



Statutory Licensing Sub-Committee

Date **Friday 13 April 2012**
Time **10.00 am**
Venue **Council Chamber, Council Offices, Chester-le-Street**

Business

Part A

1. Declarations of Interest (if any)
2. Minutes of the Meeting held on 24 January 2012. (Pages 1 - 8)
3. Application for the Grant of a Premises Licence - North Pier Lodge, 3-5 Tempest Road, Seaham. (Pages 9 - 44)
4. Application for the Variation of a Premises Licence - Co-operative Group Foods Ltd., Newhouse Road, Esh Winning. (Pages 45 - 74)
5. 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

3 April 2012

To: The Members of the Statutory Licensing Sub-Committee

Councillors D Brown, K Holroyd, D Marshall and M Williams

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, Spennymoor on **Tuesday 24 January 2012 at 10.00 am**

Present:

Councillor D Marshall (Chair)

Members of the Committee:

Councillors B Alderson, B Arthur and B Graham

Also Present:

Councillor B Arthur
S Buston – DCC Legal Officer
H Johnson – Licensing Team Leader
G Keay – Licensing Team Leader
A Crammond – Barrister for Durham Constabulary
Sgt T Robson – Durham Constabulary
PC Bradley – Durham Constabulary
PCSO Williamson – Durham Constabulary
J Gillead – Applicant's Agent
N Sutton - Applicant

1 Declarations of Interest (if any)

There were no declarations of interest received.

2 Minutes of the Meetings held on 28 November 2011, 21 December 2011 and 3 January 2012

The Minutes of the meetings held on 28 November 2011, 21 December 2011 and 3 January 2012 were agreed as a correct record and were signed by the Chair.

3 Application for the Grant of a Premises Licence - The Stanefordham Inn, The Grove, Consett

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 Stanefordham Inn, Consett (for copy see file of Minutes).

Prior to hearing the submissions of both parties, consideration was given to the notes of a meeting held between the Police and the applicant which had been provided by the applicant's agent as part of their submission. The Police had objected to the document on the grounds that the meeting did take place on a 'without prejudice' basis and that this had been made clear at the start of

discussions. Statements to this effect had been circulated with the papers for the hearing.

In response J Gillead stated that she believed that the purpose of the meeting was to discuss the suitability of the applicant as well as to agree conditions, however it had turned into a discussion regarding Mr Young. Her notes were an accurate record of the discussions and at no point during the meeting had she been advised that it was on a 'without prejudice' basis.

Members retired at 10.55am to discuss the submissions made and re-convened at 11.00am. The Chair advised that the Sub-Committee had concluded that the mediation meeting had taken place on a without prejudice basis and that no weight would be attached to the notes.

With the agreement of all parties, J Gillead, the applicant's agent submitted a copy of a Lease between Mr Sutton, tenant and Tyne Management, lessors.

A Crammond, the Barrister on behalf of Durham Constabulary invited Sgt Robson to add to his witness statement dated 30 December 2011. He explained that the premises had a colourful history and was still owned by Tyne Management Ltd, of which Mr Young was a director. He considered that strong management was required to deal with Mr Young and his associates. He did not believe that Mr Sutton was a strong character and he had developed a friendship with Mr Young when he worked at the Travellers Rest, which was of concern.

PC Bradley added to his statement dated 18 November 2011 and reiterated the views of Sgt Robson that Mr Young was controlling and used vulnerable people to be a front for a business that he controlled.

In response to a number of questions Sgt Robson advised that Mr Young not only rented properties to those associates who had pleaded guilty but had also employed some of them. The drugs had not been found on the licensed premises but in the adjacent annex and this could be accessed directly from a room in the Stanefordham Inn. A number of visits to the premises had been carried out by the Police and on each occasion individuals were present that were known to be associated with drugs misuse.

Sgt Robson also confirmed that Mr Young had been found not guilty in court and that the applicant did not have any reported criminal convictions against his name. He was not aware of Mr Sutton's previous history at other licensed premises as details had not been provided to him.

J Gillead, the applicant's agent gave a background to Mr Sutton's experience in the licensed trade and his plans for the premises. Mr Sutton had been asked to facilitate the re-opening of the Travellers Rest where he became acquainted with Mr Young as a customer. He had no criminal convictions and conditions had already been agreed with the Police to promote the 4 licensing objectives. The Police had not objected to Mr Sutton, their concerns were in relation to the owners of the premises and she believed that this was an entirely separate issue.

