Statement of Licensing Policy

7 January 2016
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Note: In this policy, the following definitions are included to provide an explanation of certain terms included in the Licensing Act 2003 and therefore in the policy. In some cases they are an abbreviation of what is stated in the Licensing Act 2003 or an interpretation of those terms. For a full definition of the terms used, please refer to the Licensing Act 2003.

‘the Act’ refers to the Licensing Act 2003
‘the Council’ refers to South Norfolk Council
‘the guidance’ refers to the revised guidance issued by the Home Office under s.182 of the Act.
‘licensed premises’ includes club premises and events unless the context otherwise requires.
‘the Licensing Authority’ refers to South Norfolk Council
‘operating schedule’ details how the applicant proposes to operate the premises when carrying out the relevant licensable activities

1. Introduction

South Norfolk Council is the licensing authority under the Act and is responsible for determining applications for premises licenses, club premises certificates, personal licenses and issuing temporary event notices in respect of the sale and/or supply of alcohol, the provision of regulated entertainment, the provision of relevant entertainment and late night refreshment throughout its area. The licensing authority also carries out an enforcement role for such licences/permits in the South Norfolk district.

South Norfolk Council is situated in the County of Norfolk, which contains seven District Councils in total. A map of the area is attached as Appendix D.

South Norfolk is a rural district covering approximately 90,765 hectares and with a population of over 129,000 (2014 ONS). The area is an attractive rural area of market towns and villages with approximately 57,880 dwellings and 6,000 businesses within the District. The main urban areas are the towns of Wymondham, Diss, Harleston, Loddon, Costessey and Hingham as well as the parish of Cringleford on the Norwich fringe and large villages including Hethersett, Long Stratton, Poringland and Mulbarton.

South Norfolk Council believes in excellent customer services that compliment people’s lives. This means responding to the area’s needs now and also planning for the future.

Our priorities are an example of this:

• enhancing our quality of life and the environment we live in;
• promoting a thriving local economy;
• supporting communities to realise their potential;
• driving services through being business like, efficient and customer aware.

2. Purpose and Scope of the Licensing Policy

This policy sets out the manner in which applications for licences required by the Act will be considered by the licensing authority.

This policy will not seek to introduce ‘zones’ where specific activities are concentrated.

The Act requires that the licensing authority carries out its various licensing functions so as to promote the following four licensing objectives:

• the prevention of crime and disorder
• public safety
• the prevention of public nuisance
• the protection of children from harm.

The activities which require a licence under the provisions of the Act and which this policy statement covers include:

• the sale by retail of alcohol;
• the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
• provision of late night refreshment between 11pm and 5am;
• provision of ‘regulated entertainment’ – (where the entertainment takes place in the presence of an audience and is provided for the purpose of entertaining that audience or where the activity takes place in private, be subject of a charge made with a view to profit) - consisting of:
  • a performance of a play;
  • an exhibition of a film;
  • an indoor sporting event;

The Act requires that the licensing authority publish a ‘Statement of Licensing Policy’ that sets out the policies, which will generally be applied to promote the licensing objectives when making decisions on applications made under the Act.

This policy has been prepared in accordance with the provisions of the Act and having regard to the Home Office Guidance issued under Section 182 of the Act.

In accordance with the legislation the licensing authority will prepare and publish a policy every five years. During the five-year period the policy will be kept under review and this licensing authority may make such revisions as are considered appropriate at any time.

When determining applications for licences the licensing authority will have regard to this policy, to the guidance and to primary and secondary legislation.

Before publishing this policy statement and on any policy review the licensing authority will consult with the following –

• the chief officer of police for the area;
• the fire and rescue authority for the area;
• each local authority’s director of public health;
• persons/bodies representative of local premises licence holders;
• persons/bodies representative of local club premises certificate holders;
• persons/bodies representative of local personal licence holders; and
• persons/bodies representative of businesses and residents in its area.

A licensing authority is not precluded from consulting with other persons or bodies in addition to those it is required to consult with.

The views of the parties consulted have been given proper weighting.

