for the Panel's decision must be given as both the applicant and objectors have a right of appeal against that decision to the Magistrates Court.
- 10.5 There is a right of appeal to the decision of the Sub Committee to the Magistrates court within 21 days.

### **Appendices:**

- E. Copy of Application
- F. Plan of Premises
- G. Letters/emails of objection or support from interested parties
- H. Location Plan

### **Background Papers:**

1. The Licensing Act 2003
2. North Norfolk District Council Statement of Licensing Policy (18 December 2015)
3. Guidance issued under section 182 of the Licensing Act 2003 (March 2015)



**North Norfolk**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@north-norfolk.gov.uk](mailto:licensing@north-norfolk.gov.uk)  
 Telephone: 01263516189

\* required information

**Section 1 of 19**

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes  No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Are you:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?  Yes  No

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

Is your business registered outside the UK?  Yes  No

Business name  If your business is registered, use its registered name.

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

Legal status



Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Business Address**

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 19**

**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Section 4 of 19**

**NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

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

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Empty field

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

**Section 6 of 19**

**PROVISION OF PLAYS**

Continued from previous page...

Will you be providing plays?

- Yes
- No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes
- No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes
- No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes
- No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

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

WITHDRAWN

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

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

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

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:30"/>	End	<input type="text" value="19:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:30"/>	End	<input type="text" value="17:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WITHDRAWN

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors     
  Outdoors     
  Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

The recorded music will be background noise only between events in the parade ring

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

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

Continued from previous page...

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

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes                       No

**Section 13 of 19**

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

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

- Yes                       No

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

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

WITHDRAWN

Continued from previous page...

SATURDAY

Start	<input type="text" value="10:30"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:30"/>	End	<input type="text" value="17:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

All music will be amplified. Excessive sound levels will be reduced.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

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

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

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes       No

**Standard Days And Timings**



Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

WITHDRAWN

Will the sale of alcohol be for consumption:

- On the premises
- Off the premises
- Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

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

Continued from previous page...

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

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

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

WITHDRAWN

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 19**

**ADULT ENTERTAINMENT**

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

Continued from previous page...

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

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

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

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

## Section 18 of 19

### LICENSING OBJECTIVES

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

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

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

All marshals and members of the event organising committee, will be trained prior to the start of the event on crowd control and event marshaling, plus fire evacuation instructions. A guide describing actions required in any unusual event, and the control of vehicle/bike movements. An event diary will be kept at the control point and must be completed with any matter or incident at least every hour whilst the event is open. The Health & Safety of every person at the event has to be top priority.

b) The prevention of crime and disorder

There will be on duty marshals and organising committee members at all times that the event is open. Any crimes or disorder will be dealt with by these supervisors and the Police called if required. During the hours of the evening Rock Concert (18:00 Hrs to 24:00), there will be extra professional security guards on duty.

c) Public safety

The event has been designed to avoid dangers from interaction between moving vehicles and motorcycles. All motor vehicles, with the exception of catering or sales vehicles required on site for replenishment of stock, must leave the site prior to the entry of the public. Entry by motorcycle and entry by pedestrian will be by differing entrance/exits. Any movement by any motor vehicle or motorcycle must be agreed by senior committee member and be escorted by sufficient marshals to ensure no interaction between the vehicle and pedestrians. Movement will only be allowed if moving to parade ring, or in extenuating circumstances

d) The prevention of public nuisance

There will be no revving of engines on site. Once the motorcycles have arrived, they will be requested to switch off the engine of the machine as soon as possible. Each rider will be given list of requested requirements as to actions when leaving the event, so is to ensure that exhaust noise is kept to a minimum. The "Rock Concert" on the Saturday night will be operated with the sound decibel levels as dictated by North Norfolk District Council Environmental Health Department by use of a meter. IF THE SOUND EXCEEDS THE DESIGNATED LEVELS, THEN THE SENIOR COMMITTEE MEMBER WILL INSIST ON LOWERING THE SOUND LEVELS.

e) The protection of children from harm

There will be a designated "Lost Children" area, which will be continuously manned by members of the Sheringham & Cromer Lions Club. Patrolling marshals will be requested to observe for any lost children, or any child who appears to be in danger. They must report to the control point if suspicious of any incident or lost child, Reports to be kept in event diary at control point.

