



Statutory Licensing Sub-Committee

Date Tuesday 18 September 2012
Time 10.00 am
Venue Council Chamber, Council Offices, Chester-le-Street

Business

Part A

1. Declarations of Interest (if any)
2. The Minutes of the Meeting held on 22 August 2012 (Pages 1 - 6)
3. Application for the Grant of a Premises Licence - Arcadia Convenience Store, 1 Arcadia, Ouston (Pages 7 - 62)
4. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
10 September 2012

To: **The Members of the Statutory Licensing Sub-Committee**

Councillors J Shiell, B Alderson, E Bell, B Graham and A Hopgood

Contact: Jill Errington

Tel: 0191 370 6250

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DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Council Chamber, Council Offices, Chester-le-Street on **Wednesday 22 August 2012 at 10.00 am**

Present:

Councillor J Shiell (Chair)

Members of the Committee:

Councillors B Arthur, B Graham, K Holroyd and D Morgan

Also Present:

Councillor K Holroyd

Councillor D Morgan

S Grigor – Legal Officer

K Monaghan - Acting Team Leader – Licensing

Sgt T Robson – Durham Constabulary

P Montgomery – Applicant, Montgomery's

G Hunter – Applicant's representative

A High – DPS, Montgomery's

1 Declarations of Interest (if any)

There were no declarations of interest received.

2 The Minutes of the Meeting held on 3 July 2012

The Minutes of the meeting held on 3 July 2012 were agreed as a correct record and were signed by the Chair.

3 Application for the Variation of a Premises Licence - Montgomery's, 103 Front Street, Stanley

Consideration was given to the report of the Corporate Director, Neighbourhood Services which gave details of an application for the variation of a Premises Licence in respect of Montgomery's, 103 Front Street, Stanley (for copy see file of Minutes).

A plan showing the location of the premises and a copy of the application form had been circulated to Members together with representations from the Police as Responsible Authority.

Sgt T Robson of Durham Constabulary addressed the Sub-Committee. If the application was granted the Police considered that the licensing objectives of Prevention of Crime and Disorder and Prevention of Public Nuisance would be undermined.

Stanley had a small town centre and Montgomery's was the only nightclub, the nearest nightclubs being located at Consett or Chester-le-Street. The closest venue was The Royal which was open until 1am and was also owned by Mr Montgomery. Sgt Robson had patrolled the area for a number of years and had a good working relationship with the previous DPS of the premises.

In his experience the clientele could be difficult to deal with and tended to drink at weekends only. Buses did not operate at this time of night and taxis were limited, however customers were more likely to walk home. This caused disturbance in the surrounding residential areas, including residents of a local elderly persons residential home.

During his visits he had witnessed members of organised crime groups frequenting the premises, and had seen excessive drunkenness both inside and outside the venue. The Police had worked with the previous DPS to address problems.

He took Members through the incidents associated with the premises as detailed in the incident logs in the bundle of evidence. Mr Montgomery owned other licensed premises in the Front Street and as the Police had a good working relationship with these venues, he was surprised that no contact had been made by the applicant to attempt mediation.

Currently the Police had a presence on Front Street at 2am but if the application was granted it would not be possible to extend this until after 3am as Police resources would be required elsewhere.

Issues of public order and disturbance were directly linked to Montgomery's. The premises was in the centre of a hotspot of disturbance and violence; if the application was approved the problems of drunkenness and disorder would be exacerbated, and the quality of life of local residents would be affected.

In response to questions from Mr Giles Hunter, the applicant's representative, Sgt Robson advised that he had witnessed members of organised crime groups drinking in Montgomery's. Whilst many of the incidents had taken place outside the premises and he could not confirm precisely how many had been caused by patrons of Montgomery's, there had been eight recorded incidents when it was the only licensed premises open.

A Member asked about the report of underage drinking. The Sub-Committee was advised that an anonymous call had been made to the Police but when Officers attended the premises no underage person was present. Mr Montgomery stated that the report had been made at 9.10pm when the premises were empty.

Mr Hunter addressed the Sub-Committee and responded to issues within Sgt Robson's case. He challenged the comment made by Sgt Robson in his statement that the DPS was new and untested. Angela High was experienced, having been the DPS of the Queens Head at Annfield Plain for the last 3 years and having worked for Mr Montgomery for 10 years.

Security checks were in place. Underage drinking was challenged through the checking of ID at the door and door staff undertook searches for drugs and weapons. The 3 drugs offences referred to in the incident logs had come to light because of the diligence of the door staff.

The incidents relating to the possession of weapons had not been connected with Montgomery's and it was also unfair to associate the ambulance calls to the premises as there were other venues within the same postcode.

The area of Front Street where Montgomery's was located also had a bus station, takeaways and a taxi rank. These premises were areas where people naturally gravitated towards. People may also have travelled from other localities such as Newcastle, Durham or Chester-le-Street.

Mr Montgomery had been in the night club trade for 35 years and had received commendations from Strathclyde and Northumbria Police for his work against drugs and organised crime.

Mr Hunter continued that any connection with organised crime was a supposition by the Police and referred to an article which had appeared in the local press. The Chair advised that as the Sub-Committee had not seen the article, any reference to it would not be taken into account in their deliberations.

Mr Hunter advised that drinking habits had changed with people going out later as was demonstrated in other areas such as Chester-le-Street, Newcastle and Durham where premises were now open longer. Not only was there demand for the extra hour but Mr Montgomery believed that it would improve the dispersal of patrons at the end of the night. With regard to the availability of transport one taxi firm had confirmed that it would be available for the extra time requested.

In response to a question from Sgt Robson about demand for the additional hour Mr Montgomery advised that 12-15 years ago it was common for people to come into town at 11.00pm but he had found that they were now arriving between 12 midnight and 1.00am and staying out later.

Mr Montgomery addressed the Sub-Committee. He reiterated that he had been in the night club business for 35 years and outlined to Members his experience to date. He had acquired Montgomery's 10 years ago and had invested his own money in improving this venue and other premises he owned in the Front Street.

He had introduced his own 'barring' system in all his premises and had a zero tolerance policy. In 10 years the Front Street had improved as a result of his hard work to maintain order. The Police were called whenever there were potential problems and he believed that their objection was based on financial constraints alone. The Police presence on the Front Street acted as a deterrent and many of the problems were caused by people after they left the premises or had been dropped off from other areas to visit the takeaways. This was therefore the domain of the Police. He had asked for Police assistance in the past and a response had been delayed.

Mr Montgomery also stated that he had tried to contact the Police a number of times to discuss his application.

His premises had been the subject of a recent Police raid and no drugs had been found. He had received a letter from 2 teams competing in a tournament in the adjacent Bowls Centre who had commented on the hospitality of Montgomery's and the friendliness of its customers.

In summing up Sgt Robson responded to Mr Montgomery's comments. With regard to the drugs raid he advised that the Police had been requested to enter the premises by the DPS who had seized drugs and one person had been arrested. At the time of the bowls tournament he had spoken to 3 violent individuals who had been at the Bowls Centre and then in Montgomery's all evening.

He stated that Stanley was the subject of a Community Alcohol Partnership Agreement because of issues with alcohol and anti-social behaviour. People were drinking excessively at home and then going out. The objection was not because of a lack of resources but about having to deal with patrons from the premises at a time when Police resources should be deployed elsewhere. In his experience if the hours were extended the existing problems would be exacerbated and the quality of life of neighbouring residents and the residents of an elderly residential home would be adversely affected. He asked the Sub-Committee to examine whether on the balance of probabilities the problems on Front Street were connected with the patrons of Montgomery's.