3. Main principles of the policy

This Policy will not:

• undermine the rights of any person to apply under the Act for a variety of permissions and have each application considered on its individual merits;
• 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 Act.

Licensing is about the control of licensed premises and licensable activities therein (including outside events), qualifying clubs and temporary events within the terms of the Act, and conditions are likely to be attached to licences, certificates and permissions that will cover matters which are within the control of individual licensees.

The licensing authority will consider each application on its own merits and will not impose predetermined licensing opening hours.

Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. Conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. 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.

Supporting guidance issued by the Home Office provides template conditions which may be attached to a licence. Details can be found at [www.gov.uk/government/uploads/system/uploads/attachment_data/file/181056/Pools_of_conditions_-_supporting_guidance.pdf] When considering conditions as a result of relevant representations the licensing authority
will focus primarily 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 but will also have regard to the impact of persons attending licensed premises on the local community and environment. The licensing authority recognises that only conditions strictly appropriate to promote the licensing objectives should be attached to licences.

The licensing authority wishes to encourage the provision of a wide range of entertainment activities within the South Norfolk district and to promote live music, dance and theatre, etc. for the wider cultural benefit of the community. To avoid unnecessary and disproportionate measures that could deter live music, dancing and theatre by imposing indirect costs of a substantial nature, when considering conditions following relevant representations, for such events, the licensing authority recognises only appropriate, proportionate and reasonable conditions should be imposed.

The licensing authority will consider representations made to ensure that they are relevant and not repetitious, vexatious or frivolous.

Any petitions made in respect of an application must meet the following minimum requirements:

- It must be clear to which premises/application the petition relates;
- The petition must relate to one or more of the licensing objectives;
- Each page must include information as to the purpose of the petition (so it is clear signatories were aware what they were signing);
- Full names and addresses must be supplied, in a legible manner;
- It should be made clear to all signatories that a copy of the petition, containing their details will be passed to the applicant and contained within the committee papers, which, in the event of a hearing become public documents;
- The first named respondent is taken to be the instigator of the petition, and will be used as the point of contact in terms of any queries about the petition;
- The first named respondent will be expected to represent the signatories at a hearing and to communicate any information to other signatories as appropriate – the licensing authority will not contact each signatory as if they were making individual representations;

In the absence of any relevant representations or where representations have been made and subsequently withdrawn in respect of an application, the licensing authority is obliged to grant the licence and replicate the proposals contained in the operating schedule to promote the licensing objectives in the form of clear and enforceable conditions.

The licensing authority acknowledges that the licensing function cannot be used for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned.

This policy statement will not seek to regulate matters which are provided for in any other legislation e.g. planning, health and safety,
employment rights, fire safety, environmental protection, except in so far as such matters should be regulated to achieve the four licensing objectives.

In this respect the licensing authority 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 control;
- positive measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other departments of the local authority;
- the provision of CCTV surveillance in town centres, provision of public conveniences open late at night, street cleaning, litter patrols and taxi ranks;
- designation of parts of the district as places where alcohol may not be consumed publicly;
- regular liaison with Norfolk Constabulary on law enforcement issues regarding disorder and anti-social behaviour, including the issue of fixed penalty notices and prosecution of those selling alcohol to people who are intoxicated;
- Norfolk Constabulary powers of confiscation of alcohol from adults and children in designated areas and the closing down of licensed premises or temporary events on the grounds of disorder or likelihood of disorder or excessive noise from the premises;
- the power of Norfolk Constabulary, other responsible authorities or a local resident or business to seek a review of the licence or certificate;
- Raising a contribution to policing the late night economy through the Late Night Levy;
- Early Morning Alcohol Restriction Orders;
- Investigation of statutory nuisance complaints under the Environmental Protection Act 1990

4. Duplication

There are many stakeholders in the leisure industry, covering a wide range of disciplines. Many are involved, directly or indirectly, in the promotion of the licensing objectives, particularly those relating to the prevention of crime and disorder and public nuisance.