Continued from previous page...

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

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

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

100.00

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

*Continued from previous page...*

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/north-norfolk/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

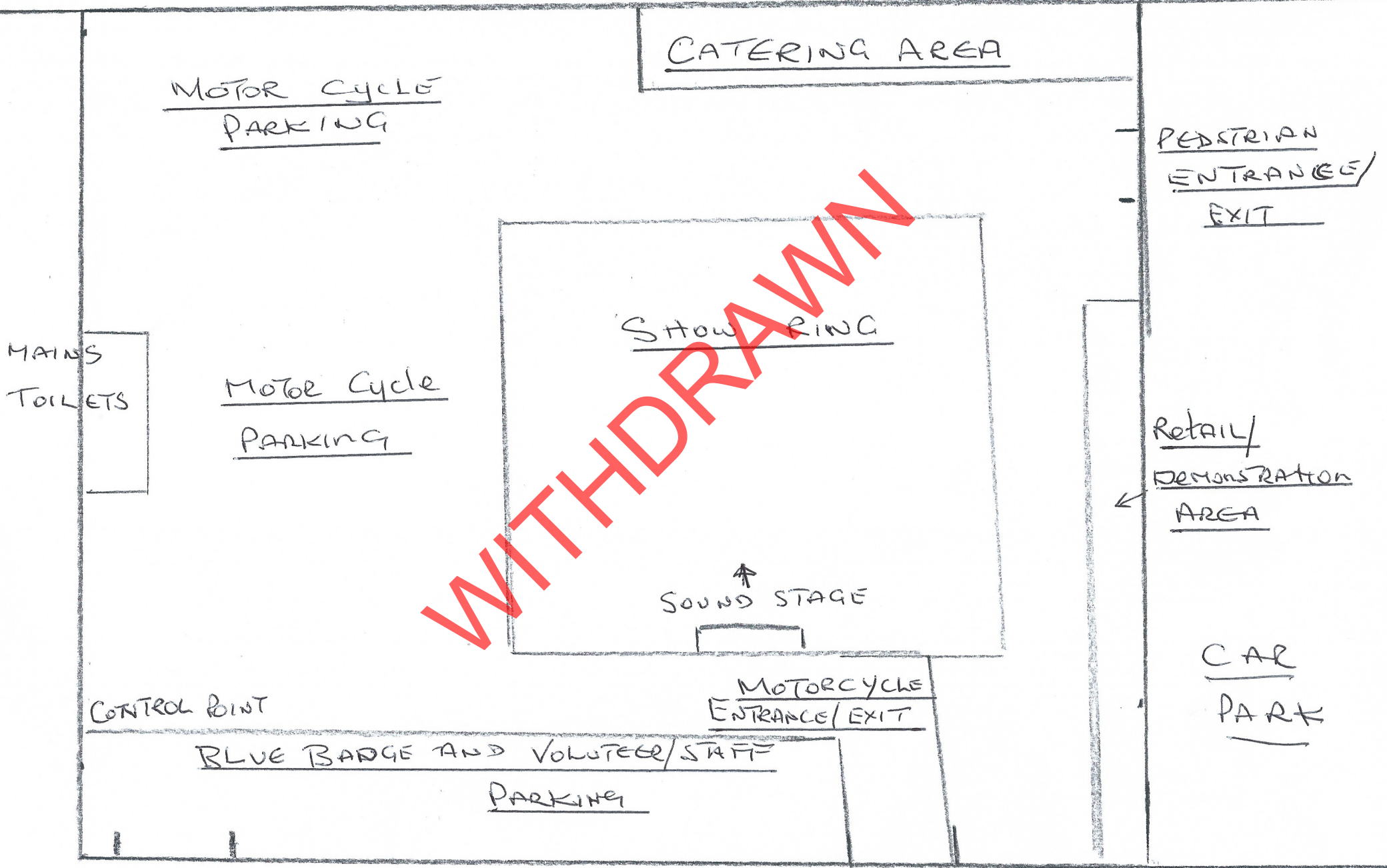
**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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CLIFF TOP