In summing up Mr Hunter reiterated that the application was for one hour only and he did not accept that this would create huge problems. It did not mean that all patrons would be excessively drunk or would cause anti-social behaviour. There may be some extra noise and transport issues but the premises were situated in a town centre, not a residential area. Some people may walk past a residential care home but Sgt Robson had not reported any problems associated with this. Mr Montgomery had demonstrated that he was a competent licensee.

At 11.15am the Sub-Committee left to deliberate the application in private. After reconvening at 11.40am the Chair delivered the Sub-Committee's decision.

In determining the application, Members had considered the report of the Licensing Officer, the relevant provisions of the Licensing Act 2003, Section 182 Guidance issued by the Secretary of State and the Council's Licensing Policy, together with the verbal and written representations of the applicant, his representative and the Police as a responsible authority.

Resolved:

That the application for the variation of the Premises Licence be refused.

The Sub-Committee agreed that the order of business on the Agenda be amended to allow the mediated application in respect of the Shell Garage, Carrville to be considered next.

4 Application for the Grant of a Premises Licence - Shell Garage, High Street, Carrville

Consideration was given to the report of the Corporate Director, Neighbourhood Services which gave details of an application for the grant of a Premises Licence in respect of the Shell Garage, Carrville (for copy see file of Minutes).

A plan showing the location of the premises and a copy of the existing Premises Licence and application form had been circulated to Members together with the representation received from Durham Constabulary.

Following successful mediation with Durham Constabulary the applicants had agreed to amend their application and had reduced the hours requested for the sale of alcohol to 0500 to 2300 hours. A copy of the signed mediation agreement had been circulated to Members.

In determining the application the Sub-Committee had considered the report of the Licensing Officer and the Mediation Agreement. The Sub-Committee had also taken into account the relevant provisions of the Licensing Act 2003, Section 182 Guidance issued by the Secretary of State and the Council's Licensing Policy.

Resolved:

That the mediation be accepted and the Premises Licence be granted as follows:-

| | |
|--|---------------------------------|
| Sale of alcohol for consumption off the premises | Monday to Sunday 05.00 to 23.00 |
| Provision of late night refreshment (indoors only) | Monday to Sunday 23.00 to 05.00 |
| Opening hours of the premises | Monday to Sunday 00.00 to 24.00 |

5 Application for the Variation of a Premises Licence - La Spaghattata, 66 Saddler Street, Durham

Consideration was given to the report of the Corporate Director, Neighbourhood Services which gave details of an application for the variation of a Premises Licence in respect of La Spaghattata, 66 Saddler Street, Durham (for copy see file of Minutes).

A plan showing the location of the premises and a copy of the existing Premises Licence and application form had been circulated to Members together with representations received from Environmental Health, Councillors D Freeman and D Stoker, and the applicant.

The Licensing Officer reported that since the papers had been circulated mediation had taken place between the applicant and Environmental Health. Both parties had given notice that a hearing was unnecessary and requested that it be dispensed with provided that any licence was granted subject to the inclusion of additional conditions within the operating schedule. A copy of the agreement was circulated to Members.

The Licensing Officer confirmed that Environmental Health had now withdrawn their objections. Councillors Freeman and Stoker had confirmed their agreement to the terms of the mediation and had also withdrawn their representations.

In determining the application, the Sub-Committee considered the report of the Licensing Officer and the Mediation Agreement. Members had also taken into account the relevant provisions of the Licensing Act 2003, Section 182 Guidance issued by the Secretary of State and the Council's Licensing Policy.

Resolved:

That the mediation be accepted and the application to vary the Premises Licence be granted, subject to the following additional conditions:-

Live music shall end at 02.00

Noise limiting equipment to be independently set to an agreed level and report forwarded to relevant authorities.

Statutory Licensing Sub-Committee

Tuesday, 18th September 2012

Application for the grant of a Premises Licence



Report of Terry Collins, Corporate Director, Neighbourhood Services

Name and Address of Premises: Arcadia Convenience Store, 1 Arcadia, Ouston, Chester le Street, Co Durham. DH2 1RF

1. Summary

The Sub-Committee is asked to consider and determine the application for the grant of a premises licence received from:

Mr Santokh Singh
1 Tunstall Vale
Sunderland
SR2 7HP

A plan showing the location of the premises is attached as Appendix 1.

2. Details of the Application

On 19th June 2012, the Licensing Authority received an application for the grant of a premises licence from Mincoffs Solicitors, 5 Osborne Terrace, Newcastle Upon Tyne, NE2 1SQ. A copy of the application is attached as Appendix 2.

The details of the application are as follows:

| |
|---|
| Details of Application |
| <u>Opening hours of the premises</u> Monday to Sunday 07.00 to 21.00 |
| <u>Supply of Alcohol (off the premises)</u> Monday to Sunday 07.00 to 21.00 |

The applicant has included a further operating schedule which is attached as Appendix 3.

The application has been advertised on the premises and in the local press as prescribed.

3. The Representations

The Licensing Authority received three representations from Other Persons. These are attached as Appendix 4. Durham Constabulary successfully mediated with the applicant and the mediation agreement is attached as Appendix 5.

The representations relate to all four licensing objectives. These are:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

4. The Parties

The Parties to the hearing will be:

- Mr Matt Foster (Applicant's Solicitor)
- Councillor Colin Carr (Other Person)
- Parish Councillor David Toulmin (Other Person)
- Mrs K Martin (Other Person)

5. Durham County Council Statement of Licensing Policy

The Sub-Committee's attention is drawn to the following relevant part of the Council's Statement of Licensing Policy:

- Section 5.0 Prevention of Crime and Disorder
- Section 6.0 Public Safety
- Section 7.0 Prevention of Public Nuisance
- Section 8.0 Protection of children from harm

Relevant information is attached as Appendix 6.

6. Section 182 Guidance

The Sub-Committee's attention is drawn to the relevant parts of the Guidance issued under section 182 of the Licensing Act 2003 as follows:

- 2.1 Prevention of Crime and Disorder
- 2.17 Public Safety
- 2.33 Prevention of Public Nuisance

- 2.41 Protecting children from harm

7. For Decision

The Sub-Committee is asked to determine the application in the light of the above having regard to the application, the mediation agreement between the applicant and Durham Constabulary and the representations received.