In response to a number of questions Mr Sutton confirmed that he had experience of working in premises where drugs problems had been encountered. He would be responsible for the day to day running of the premises and would live on-site, but as with any other public house he would employ an Assistant Manager for those occasions he was not present. The Assistant Manager would not be a 21 year old as had been suggested.

Mr Sutton confirmed that he knew of Mr Young's court case and that he knew him as a customer in the Travellers Rest but that he was treated no differently to any other customers. He had only spoken to Mr Young a few times and gave details of those occasions. He was not aware of the premise's potential links to drugs and that he was completely independent of Mr Young despite the comments made in the newspaper article circulated with the papers. Mr Young had not sparked his interest in making the application.

With regard to the lease, J Gillead confirmed that this had been arranged via e-mail correspondence as Mr Hill of Tyne Management Ltd lived abroad. The signing of the Agreement had been done after Mr Sutton had made his application which she believed demonstrated his commitment.

In summing up, A Crammond stated that the Police had no objections to Mr Sutton but were concerned about his connections with Mr Young. Mr Young had control of Tyne Management Ltd and he had a history of attempting to obtain licences through others. Mr Young's comments in the newspaper, whilst not quotations did state his intention to re-open and run the pub. It was clear that there was a very real risk of the licensing objectives being undermined.

The drugs that had been found at the property were substantial, and although Mr Young had been found not guilty because the burden of proof was 'beyond all reasonable doubt', the Sub-Committee needed to apply a different test and determine whether or not, on the balance of probability, the licensing objectives would be at risk of being undermined.

J Gillead reiterated her previous comments and stated that this application was about Mr Sutton who was an experienced Premises Licence Holder and who had demonstrated his commitment to this business through a 3 stage plan and the signing of a 5 year lease. He had no convictions and his association with Mr Young was only through Tyne Management Ltd.

The hearing was adjourned to allow Members to deliberate the application in private at 11.50am.

After re-convening at 12.40pm the Chair delivered the Sub-Committee's decision.

In reaching its decision the Sub-Committee had considered the report of the Licensing Officer, together with the written and verbal representations of the Police and the applicant. They 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 application for a Premises Licence be granted as follows:-

Opening hours of the premises	<p>Monday to Sunday 09.00 to 00.30</p> <p>A further additional hour into the morning on every Friday, Saturday, Sunday and Monday for each Bank Holiday ie May, Spring/Whitsun</p> <p>A further hour into the morning on every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend</p> <p>A further additional hour every Christmas Eve and Boxing Day</p> <p>A further additional hour on New Years Eve</p>
e) Live music (indoors)	<p>Monday to Sunday 10.00 to 00.00</p> <p>A further additional hour into the morning on every Friday, Saturday, Sunday and Monday for each Bank Holiday ie May, Spring/Whitsun</p> <p>A further hour into the morning on every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend</p> <p>A further additional hour every Christmas Eve and Boxing Day</p> <p>A further additional hour on New Years Eve</p>
f) Recorded music (indoors)	<p>Monday to Sunday 10.00 to 00.00</p> <p>A further additional hour into the morning on every Friday, Saturday, Sunday and Monday for each Bank Holiday ie May, Spring/Whitsun</p> <p>A further hour into the morning on every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend</p>

	<p>A further additional hour every Christmas Eve and Boxing Day</p> <p>A further additional hour on New Years Eve</p>
g) Performance of Dance (indoors)	<p>Monday to Sunday 10.00 to 00.00</p> <p>A further additional hour into the morning on every Friday, Saturday, Sunday and Monday for each Bank Holiday ie May, Spring/Whitsun</p> <p>A further hour into the morning on every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend</p> <p>A further additional hour every Christmas Eve and Boxing Day</p> <p>A further additional hour on New Years Eve</p>
h) Anything of a similar description to that falling within e), f) or g) (indoors)	<p>Monday to Sunday 10.00 to 00.00</p> <p>A further additional hour into the morning on every Friday, Saturday, Sunday and Monday for each Bank Holiday ie May, Spring/Whitsun</p> <p>A further hour into the morning on every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend</p> <p>A further additional hour every Christmas Eve and Boxing Day</p> <p>A further additional hour on New Years Eve</p>
i) Making music (indoors)	<p>Monday to Sunday 10.00 to 00.00</p> <p>A further additional hour into the morning on every Friday, Saturday, Sunday and Monday for each Bank Holiday ie May, Spring/Whitsun</p> <p>A further hour into the morning on every Thursday, Friday, Saturday, Sunday and Monday for easter Bank Holiday weekend</p>