The licensing authority will arrange for protocols with Norfolk Constabulary to enable reporting to the authority responsible for transport matters on the need for the swift and safe dispersal of people from the town centres within the district to avoid concentrations of people, which can produce disorder and disturbance.

The licensing authority recognises the need to avoid so far as possible, duplication with other regulatory regimes. Whilst having regard to the planning regime, the licensing authority recognises that there should be a clear separation of the planning and licensing regimes.

The licensing authority will endeavour to minimise the burden of legislation on small businesses.

However, some regulations do not cover the unique circumstances of some entertainment and where relevant representations are received the licensing authority will consider attaching conditions to premises licences and club premises certificates, where these are necessary for the promotion of the licensing objectives and are not already provided for in any other legislation.

This policy recognises that The Equality Act 2010, places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups.

5. Cumulative Impact

“Cumulative impact” means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter for the licensing authority to consider in developing its licensing policy statement.

The licensing authority acknowledges that a concentration of licensed premises in a particular area can result in an increased number of people walking through or congregating in streets with the potential to increase crime, anti-social behaviour, noise pollution and other disturbance to residents. In
such cases the amenity of local residents can be placed under severe pressure but this may not be attributable to any individual premises.

The licensing authority will only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area are resulting in unacceptable levels of crime and disorder or public nuisance. The licensing authority, having regard to the evidence currently available, and being aware of other measures that are available to address such issues, considers that there is no particular part of the district causing a cumulative impact on any of the licensing objectives. However, the cumulative impact of licensed premises in a particular area may, at any time, on representation from residents, business or responsible authorities, trigger the consideration of whether any additional licences or substantial variations to existing licences, increasing such aspects as capacity or operating hours, would lead to an unacceptable saturation in an area. In such cases, the licensing authority will follow the procedure set out in the Home Office guidance to determine whether a special policy covering cumulative impact should be incorporated in this statement of licensing policy.

6. Early Morning Restriction Orders

The ability to implement an Early Morning Restriction Order or ‘EMRO’ is a power conferred on licensing authorities by the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”), which enables licensing authorities to restrict the sale of alcohol in the whole or a part of their area between midnight and 6am on all or some days. Licensing authorities are able to make an EMRO in relation to problem areas if they have evidence that the order is appropriate for the promotion of the licensing objectives. It should be noted that the restriction would only relate to alcohol and would have no effect on regulated entertainment.

The licensing authority has no plan to implement any EMROs at the time of writing this policy. Any decision to implement an EMRO would be made by the Licensing, Appeals & Complaints Committee.

7. Late Night Levy

The power to implement a late night levy is also within the 2011 Act. This enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority's area, as a means of raising a contribution towards the costs of policing the late-night economy. Any levy would have to apply to the entire Local Authority area.

The licensing authority has no plan to implement a Late Night Levy at the time of writing this policy. Any decision to implement a Late Night Levy would require consultation with the Police and Crime Commissioner and Chief Officer of Police, as well as a much broader consultation. Such a decision would be made by the Full Council.

8. Late Night Refreshment

The power to exempt premises, in certain circumstances, from the requirement to have a licence to provide late night refreshment has been provided at Paragraph 2A of Schedule 2 of the 2003 Act (as inserted by the Deregulation Act 2015). This enables licensing authorities to choose to apply an exemption specifically where the supply of late night refreshment takes place if it is:

a) on or from premises which are wholly situated in a designated area;
b) on or from premises which are of a designated description; or
c) during a designated period (beginning no earlier than 11pm, and ending no later than 5am)

Any decision to implement late night refreshment exemptions would be subject to a separate full consultation process.

9. The Prevention of Crime and Disorder

In addition to the requirements for the licensing authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 and the Violent Crime Reduction Act 2006 to do all it reasonably can to prevent crime and disorder in the South Norfolk district.
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.

The licensing authority will expect operating schedules to satisfactorily address these issues, from the design of the premises through to the daily operation of the business.

Applicants are recommended to seek advice from the Council’s Licensing Officers and Norfolk Constabulary as well as taking account, as appropriate, of local planning and transport policies, equalities schemes, tourism, cultural and crime prevention strategies when preparing their plans and operating schedules.