Background Papers:

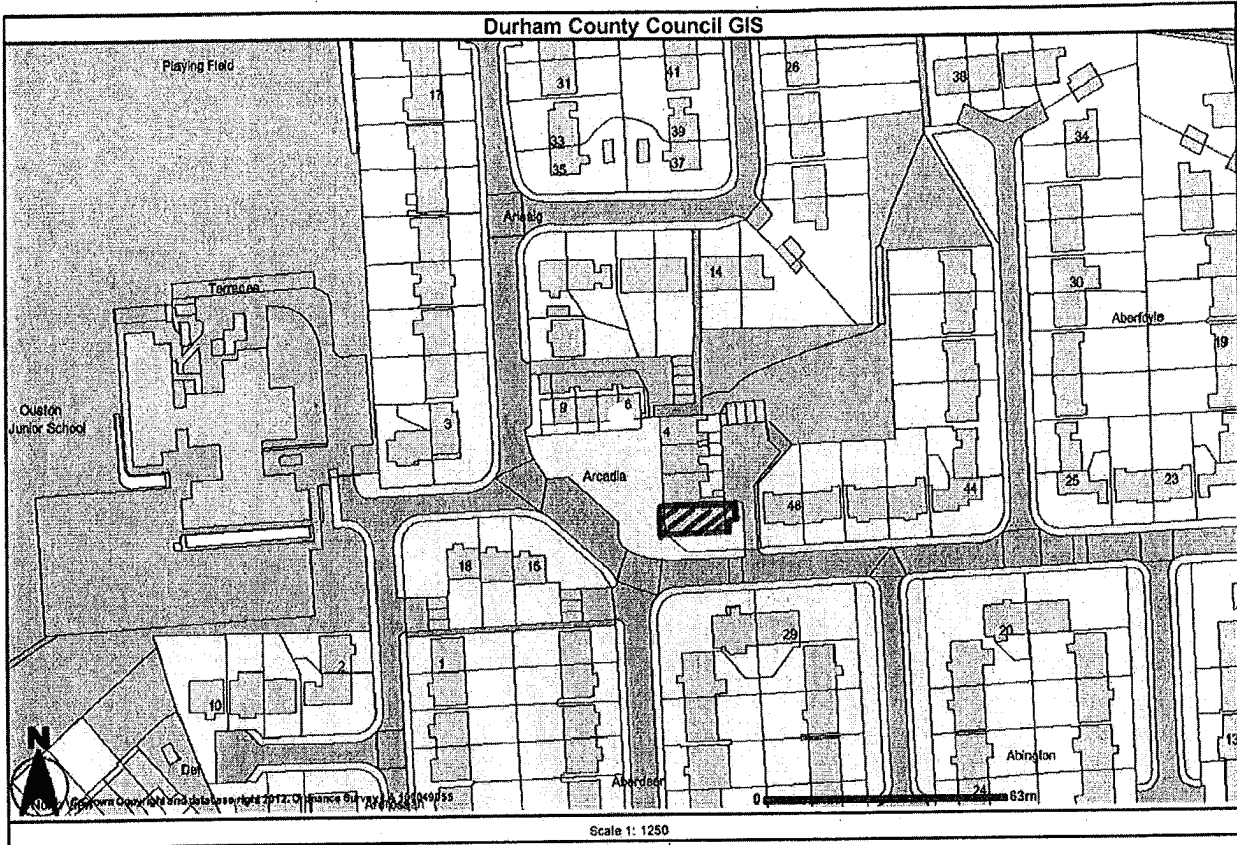
- Durham County Council's Statement of Licensing Policy
- Guidance issued under section 182 of the Licensing Act 2003

Contact: Yvonne Raine

Tel: 03000 265256

Email: yvonne.raine@durham.gov.uk

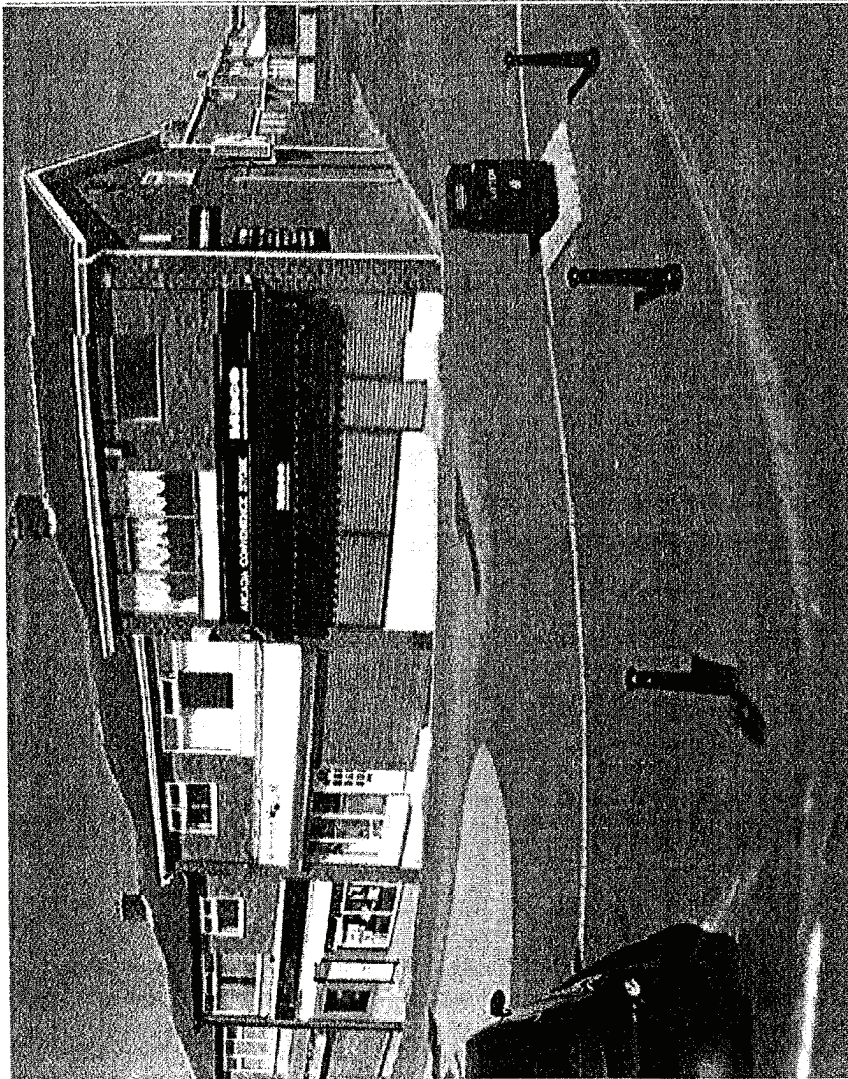
APPENDIX 1 – LOCATION PLAN



Google

Address 16 Arcadia

Address is approximate



APPENDIX 2 – APPLICATION

E100-03
by 17/7

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We **SANTOKH SINGH**

(Insert name(s) of applicant)

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

Part 1 – Premises Details

| | | | |
|---|-------------------|------------------|---------|
| Postal address of premises or, if none, ordnance survey map reference or description ARCADIA CONVENIENCE STORE 1 ARCADIA OUSTON | | | |
| Post town | CHESTER LE STREET | Post code | DH2 1RF |
| Telephone number at premises (if any) | | 07863 103973 | |
| Non-domestic rateable value of premises | | £3250 | |

Part 2 - Applicant Details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|---|------------------------------|-------------------------------|-----------------------------|-------------------------------------|-----------------|
| Mr <input checked="" type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname SINGH | | | First names SANTOKH | | |
| I am 18 years old or over | | | | <input checked="" type="checkbox"/> | Please tick yes |
| Current postal address if different from premises address | | [REDACTED] | | | |
| Post Town | [REDACTED] | Postcode | [REDACTED] | | |
| Daytime contact telephone number | | [REDACTED] | | | |
| E-mail address (optional) | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--------------------------------|-----------------|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | <input type="checkbox"/> | Please tick yes |

| | | | |
|---|--|----------|--|
| Current postal address if different from premises address | | | |
| Post Town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|----------------------|----------------------|----------------------|
| Day | Month | Year |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

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

| | | |
|----------------------|----------------------|----------------------|
| Day | Month | Year |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

Please give a general description of the premises (please read guidance note1)
CONVENIENCE STORE WITH OFF SALES OF ALCOHOL.