PLAN OF MOTORBIKE  
EVENT LAYOUT





**Lara Clare**

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**From:** Sally Nicholson  
**Sent:** 13 April 2017 16:22  
**To:** Licensing  
**Subject:** Cromer Bike Rally 10th-11th June

**Categories:** Jo, James, Lara, Sarah

Good afternoon

Further to the SAG group meeting, I would like to confirm my queries regarding this application. I have no objection to this application providing the following points are adhered to:

- The Rock Concert shall finish at 11pm. There shall be no further recorded or live amplified music after this time.
- Arthur Bailey is the DPS and responsible for the music.
- The DPS should arrange for the Perimeter to be patrolled and the music levels monitored – please add conditions:

*PN19 The Designated Premises Supervisor or a nominated representative shall receive and respond to complaints throughout the duration of all noisy events and will have full control at all times over the sound amplification.*

*PN20 The Designated Premises Supervisor or a nominated representative shall have full control at all times over the sound amplification equipment to the main stage. The volume shall be adjusted according to the requirements of the Licensing Authority/Responsible Authority.*

*PN21 The specification and orientation of all speakers shall be agreed with the Licensing Authority/Responsible Authority.*

*PN22 A designated premises supervisor or nominated representative shall ensure that no nuisance is caused by noise emanating from the premises by implementing a Self-Policing Policy which shall include sound checks inside and out.*

- Prior to the event an officer from Environmental Protection shall visit the Premises to agree siting of speakers and discuss controlling noise levels during the rock festival.
- Signage shall be in place to remind people to leave the area quietly:

*PN14 Prominent, clear notices shall be displayed at [all exits/in the beer garden] requesting customers to respect the needs of local residents and leave the premises and the area quietly.*

- Contact numbers shall be provided to enable officers to contact the event in the event of complaints.

Regards



Sally Nicholson

**Sally Nicholson**

Environmental Protection Officer  
+441263 516181



WITHDRAWN

**Lara Clare**

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**From:** James Windsor  
**Sent:** 19 April 2017 12:00  
**To:** Licensing  
**Cc:** North Norfolk Safety Advisor Group; Richard Cook  
**Subject:** Objection to granting of licence to Carnival of 1000 bikers

**Categories:** Jo

Dear Licensing,

**RE: Formal Objection to the granting of a licence in respect of carnival of 1000 bikers on Cromer Carnival Field**

I am emailing to raise a formal objection in respect of the granting of a licence to the Carnival of 1000 bikers event which is scheduled to take place on the Cromer Carnival Field on the 10<sup>th</sup> and 11<sup>th</sup> June 2017.

I am raising this objection as the applicant has failed to demonstrate that they will have in place suitable and sufficient measures to ensure the licensing objective of Public Safety at the event.

To date the applicant has failed to set out in sufficient detail the measure that will be in place to ensure the health, safety and welfare of attendees and of others in the locality that may be affected by the event.

The applicant has attended two meetings of the Safety Advisory Group and has been advised, in both of these meetings, that the plan must contain sufficient detail to demonstrate that there will be sufficient infrastructure and personnel available to ensure that the event runs safely.

I advised the applicant that I would be submitting an objection to the granting of the licence and have explained to him the level of detail that he needs to put into the plan to ensure that the event runs safely. I have explained to the applicant that if he submits adequate information to demonstrate that public safety will be managed I will, at that time, remove my objections. The applicant has outlined that he will insert further detail into the event management plan so that these objections can be overcome.

Please do not hesitate to contact me should you wish to discuss this matter further.

Yours sincerely,

James Windsor  
Environmental Health Officer

**James Windsor**  
Senior Public Protection Officer  
+441263 516289



INVESTORS  
IN PEOPLE | Gold



	<p>Land to be used for Bikers Rally 2017</p>		<p>1.2215      L. Clare</p>		<p>© Crown Copyright and database right 2017 Ordnance Survey 100018623  Aerial Photos ©Getmapping plc</p>
			<p>26th April 2017</p>		
			<p>North Norfolk District Council Council Offices, Holt Road, Cromer, Norfolk, NR27 9EN Tel: 01263 513811 Fax: 01263 515042 www.northnorfolk.org</p>		