If an applicant does not address the prevention of crime and disorder objective it is likely that representations will be made. Where relevant representations are made the licensing authority will consider attaching conditions to licences to deter and prevent crime and disorder both inside and immediately outside the premises.

Sale and use of new psychoactive substances (NPS) at alcohol licensed premises

New psychoactive substances (NPS) mimic the effects of illegal drugs (like cocaine, cannabis and ecstasy) while being designed to evade controls. The sale of new psychoactive substances (NPS) – so called “legal highs” – is not regulated under the 2003 Act. The licensing authority will consider whether conditions are appropriate to prevent the sale of such products alongside the sale of alcohol at licensed premises, including at off-licences, or, for example, for on-trade premises to impose a door policy. Some NPS products may contain controlled drugs, and therefore be illegal, in which case the licensing authority will involve the Police and consider applying for a review of the premises licence on crime and disorder grounds. But some NPS are not illegal. There is evidence that such NPS products can cause harms, particularly if taken in combination with alcohol. Further information about NPS is on the Government’s “FRANK” website: http://www.talktofrank.com/.

The licensing authority will consider whether there is evidence that it would be appropriate to impose a condition of this kind specifically in order to promote one or more of the statutory licensing objectives, including public safety and protecting children from harm. Conditions must of course be tailored to the individual type, location and characteristics of the premises and events concerned and should be proportionate, justifiable and be capable of being met.

10. Public Safety

The Act covers a wide range of premises that require licensing, including cinemas, concert halls, theatres, nightclubs, public houses, village halls, cafes/restaurants and fast food outlets/takeaways.

Each of these types of premises presents a mixture of risks, with many common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted, maintained and operated so as to acknowledge and safeguard occupants against these risks.

The licensing authority will expect operating schedules to satisfactorily address these issues, as appropriate, and applicants are advised to seek advice from the Council’s Health and Safety Officers and the County Fire Officer before preparing their plans and schedules.

If an applicant does not address the public safety objective it is likely that representations will be made. Where relevant representations are made the licensing authority will consider attaching conditions to licences to promote public safety.

Public safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective or nuisance objective. There will be occasions when a public safety condition could incidentally benefit a person’s health more generally, but it should not be the purpose of the condition.

Where security operatives/door supervisors are employed at licensed premises to carry out any security function they must be licensed by the Security Industry Authority (SIA). Competent and professional door supervisors are key to
public safety at licensed premises. If a licensee directly employs security operatives they will need to hold a non-frontline licence issued by the SIA. The relevant mandatory conditions will be imposed in all such cases.

11. The Prevention of Public Nuisance

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 within the vicinity of the premises.

The problems caused relate, amongst other things, to litter, noise nuisance, light pollution and noxious smells. The licensing authority will expect operating schedules to satisfactorily address these issues, as appropriate. Applicants are advised to seek advice from the Council’s Community Protection Team before preparing their plans and schedules.

If an applicant does not address the prevention of public nuisance objective it is likely that representations will be made. Where relevant representations are made the licensing authority will consider attaching conditions to licences to promote the prevention of public nuisance.

12. The Protection of Children from Harm

The licensing authority considers the Norfolk Safeguarding Children’s Board to be the primary competent authority for matters relating to the protection of children from harm.

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.

Many children go to see and/or take part in an entertainment arranged especially for them, for example children’s film shows and dance or drama school productions. Additional arrangements may be required to safeguard them while at the premises.

The licensing authority has a statutory obligation to ensure robust mechanisms are in place for safeguarding arrangements under Section 11 of the Children Act 2004. Therefore the licensing authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises. The following are examples of premises that will raise concern:

• where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises;
• where there have been convictions for serving alcohol to minors or with a recorded history for underage drinking;
• where there is a known association with drug taking or dealing;
• where there is a strong element of gambling on the premises;
• where entertainment of an adult or sexual nature is provided.