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

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

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

Provision of regulated entertainment

Please tick yes

- 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)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

A

| | | | | | |
|---|-------|--------|--|----------|--------------------------|
| Plays 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 | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| | | | | | |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | State any seasonal variations for performing plays (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

B

| | | | | | |
|---|--------------|---------------|--|----------|--------------------------|
| Films Standard days and timings (please read guidance note 6) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

C

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

D

| | | | | |
|--|--------------|---------------|--|-----------------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors <input type="checkbox"/> |
| | | | | Outdoors <input type="checkbox"/> |
| | | | | Both <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | |
| Mon | | | | |
| Tue | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) | |
| Thur | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | |
| Sat | | | | |
| Sun | | | | |

E

| Live music 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 | <input type="checkbox"/> |
|---|-------|--------|---|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 3) | Both | <input type="checkbox"/> |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

F

| | | | | | |
|--|--------------|---------------|---|----------|--------------------------|
| Recorded music 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 | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| | | | | | |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the playing of recorded music (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | 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) | | |
| Sun | | | | | |
| | | | | | |

G

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

H

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the type of entertainment you will be providing</u> | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sun | | | | | |

| | | | | | |
|--|-------|--------|--|--|--|
| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | Please give a description of the facilities for making music you will be providing | | |
| | | | Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2) | | Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | State any seasonal variations for the provision of facilities for making music (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

J

| | | | | |
|---|--------------|---------------|--|-----------------------------------|
| Provision of facilities for dancing Standard days and timings (please read guidance note 6) | | | <u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2) | Indoors <input type="checkbox"/> |
| | | | | Outdoors <input type="checkbox"/> |
| | | | | Both <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give a description of the facilities for dancing you will be providing</u> | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | |
| Tue | | | | |
| Wed | | | <u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) | |
| Thur | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | |
| Sat | | | | |
| Sun | | | | |

K

| | | | | | |
|--|-------|--------|---|----------|--------------------------|
| Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the type of entertainment facility you will be providing</u> | | |
| Day | Start | Finish | <u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | <u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4) | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sun | | | | | |

L

| Late night refreshment 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 (please read guidance note 2) | Indoors | <input type="checkbox"/> |
|---|-------|--------|---|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 3) | Both | <input type="checkbox"/> |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

M

| | | | | | |
|---|--------------|---------------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input checked="" type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) NONE | | |
| Mon | 07:00 | 21:00 | | | |
| Tue | 07:00 | 21:00 | | | |
| Wed | 07:00 | 21:00 | | | |
| Thur | 07:00 | 21:00 | | | |
| Fri | 07:00 | 21:00 | | | |
| Sat | 07:00 | 21:00 | | | |
| Sun | 07:00 | 21:00 | | | |
| | | | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) NONE | | |

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

| | |
|---|-------------|
| Name | |
| | |
| Personal Licence number (if known) | OOCMPER1679 |
| Issuing licensing authority (if known) | SUNDERLAND |

N

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)
 NONE

O

| | | | |
|---|-------|--------|---|
| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) NONE |
| Day | Start | Finish | Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) NONE |
| Mon | 07:00 | 21:00 | |
| Tue | 07:00 | 21:00 | |
| Wed | 07:00 | 21:00 | |
| Thur | 07:00 | 21:00 | |
| Fri | 07:00 | 21:00 | |
| Sat | 07:00 | 21:00 | |
| Sun | 07:00 | 21:00 | |

P 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)

PLEASE SEE ATTACHED OPERATING SCHEDULE AND PROPOSED CONDITIONS.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

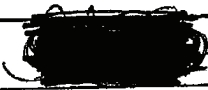
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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 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 | 18 TH JUNE 2012 |
| Capacity | APPLICANTS SOLICITOR |

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

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

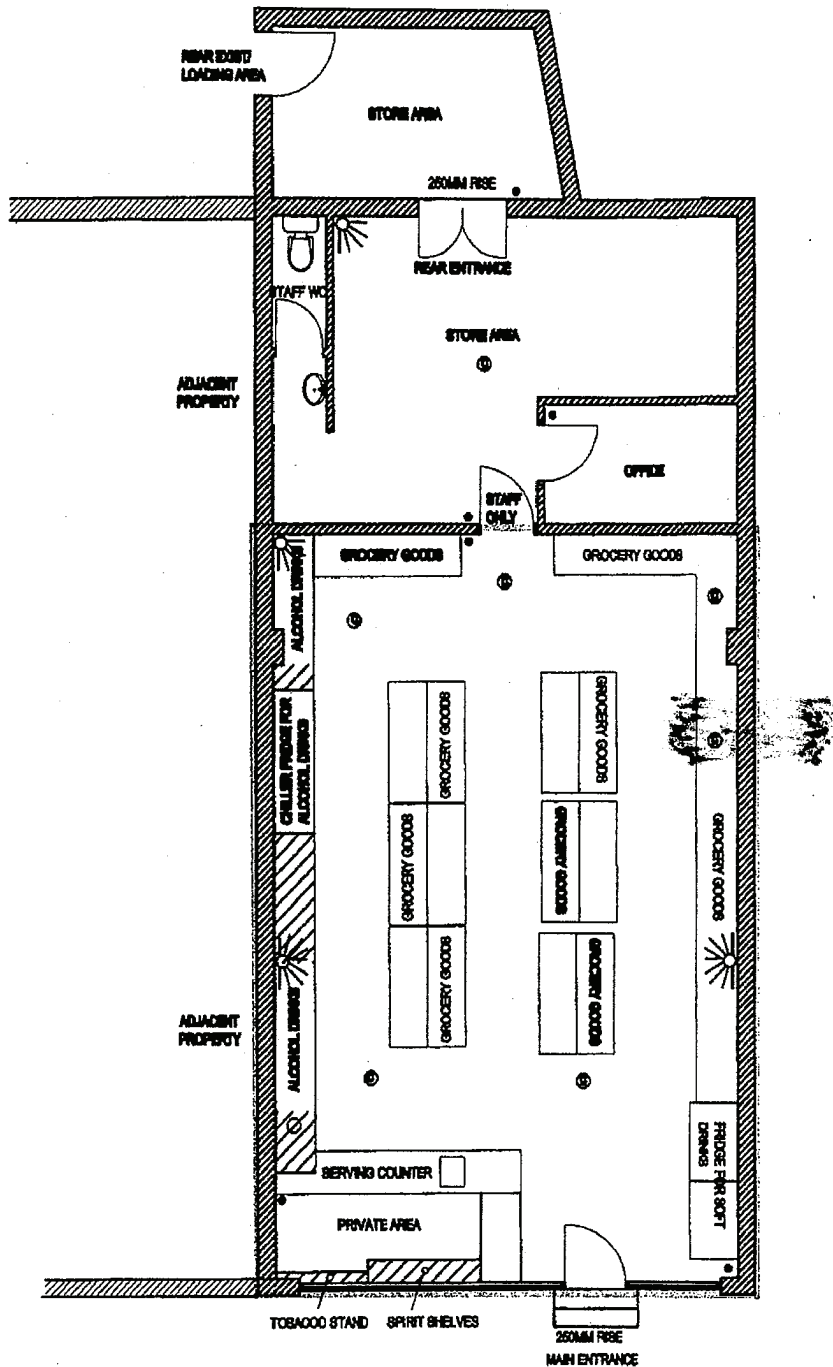
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

MATT FOSTER
C/O MINCOFFS SOLICITORS LLP
5 OSBORNE TERRACE

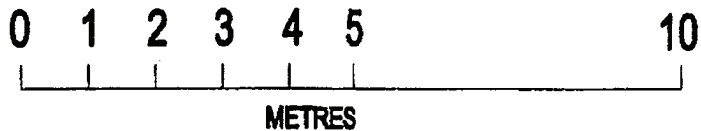
| | | | |
|-----------|---------------------|-----------|---------|
| Post town | NEWCASTLE UPON TYNE | Post code | NE2 1SQ |
|-----------|---------------------|-----------|---------|

| | |
|---------------------------|--------------|
| Telephone number (if any) | 0191 2127702 |
|---------------------------|--------------|

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
mfoster@mincoffs.co.uk



- LOCATION OF FIRE EXTINGUISHER
- Ⓢ CCTV
- ⊙ ALARM SENSORS
- ▨ LICENSED AREA.