The licensing authority may consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:

• limitations on the hours when children may be present;
• limitations on parts of the premises to which the children might be given access;
• limitations on ages below 18;
• limitations or exclusion when certain activities are taking place;
• requirements for an accompanying adult;
• full exclusion of people under 18 from the premises when any licensable activities are taking place.

No conditions will be imposed requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee.

The Act details a number of offences designed to protect children in licensed premises and the licensing authority will work closely with Norfolk Constabulary and the Trading Standards section of Norfolk County Council to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.

Applicants may wish to consider including a statement within their operating schedule detailing how they will prevent underage
drinking at their premises. This may be incorporated within the applicant's age verification policy.

The Act provides a legal responsibility to make sure that children, young people and vulnerable adults are protected from harm at licensed premises. The guidance requires that children must be protected from “physical, psychological and moral harm”, premises allowing persons under the age of 18 are expected to have systems in place to safeguard children and young people. For further details of the safeguarding of children in licensed premises please see the Child Sexual Exploitation Leaflet on the following webpage: https://www.safeguardingsheffieldchildren.org.uk/welcome/sheffield-safeguarding-children-board/children-licensed-premises/child-sexual-exploitation-and-hospitality-trade.html

Access to Cinemas

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

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

Adult Entertainment

Where regulated entertainment provided on premises is of an adult or sexual nature the licensing authority may, where relevant representations are received, give appropriate and additional consideration as to whether to grant a premises licence when the premises are in the vicinity of:

- residential housing
- schools
- play areas
- children’s nurseries or preschool facilities
- places of religious worship or education
- historic buildings
- tourist attractions
- predominantly family shopping areas
- community facilities or public buildings e.g. youth clubs, libraries & sports centres.

In so far as it relates to the licensing objectives, and taking into account location, the licensing authority may determine the nature of any external signage for premises providing adult entertainment. The licensing authority will also expect that the entertainment occurring on the premises should only be visible to those who have chosen to enter, regardless of the location.

The licensing authority is especially concerned that premises providing adult entertainment promote the protection of children from harm objective and will expect operating schedules to address this by adopting strict entrance policies, security measures and staff training and management policies to ensure that this and the other licensing objectives are promoted.

13. Planning

Planning and licensing regimes are separated to avoid duplication and inefficiency.

Licensing applications will not enable a “rerun” of the planning application and licensing decisions will not override decisions taken by the Planning Committee or permissions granted on appeal. There is no legal basis for the licensing authority to refuse a licence application on the basis of a planning permission or the lack of the same.

There are circumstances when as a condition of planning permission a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

14. Temporary Event Notices

Certain temporary events are not required to be licensed but must be notified to the licensing authority as a temporary event notice. However, depending on the nature and location of such events, these can have serious crime and disorder and public nuisance implications. Organisers of these events are encouraged to submit their notification as soon as reasonably practicable to enable Norfolk Constabulary, community protection and the licensing authority to work with them to identify any risks.

A standard temporary event notice must be received a minimum of ten clear working days
prior to the event. A late temporary event notice must be submitted with a minimum of five clear working days and a maximum of nine clear working days prior to the event.

Should the notice be submitted in writing by post or hand delivery to the licensing authority, copies of the temporary event notice must also be served on Norfolk Constabulary and community protection. Where a notice is submitted electronically the applicant is not required to submit the notice on the responsible authorities as the licensing authority will submit this on their behalf. Where possible applicants are encouraged to submit their notices electronically.

15. Licensing Hours

The licensing authority recognises that flexible licensing hours for the sale of alcohol could avoid large numbers of people leaving premises at the same time which in turn could reduce the friction at late night fast food outlets, taxi ranks, minicab offices and other sources of transport that can lead to disorder and disturbance. Fixed trading hours within designated areas will not be set as this could lead to significant movements of people across boundaries at particular times seeking premises opening later, with the concentration of disturbance and noise. This would treat residents in one area less favourably than those in another, as well as causing the peaks of disorder and disturbance the Act is trying to avoid.

The licensing authority will deal with the issue of licensing hours having due regard to the individual merits of each application. However, consideration will be given to imposing stricter conditions in respect of noise controls where premises are situated in mainly residential areas, where relevant representations have been received.