NOTE: FOR LICENSING PURPOSES ONLY

| | | | |
|--|----------------------------|--|----------------------|
| DSD ESIGNS HINDSA TEL:07793206080 | Client: MR SINGH | Job Details: 1 ARCADIA OUSTON CHESTER LE STREET, DH2 1RF | Date: JUNE 12 |
| | Job no. 06-2012 | Drg. no. 001 | Scale: 1:100 |

APPENDIX 3 – OPERATING SCHEDULE

OPERATING SCHEDULE

1 ARCADIA, OUSTON, CHESTER LE STREET, COUNTY DURHAM, DH2 1RF

The licensing authority, and perhaps other responsible bodies, may be aware that this premises was previously operated as an off licence called Ouston C Mart. The licence was surrendered by the previous operator, Mr R. Cockburn, in February 2011, after he ceased trading at that address in March 2009. The premises has since remained vacant and has recently been purchased via administrators by the applicant. In order to bring the premises back into use as a convenience store, an application has been submitted in accordance with the conditions attached for off sales of alcohol.

The applicant has experience of operating and currently runs two premises licensed for the off sale of alcohol. The first is the Ashbrook Store in Sunderland, which has been operated since 2005. It is located within a residential area and there has been no problems with this premises. The second is the Ferryhill Store located in Ferryhill, Durham, which is a premises the applicant purchased earlier this year. It also operates within a residential area and has done so without issue.

Prior to operating the above listed businesses Mr Singh, and his wife Mrs Kaur, managed other convenience stores in the Sunderland area, giving them 10 years of experience of working in convenience stores together. Prior to this Mrs Kaur worked for Barclays Bank, whereas Mr Singh has operated family ran convenience stores since 1996.

The business plan with this premises, of which the applicant is the freehold owner, is to operate the store himself until such time as a manager can be employed. At that point the DPS will be changed to the new manager. The applicant is currently interviewing for this role. In the interim period the premises will be predominantly ran by Mr Singh, with the assistance of his wife Mrs Kaur.

The premises is to be ran as a convenience store, as shown in the attached plan. There will be a split of alcohol verses food, in favour of food and other non-alcohol products. The supply of alcohol is, as you will be aware, essential to the operation of any convenience store. In order to operate a convenience store, customers must have the full range of goods available during the opening times of the premises. Accordingly the application is to operate the sale of alcohol during opening times 07:00 to 21:00 7 days per week.

It is not anticipated that sales of alcohol will be the main attraction of the premises. Its attraction will be the range of goods provided. The premises will aim to build up sales of newspapers, magazines etc which will be delivered from the premises locally within the first 6 months. The premises will also sell a range of fresh and frozen goods. Within the first 6 months of trading the applicant will also apply for the Lottery and Paypoint.

In line with the attached conditions, the premises will operate robust policies aimed at preventing the underage sale of alcohol. This approach will be reinforced by staff

training which will be recorded and regularly refreshed. Challenge 21 will also be operated at the premises and records for training, refusals and any incidents will be available for inspection, in addition to a digital CCTV system.

The applicant wishes to foster good working relationships with responsible bodies, as he believes he has already done at his existing premises. He believes that convenience stores ran in local communities must be part of that community. In order to assist those responsible bodies he has asked that he be permitted to provide his direct contact details as part of his operating schedule, and accordingly has offered this as a condition. He wants to be easily contactable to assist with partnership working or operating any locally ran initiatives such as Bottlewatch etc, which he understands have been piloted in and around the Durham area.

CONDITIONS

1. The Licence holder shall ensure that at all times when the premises are open for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence.

2. All staff will be trained on their responsibilities under the Licensing Act, with a particular focus upon sales of age restricted products and proxy sales. A record will be kept of training in a manual, which will be available for inspection by the Police, Trading Standards or the Licensing Authority. Such training will be refreshed initially after 3 months, and thereafter every 6 months. Refresher training will also be documented.

3. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 21 years (Challenge 21 Scheme) and who is seeking to purchase any age restricted product on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

4. The premises will operate a 'Refusals Book' to record refusals of sales of age restricted products, in line with the premises Challenge 21 Policy and proxy purchase refusals. Such will be available for inspection by the Police, Trading Standards or the Licensing Authority.

5. A record of incidents will be kept and maintained at the premises to record incidents of crime and disorder associated with the provision of licensable activities from the premises, or incidents in the vicinity brought to the attention of the management. Such will be available for inspection by the Police, Trading Standards or the Licensing Authority upon request.

6. A digital CCTV system will be operated and maintained at the premises. Recordings will be retained for 28 days and be available for inspection by the Police, where the Police have justified that such a request is necessary for investigating or preventing crime or apprehending or prosecuting an offender.

[This is a requirement of the Data Protection Act 1998, and to provide such information on any other basis is a breach of this Act and the provisions of the European Data Protection Directive – This is based upon the recommendations of the Information Commissioner's Office].

7. The DPS will provide their direct contact details to the Licensing Authority for the purpose of being contacted should any of the responsible authorities wish to contact them.

APPENDIX 4 – REPRESENTATIONS

Helen Johnson - Licensing Team Leader (N'hoods)

From: Amanda Stephenson
Sent: 13 July 2012 16:33
To: Helen Johnson - Licensing Team Leader (N'hoods)
Cc: Cllr Colin Carr
Subject: Off Licence Application - 1 Arcadia, Ouston

Importance: High

Sent on behalf of Councillor Colin Carr

Dear Helen

Re: Off Licence Application - 1 Arcadia, Ouston

Following concerns of residents within the proximity of the above mentioned premises I wish to formally object to the licence application on the following grounds:

Public safety and the prevention of public nuisance

The premises previously operated as a general store and off licence. There was substantial public nuisance between the store and the nearby community centre and on open land surrounding the nearby school perimeter.

Prevention of Crime and disorder

Members of the public often felt threatened by youths who also created problems in nearby residential streets. It is unlikely that the present Police from Inspectors to P.C.S.O will be able to provide data as all those operating out of Chester le Street have either retired, gained new positions or moved on.

Protection of children from harm

The proposed off licence is in shops immediately at the end of the access road to Ouston Junior School which the greater majority of children attending school will have to pass each morning and evening. In addition within ½ mile of these new premises there are already two off-licence premises on the west side of the C5. Therefore an additional premises will have an effect with regards to cumulative impact.

Finally as a general dealers store plus off licence why should between 30 to 40% of the shop area be designated to alcohol sales?