The licensing authority will generally consider licensing shops, stores, and supermarkets to sell alcohol for consumption off the premises at any times they are open for (trade). However, this may be reconsidered where objections to those hours are raised by responsible authorities or interested parties on the basis of the licensing objectives.

16. Conditions

Conditions (other than statutory mandatory conditions) may only be attached to a licence or club premises certificate if relevant representations are received (except for conditions drawn from the applicant’s operating schedule since these are voluntary propositions).

Conditions attached to licences or certificates will be tailored to the individual style and characteristics of the particular premises and events concerned. The licensing authority will not impose blanket standard conditions.

However, where considered appropriate for the promotion of the licensing objectives, the licensing authority will consider attaching conditions to licences taking into account the principles as set out in section 1.16 of the guidance.

17. Licence Reviews

At any stage following the grant of a premises licence or club premises certificate, a responsible authority, to also include the licensing authority or interested party, may request that the licence be reviewed because of matters arising at the premises in connection with any of the four licensing objectives. In addition, Norfolk Constabulary may make an application for a summary review on the basis that premises are associated with serious crime and/or disorder.
Responsible authorities will aim to give licensees early warning of any concerns identified at the premises. The licensing authority can only initiate the review process when acting in its capacity as a responsible authority. The Authority’s role will be to administrate the process and determine its outcome at a hearing where an evidential basis for the allegations made will need to be submitted.

It is expected that responsible authorities shall intervene where the basis of the intervention falls within the remit of that authority. For example, Norfolk Constabulary should take appropriate steps where the basis of the review is crime and disorder or the sexual exploitation of children or vulnerable adults.

A number of reviews may arise in connection with crime that is not directly linked to licensable activities. For example, reviews may arise because of drug problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms or the sexual exploitation of children or vulnerable adults. It is not a matter for the licensing authority to judge the level of criminality, it is a matter for the courts.

In cases where the crime prevention objective is being undermined it is expected that revocation of the licence, even in the first instance, will be seriously considered.

18. Enforcement

Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the Act. The licensing authority will make arrangements to monitor premises and take appropriate enforcement action to ensure this.

The licensing authority works closely with Norfolk Constabulary and other enforcing authorities to ensure compliance with the Act. This provides for the targeting of agreed problems and high-risk premises but with a lighter touch being applied to those premises which are shown to be well managed and maintained.

All enforcement actions taken by the licensing authority will comply with the South Norfolk Council’s Corporate Enforcement Policy, the Better Regulation Delivery Office Regulator’s Code and Primary Authority Partnership Scheme. To this end the key principles of consistency, transparency and proportionality will be maintained.

A closure power is provided for in the Anti-social Behaviour, Crime and Policing Act 2014. This closure power can be used to protect victims and communities by quickly closing premises that are associated with nuisance or disorder. Further guidance on this power can be found on the gov.uk website, under the Anti-social Behaviour, Crime and Policing Act: anti-social behaviour guidance.

Please see www.south-norfolk.gov.uk/democracy/media/enforcement.pdf for a copy of our enforcement policy or contact the licensing authority.

19. Licence Fees

The licensing authority will suspend a premises licence or club premises certificate if the annual fee is not paid by the due date. However, if the payment was not made before or at the time of the due date because of an administrative error, or because the holder disputed liability for the fee before or at the time of the due date. There is a grace period of 21 days. This period is intended to allow the licensing authority and the licence or certificate holder an opportunity to resolve the dispute or error. If the dispute or error is not resolved during this 21 day period, the licence or certificate will be suspended.

Should a licence or certificate be suspended, the licensing authority will notify the holder in writing specifying the date on which the suspension will take effect; this date will be at least five clear working days after the day the authority gives the notice.

A suspension will cease to have effect on the day on which the licensing authority receives payment of the annual fee from the licence or certificate holder.

All responsible authorities will be informed of the suspension and removal of suspension.
20. Administration, Exercise and Delegation of Functions

The licensing authority will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.

Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established a number of Sub-Committees to deal with them.