Yours sincerely

Colin

**Councillor Colin Carr
Ouston and Urpeth Division**

Amanda Stephenson
Members Support
Durham County Council
County Hall
Durham
DH1 5UL

Carol Graham - Licensing Assistant (N'hoods)

From: Dave Toulmin [mailto:dave.toulmin@nhoods.gov.uk]
Sent: 16 July 2012 12:46
To: Carol Graham - Licensing Assistant (N'hoods)
Subject: Arcadia shop alcohol license

Good afternoon Carol.

With reference to our telephone conversation, I have composed this email so you have the Parish Councils objection to the granting of a liquor license to the recently reopened shop located in Arcadia, Ouston.

At a recent Parish meeting an objection was raised by the Villagers Association on behalf of the local residents. They feel that, since the previous establishment closed, anti-social behaviour and general nuisance in the area surrounding the shops has taken a dramatic fall. They directly attribute this reduction to the fact that alcohol has not been available to purchase in the area. As a result they have no wish to see alcohol sales reinstated at the newly opened shop.

This matter was discussed by the Parish Councillors and they have agreed to support the villagers objections. In the event of the license being awarded, the councillors have requested that restrictions are placed on the times that the shop is able to trade to help minimise the risk of a return to the former situation.

Many thanks for your help

Dave Toulmin

Parish Clerk

Received
by JU
17/07/12

Mrs K Martin
6 Aberdeen
Ouston
County Durham
DH2 1RE

Dear Sir/Madam,

Re: Application for license – Santokh Singh, Arcadia Convenience Store, 1 Arcadia, Ouston, Chester le street DH2 1RF

I write in connection with the above application, in order to set out my concerns about the impact that granting the license, or granting it without imposing suitable and proportionate conditions upon it, may have upon the the licensing objectives.

The basis of my concerns is the proximity of the premises to Ouston Junior School. The distance is approximately 100 metres, and the hours within which the applicant seeks to sell alcohol cover the busiest times of the school day.

I appreciate that the statutory guidance points to shops being permitted to sell alcohol during their trading hours but for the reasons below, I consider that there are strong reasons why this presumption in favour of alcohol sales should be rebutted.

Near to the shop is a takeaway, and I am aware that young people regularly congregate outside the shop. It is only natural that young people do hang around these sort of shops, and I doubt very much whether anyone would challenge this submission. In view of the above, I consider that the availability of alcohol nearby would pose a temptation that would be hard to resist for some.

I myself have been asked on a number of occasions to purchase alcohol for those too young to buy it legally, and I consider that it is inevitable that attempts will be made by under-age people to obtain alcohol from the premises in question. Should any assistance be given to individuals seeking to obtain alcohol illegally, (which is to be expected on occasions), I consider that there would be a strong likelihood that disorder would be caused. In addition, the objective of preventing public nuisance would be prejudiced, and of course, by definition, under-age drinking harms children.

Ouston Junior School has lots of out of hour's activity's and also runs a after school club which is open from 0700-1800 Mon-Fri the age of the children attending this club range from 5-11. Since the Convenience store has opened groups of youths have already started to gather round the shop, should Alcohol be sold this will Endeavour to get worse as in the past when the previous owner had the store he sold alcohol to under age children and his license was revoked but the damage of the neighborhood had already been done.

There are also 3 places in the Village that have a premises licence I really do not think there is any reason to have another.

Should the Authority grant the application, I would ask that the risks which I have outlined above and which I consider are real, be minimised by some or all of the conditions suggested below being imposed.

1) I would ask that the shop be required to operate an age verification policy for all those seeking to purchase alcohol who may appear to be under the age of 25, as opposed to 18. This would go some way to ensuring that no underage alcohol sales take place. This would of course support the objective to prevent crime and disorder, as well as minimising the potential for public nuisance.

2) I would request that the shop be required to keep alcohol away from the door to the shop, and in a designated area, so as to avoid the potential for shoplifting, and to minimise the degree to which children visiting the shop with parents either before or after school, come into contact with alcohol. Once again, this measure would assist in minimising crime and public nuisance.

3) I would suggest that if there is not already internal CCTV installed, its installation be a condition of the license. This is in order to ensure that no alcohol can be stolen, or should such thefts take place, there is some evidence to assist the police in identifying those responsible. It is hoped that this would go some way to minimising crime and disorder.

4) I would urge the Authority to require an external CCTV camera to be installed and used. I consider this to be very important as it would enable those selling alcohol to identify any groups hanging around near the shop who could be asking adults to purchase alcohol for them to drink. I recognise the need to protect people's privacy, but providing the camera only records footage of public areas I consider that the right to privacy would not be infringed, and the benefits of having such a system would be significant.

In closing I would add that I fully appreciate that some objections to applications such as the one in question can appear unfounded, and rather hysterically based upon fears of what may occur should a license be granted, rather than upon any firm evidence. I am aware that there is a presumption in favour of permitting alcohol sales, but I do consider that the proximity of the shop to the school poses real risks to the licensing objectives being met.

I can testify to the presence of young people near the shop and the premises close by, at times when whilst the school day has finished, there are still after school activities going on. It is important to bear in mind that school children still use the school premises as late as 1800.

I trust that the application will be considered in light of my submissions, which I consider point to a real risk that granting the license or granting it without the conditions above, will defeat one or more of the licensing objectives.






Yours faithfully,

Mrs K Martin

Petition to [Action]

Petition Summary: ARCADIA CONVENIENCE STORE 1 ARCADIA, OUSTON DH2 1RF. HAS APPLIED FOR A PREMISES LICENCE FOR THE SUPPLY OF ALCHOL AND OPENING HOURS OF 0700-2100 MONDAY TO SUNDAY INCLUSE, PLEASE OPOSE THIS APPLICATION WE DO NOT NEED ANOTHER CONVENIENCE STORE SELLING ALCHOL THINK OF THE IMPACT IT WILL HAVE ON OUR VILLAGE.

Action Petitioned For: We the undersigned are concerned citizens who urge our leaders to act now to [Enter the action which you are petitioning for].

| Date | Signature | Printed Name | Address | Comment |
|-----------|---|---------------|-------------|---|
| 24/6/2012 |  | KERRY WILKIN | 6, ABERDEEN | DON'T NEED ANOTHER STORE SELLING ALCHOL |
| 11 |  | DARREN MARTIN | 6, ABERDEEN | " |
| 25/6/12 |  | ALBERT WATSON | 5 ABERDEEN | " |
| 1 |  | RENEA PATTON | 5 ABERDEEN | " |
| 25/6/12 |  | ALAN GRANT | 4 ABERDEEN | " |

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

| Date | Signature | Printed Name | Address | Comment |
|---------|------------|--------------------|-------------|---------|
| 25-6-12 | [Redacted] | Isabelle Henderson | 24 Abington | " |
| 25-6-12 | [Redacted] | Francois Clark | 33 Abington | " |
| 25-6-12 | [Redacted] | MARGARET CLARK | 35 Abington | " |
| 25-6-12 | [Redacted] | AARON FOX | 32 Abington | " |
| 25-6-12 | [Redacted] | YVONNE FOX | 32 Abington | " |
| 25-6-12 | [Redacted] | KENNETH ROBINSON | 31 Abington | " |
| 25-6-12 | [Redacted] | LILIAN ROBINSON | 31 Abington | " |
| 25-6-12 | [Redacted] | BARRY SMITH | 29 Abington | " |
| 25-6-12 | [Redacted] | MARJIE BIGNALL | 22 Abington | " |
| 25-6-12 | [Redacted] | JOHN | 22 Abington | " |

| | | | | | | | |
|----|---|----|--|-------|----|----------|--|
| 27 | 6 | 12 | | A NEW | 33 | Abington | |
| | | | | | | | |

Go to www.AtYourBusiness.com for more free business forms

Petition to [Action]

Petition Summary: ARCADIA CONVENIENCE STORE 1 ARCADIA, OUSTON DH2 1RF. HAS APPLIED FOR A PREMISES LICENCE FOR THE SUPPLY OF ALCHOL AND OPENING HOURS OF 0700-2100 MONDAY TO SUNDAY INCLUDE, PLEASE OPPOSE THIS APPLICATION WE DO NOT NEED ANOTHER CONVENIENCE STORE SELLING ALCHOL THINK OF THE IMPACT IT WILL HAVE ON OUR VILLAGE.

Action Petitioned For: We the undersigned are concerned citizens who urge our leaders to act now to [Enter the action which you are petitioning for].

| Date | Signature | Printed Name | Address | Comment |
|-----------|------------|--------------|-------------|-------------|
| 25/6/2012 | [Redacted] | M. CHRISTIE | 37 HAINSTON | No Alcohol |
| 25/6/2012 | [Redacted] | D.F. MURPHY | 36 HAINSTON | No Alcohol. |
| 25/6/2012 | [Redacted] | C. ROBERTSON | 9 HAINSTON | No Alcohol |
| 25-6-2012 | [Redacted] | V. WOODS | 11 HAINSTON | No Alcohol |
| 25-6-12 | [Redacted] | K.M. | | |

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|






| Date | Signature | Printed Name | Address | Comment |
|---------|------------|--------------|---------------|-------------|
| 25.6.12 | [Redacted] | L. SMITH | 7, ABERDEEN | NO ALCOHOL |
| 25.6.12 | [Redacted] | B. JEFFERSON | 7, ABERDEEN | NO ALCOHOL |
| 25.6.12 | [Redacted] | K. B. SMITH | 7, ABERDEEN | NO ALCOHOL |
| 25.6.12 | [Redacted] | B. Taylor | 8, Aberdeen | NO ALCOHOL |
| 25.6.12 | [Redacted] | S. SASS | 12, ABERDEEN | NO ALCOHOL |
| 25.6.12 | [Redacted] | E. Tunney | 13, ABERDEEN. | NO ALCOHOL |
| 25.6.12 | [Redacted] | J. SKEOLA | 35 ABRINGTON | NO ALCOHOL |
| 25.6.12 | [Redacted] | K. CARR | 34 ABRINGTON | NO ALCOHOL. |
| | | | | |

Go to www.AtYourBusiness.com for more free business forms

Petition to [Action]

Petition Summary: ARCADIA CONVENIENCE STORE 1 ARCADIA, OUSTON DH2 1RF. HAS APPLIED FOR A PREMISES LICENCE FOR THE SUPPLY OF ALCHOL AND OPENING HOURS OF 0700-2100 MONDAY TO SUNDAY INCLUSE, PLEASE OPOSE THIS APPLICATION WE DO NOT NEED ANOTHER CONVENIENCE STORE SELLING ALCHOL THINK OF THE IMPACT IT WILL HAVE ON OUR VILLAGE.

Action Petitioned For: We the undersigned are concerned citizens who urge our leaders to act now to [Enter the action which you are petitioning for].

| Date | Signature | Printed Name | Address | Comment |
|-----------|---|--------------|---------------|---------|
| 25.6.2012 |  | K. Needs | Bassingham | |
| 26.6.12 |  | D. Wallis | The Oval | |
| 26/6/12 |  | L Simpson | Melbeck Drive | |
| 25/6/12 |  | Nicola | Vida Centre | |
| 26/6/12 |  | THE ROBBER | 7 ADISSAIE | |

| | | | | |
|--|--|--|--|--|
| | | | | |
|--|--|--|--|--|

| Date | Signature | Printed Name | Address | Comment |
|----------|------------|--------------|---------------|----------------------------------|
| 26/6/12 | [Redacted] | M.R. GORMAN | ABERFOYLE | SEEN THE RESULTS OVER 5 YRS. |
| 26/6/12 | [Redacted] | D. GORMAN | ABERFOYLE | |
| 26-6-12. | [Redacted] | C. POTTS | THE OVAL | CAN'T BOTTLES ALL OVER THE POND! |
| 26/6/12 | [Redacted] | J POTTS | THE OVAL | TOO MANY HOLLOWEANS BODS. |
| 26.6.12 | [Redacted] | J. EVANS | CROMARTY | |
| 27-6-12 | [Redacted] | R. OUNY | ABERDEE CC | TOO MANY KIDS |
| 26.6.12 | [Redacted] | | CO-DSTREAM | TOO MANY KIDS |
| 26/6/12 | [Redacted] | A Ruppert | THE OVAL | |
| 28/6/12 | [Redacted] | K.S. AIN | URLETH CRANCS | |
| 28/6/12 | [Redacted] | A Speed | ROITHESAY | |

| | | | | |
|----------|------------|----------|-----------|--|
| 29/6/12 | [REDACTED] | Fun coop | Acadia | SEEN THE LITTEL BROWN GRASS, TESSMY KIDS!! |
| 02/07/12 | [REDACTED] | H MEDVES | ALB FOLIE | ANOTHER LEVISTON CRISPS |

02/07/12

W. C. Caber

Rossi

03/01/12

Sharon Gardner OVAL.

G. WINSHIP.

Wendy Cleese

05/07/12

E. W. ATSON

3 DH 2 LHA

5/7/12

E. M. TENNILL

DH 2 133

owner in Acadia - staff, children hanging around! Has been rescued!

APPENDIX 5 – MEDIATION WITH DURHAM CONSTABULARY

LICENSING ACT 2003

TO: The County Council of Durham as the Licensing Authority.

Application for New Premise Licence

Premises: Arcadia Convenience Store, 1 Arcadia, Ouston.

Applicant: Santokh Singh

Responsible Authority: Durham Constabulary

Date application received: 19th June 2012

Additional Conditions agreed:

- The CCTV system will cover the inside and outside of all exits and entrances to the premise, this is to include any rear doors and yards.
- The majority of permanent staff working at the store will be trained to operate the CCTV system, this is to include viewing and downloading of the system.

Signed:.....

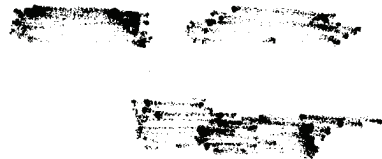
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Full name/names:


Sgt 1570.

Date: 31/7/12

**APPENDIX 6 – STATEMENT OF
LICENSING POLICY**



5.0 The Prevention of Crime and Disorder

5.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment may sometimes, if not properly managed, become a source of public nuisance, generating crime and disorder problems.

5.2 As a matter of Policy the Licensing Authority will require every holder of a Licence, Certificate or Permission to be responsible for minimising the impact of crime, disorder and anti-social behaviour by their patrons both on and within the vicinity of their premises, including for example on the pavement, in a beer garden or in a smoking shelter. The Licensing Authority suggests that applicants demonstrate in their Operating Schedules that suitable and sufficient measures, ranging from the design and layout of the premises through to the daily operation of the business have been identified and will be implemented and maintained with the intention of preventing crime and disorder. Procedures to deal with drunken customers, violence and anti social behaviour in and outside premises and the provision of closed circuit television in certain premises must be considered by applicants and licencees when addressing this issue. The Licensing Authority will also expect that Personal Licence holders will actively participate in established "Pubwatch" schemes where issues relating to crime and disorder can be addressed. The Licensing Authority support involvement in "Best Bar None" initiative which enables premises to demonstrate good safe operating procedures.