Furthermore, with many of the decisions and functions being purely administrative in nature, the grant of non-contentious applications, including for example, those licences and certificates where no representations have been made, are delegated to authorised officers within the licensing authority.

The table in Appendix A sets out the agreed main delegation of decisions and functions to Licensing Committee, Sub-Committees and officers. This form of delegations is without prejudice to officers referring an application to a Sub-Committee, or a Sub-Committee referring an application to Full Committee, if considered appropriate in the circumstances of any particular case.

21. Advice

Information and advice on all aspects of licensing can be obtained by:

- visiting the website at www.south-norfolk.gov.uk,
- telephoning the licensing team on (01508) 533621
- email to licensingteam@s-norfolk.gov.uk.
- appointment in person at South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE during normal opening hours.

The Licensing Act 2003 and Guidance issued by under section 182 of the Act can be viewed on the Gov.uk website
## Appendix A - Table of Delegation of Licensing Functions

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<td></td>
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<td>Application for provisional statement</td>
<td>If a relevant representation made</td>
<td>If no relevant representation made</td>
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<tr>
<td>Application to vary premises licence/club premises certificate</td>
<td>If a relevant representation made</td>
<td>If no relevant representation made</td>
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<tr>
<td>Application for a minor Variation (including decision whether to consult other responsible authorities)</td>
<td>All cases</td>
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<tr>
<td>Application to vary designated premises supervisor</td>
<td>If a Police objection</td>
<td>All other cases</td>
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<tr>
<td>Request to be removed as designated premises supervisor</td>
<td>All cases</td>
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<tr>
<td>Application for mandatory alcohol condition to be disapplied in respect of community premises</td>
<td>If a Police representation</td>
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<tr>
<td>Application for transfer of premises licence</td>
<td>If a Police representation</td>
<td>All other cases</td>
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<tr>
<td>Application for Interim Authority Notice</td>
<td>If a Police representation</td>
<td>All other cases</td>
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<tr>
<td>Application to review premises licence/club premises certificate</td>
<td>All cases</td>
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<tr>
<td>Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.</td>
<td>All cases</td>
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<tr>
<td>Decision to object when local authority is a consultee and not the lead authority</td>
<td>All cases</td>
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<tr>
<td>Determination of a police representation to a temporary event notice</td>
<td>All cases</td>
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<tr>
<td>Consideration of Licensing Policy before Full Council</td>
<td>All cases</td>
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</tbody>
</table>
The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the naming, packaging and promotion of alcoholic drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or over. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel’s decisions are published.

If a product’s packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important weapon in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner, which may appeal to or attract minors. The licensing authority commends the Code.
Appendix C - Responsible Authorities Contact Details

The Licensing Team
South Norfolk Council
Cygnet Court, Long Stratton
Norwich, NR15 2XE
Tel: 01508 533621 Fax: 01508 533695
Email: licensingteam@s-norfolk.gov.uk

The Chief Officer of Police
Norfolk Constabulary
Bethel Street Police Station
Bethel Street
Norwich, NR2 1NN
Tel: 01603 276020 Fax: 01603 276025
Email: licensingteam@norfolk.pnn.police.uk

Norfolk Fire and Rescue Service
Norwich Road
Thetford
Norfolk
IP21 2HT

Health and Safety
South Norfolk Council
Environmental Health & Safety Dept.
Cygnet Court
Long Stratton
Norwich, NR15 2XE

Environmental Protection
South Norfolk Council
Community Protection Team
Cygnet Court
Long Stratton
Norwich, NR15 2XE

Planning Authority
South Norfolk Council
Planning Dept.
Cygnet Court
Long Stratton
Norwich, NR15 2XE

Child Protection
Norfolk Safeguarding Children Board
Room 60, Lower Ground Floor
County Hall
Martineau Lane
Norwich, NR1 2DH

Trading Standards
Norfolk Trading Standards
Norfolk County Council
County Hall
Martineau Lane
Norwich, NR1 2UD

Public Health
Public Health Director
Norfolk County Council
County Hall
Martineau Lane
Norwich, NR1 2DH