5.3 The Licensing Authority considers the effective and responsible management of the premises through competent and efficient and regular instruction, recorded training, supervision of staff and the adoption of good practice, such as 'Challenge 25', to be among the most important control measures for the achievement of all Licensing Objectives. The Licensing Authority will take a positive view of anyone who invests in appropriate training, and in particular nationally accredited qualifications tailored to the Licensing sector. Training records should be kept available for inspection by all enforcement agencies.

5.4 The application for premises selling alcohol must identify a Designated Premises Supervisor (DPS) who must also hold a Personal Licence. The DPS does not have to be present on the premises at all times when alcohol is being sold. However, the DPS and Premises Licence Holder remain responsible for the premises at all times. It is important that there is an accountable, responsible person present when alcohol is being sold or supplied to ensure, for example, that alcohol is not sold to persons who have had too much to drink, or to those under the age of 18 years, and so that the Licensing Authority and Police can discuss any problems or issues arising from the licensable activities offered on the premises. The Licensing Authority considers it to be good practice if the DPS or Premises Licence Holder is present in the licensed area of the premises:

- Between 22:00 hours and closing time, when the premises is one that regularly opens after midnight for both regulated entertainment and the sale or supply of alcohol for consumption on the premises.
- At all times when the premises is a "vertical drinking establishment" where little or no seating is provided.
- At times where there is a substantial increase in customers i.e. for televised major sporting events etc.

5.5 The Licensing Authority will only impose a maximum number of people that can attend a premises or an event where there is a clear and justifiable need in respect of that particular premises or event, any such decision will be based on the nature and style of the operation. The Licensing Authority will consider information provided by the applicant and any other body, in particular the Council's Building Control Section, Environmental Health Section and the Durham and Darlington Fire and Rescue Service before setting a maximum number. Applicants will be expected to detail the arrangements that would be put in place e.g. provision of door staff to ensure that the permitted number of people attending the premises or event will not be exceeded.

5.6 Whenever security operatives/door supervisors are employed at licensed premises to carry out security functions they must be licensed by the Security Industry Authority (SIA). If a licensee directly employs security operatives they will need to be licensed by the SIA as a supervisor/manager.

5.7 The numbers of licensed door supervisors, both male and female, required at any premises will be dependant upon the nature of the activities licensed and the characteristics and capacity of the establishment and hours of trading.

5.8 In addition to the requirement of the Licensing Authority to promote the Licensing Objectives, the Council also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in its area and to consider crime and disorder in its decision making process.

6.0 Public Safety

6.1 The Act covers a wide range of premises that require Licensing. 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 applicants acknowledge these risks and that premises are constructed or adapted and operated to safeguard occupants.

6.2 Applicants are advised to seek advice on such matters as the examples outlined from the Council's Occupational Safety and Health team, Durham Constabulary and the Durham and Darlington Fire and Rescue Service, and

incorporate any recommendations in their Operating Schedule before submitting their applications.

- First Aid
- Public security
- Event control
- Polycarbonate Glass
- Fire Safety
- Electrical safety
- Building safety
- Transport
- Drink driving issues
- Occupancy levels

7.0 Prevention of Public Nuisance

7.1 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.

7.2 The concerns relate, amongst other things, to litter, light pollution, noxious odours and noise nuisance resulting from music, human voices, ventilation equipment and vehicles. The Licensing Authority will expect applicants to demonstrate that suitable and sufficient measures have been identified, and will be implemented and maintained, with the intention of preventing public nuisance relevant to the individual style and characteristics of the premises and events.

7.3 If an external structure or area is to be used by customers, whether for consumption of alcohol or smoking, the applicant will be expected to offer measures designed to minimise its impact on local residents in respect of both public nuisance and crime and disorder. These measures may include a restriction on hours that areas / structures will be used, appropriate signage requesting customers to consider local residents and monitoring of such areas by staff.

7.4 The placement of tables and chairs outside of licensed premises may give rise to public nuisance including noise and litter. When tables and chairs are situated on the public highway relevant consents will be required. Enquiries for consents should be directed to the Council's Licensing Team. In predominantly commercial areas such as shopping centres the Licensing Authority will normally allow the use of tables and chairs outside but will expect them to be removed before the premises close, and any resulting litter/debris cleared away.

7.5 Applicants should give consideration to reducing potential noise nuisance by, for example:

- Assessment of likely noise levels in the premises.

- Assessment of likely noise levels if outdoor drinking is allowed.
- The sound insulation the building would provide (e.g. double glazing, openable windows, double doors / lobbies to entrances).
- The distance and direction to the nearest noise sensitive premises.
- Likely noise sources outside of the premises (e.g. emptying bottle bins, taxis, unruly customers leaving the premises).
- Dispersal of patrons – where necessary the Licensing Authority will expect a dispersal policy for patrons at the end of the evening. The policy will specify such issues as alterations to the style and volume of music played, public address announcements and use of appropriate signage at exits.
- Ways to limit noise / disorder from patrons leaving the premises.

7.6 The extent to which the above matters will need to be addressed will be dependant on the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided, operational procedures and the needs of the local community.

7.7 Applicants are advised to seek advice from Durham County Councils Environmental Health Team and incorporate any recommendations in their Operating Schedule before submitting their applications.

8.0 Protection of Children from Harm

8.1 While the Act does not prohibit children from having free access to any licensed premises, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from physical, moral or psychological harm.

8.2 The Act makes it an offence for any child under the age of 16 who is not accompanied by an adult from being present:

- at any time on pub premises, or other premises being used exclusively or primarily for the supply of alcohol for consumption on those premises; or
- between the hours of midnight and 05:00 hours on restaurant premises or other premises that supply alcohol for consumption on the premises
- 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 where it is necessary to prevent physical, moral or psychological harm.

8.3 The Licensing Authority may consider the following when dealing with a Licence application where children may have limited access:

- Limitations on the hours when children may be present.
- Limitations on under 18s
- Limitations or exclusion when certain activities are taking place.
- Requirements for an accompanying adult to be present.
- Full exclusion of people under 18 from the premises when certain licensable activities are taking place (e.g. entertainment of a sexual nature).
- Limitations on the parts of premises to which children might be given access.
- Any other limitations appropriate to the application and according with the four Licensing Objectives.

8.4 The Licensing Authority will work closely with the Police and the Council's Trading Standards Service to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children. Alcohol must not be served to persons under the age of 18, except in limited circumstances allowed by the law, and then only after verifying a person's proof of age e.g. 16 and 17 year-olds may drink beer, wine or cider with a table meal in relevant premises, where accompanied by an adult aged 18 years or over. The currently accepted verifications for proof of age are a passport, a photo card driving licence or a proof of age scheme such as Challenge 25

Events which are aimed at children under the age of 18 years on licensed premises will not be looked on favourably by the licensing authority unless the applicant can demonstrate that all safeguards for children have been addressed such as the removal of alcohol advertising.

8.5 Recorded staff training programmes, the use of a refusals register, in-store signage and limited access to alcoholic drink can all reduce the likelihood of illegal sales.

8.6 The Licensing Authority commends the use of the 'Portman Group' Code of Practice on the naming, packaging and the promotion of alcoholic drinks in all licensed premises.