	<p>A further additional hour every Christmas Eve and Boxing Day</p> <p>A further additional hour on New Years Eve</p>
j) Dancing (indoors)	<p>Monday to Sunday 10.00 to 00.00</p> <p>A further additional hour into the morning on every Friday, Saturday, Sunday and Monday for each Bank Holiday ie May, Spring/Whitsun</p> <p>A further hour into the morning on every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend</p> <p>A further additional hour every Christmas Eve and Boxing Day</p> <p>A further additional hour on New Years Eve</p>
k) Provision of facilities for entertainment of a similar description to that falling within i) or j) (indoors)	<p>Monday to Sunday 10.00 to 00.00</p> <p>A further additional hour into the morning on every Friday, Saturday, Sunday and Monday for each Bank Holiday ie May, Spring/Whitsun</p> <p>A further hour into the morning on every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend</p> <p>A further additional hour every Christmas Eve and Boxing Day</p> <p>A further additional hour on New Years Eve</p>
l) Late Night Refreshment (indoors)	<p>Monday to Sunday 10.00 to 00.00</p> <p>A further additional hour into the morning on every Friday, Saturday, Sunday and Monday for each Bank Holiday ie May, Spring/Whitsun</p> <p>A further hour into the morning on every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank</p>

	<p>Holiday weekend</p> <p>A further additional hour every Christmas Eve and Boxing Day</p> <p>A further additional hour on New Years Eve</p>
m) Sale of alcohol (on and off the premises)	<p>Monday to Sunday 10.00 to 00.00</p> <p>A further additional hour into the morning on every Friday, Saturday, Sunday and Monday for each Bank Holiday ie May, Spring/Whitsun</p> <p>A further hour into the morning on every Thursday, Friday, Saturday, Sunday and Monday for Easter Bank Holiday weekend</p> <p>A further additional hour every Christmas Eve and Boxing Day</p> <p>A further additional hour on New Years Eve</p>

The Committee considered it to be necessary and proportionate to impose the following conditions upon the licence:-

- i) Challenge 25 will be used in the premises. Any person believed to be under the age of 25 must be asked to provide photo identification (via a passport, driving licence or PASS hologram ID card) confirming their age. If identification is requested and refused then no sale of alcohol will take place.
- ii) Staff training will be implemented and recorded to ensure they are fully compliant with the Challenge 25 scheme. Training and re-training to take place on a regular basis, at least every six months, by the Designated Premises Supervisor. Records of such shall be made available to all responsible authorities upon request.
- iii) A refusals register, incident log and training record shall be maintained with all records to be signed by staff as appropriate and viewed regularly by the Designated Premises Supervisor. Such records shall be made available to all responsible authorities upon request.
- iv) The premises shall be fitted with a digital CCTV system which is operational upon the sale of alcohol. The system should have a recording facility available to keep data for 28 days, of which recordings cover the interior and exterior of the premises, including any rear doors, rear yards,

outbuildings, garages and car parks. The system will be maintained in good working order, such footage to be made available within 48 hours of a request by the Police or any other responsible authority

- v) There shall be sufficient members of staff trained in the operation of the CCTV system (to include viewing and downloading of images)
- vi) The premises will display prominent notices emphasising that sales to under 18s are illegal and customers will be asked to produce identity of their age if they appear to be under 25
- vii) Notices will be displayed at the entrance, exit and throughout the premises confirming that CCTV is in operation
- viii) Notices will be displayed encouraging customers to leave quietly
- ix) The Premises Licence Holder shall become an active member of the Pub Watch Scheme

Statutory Licensing Sub-Committee

13th April 2012

**Application for the grant of a Premises
Licence under the Licensing Act 2003**



**Report of Terry Collins, Corporate Director, Neighbourhood
Services**

Name and Address of Premises: North Pier Lodge, 3-5 Tempest Road,
Seaham, SR7 7BP

1. Summary

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

Miss Judith Adele Lennox
6 The Oaks West
Christchurch
Sunderland SR2 8HZ

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

A plan showing the layout of the premises is attached as Appendix 2.

2. Details of the Application

On 23rd February 2012 the Licensing Authority received an application for the grant of a premises licence from Miss Lennox in respect of North Pier Lodge. A copy of the application is attached as Appendix 3.

The details of the application are as follows:

Opening hours of the premises	Monday to Sunday 09:00 to 00:30
a) Plays (indoors and outdoors)	Monday to Sunday 09:00 to 22:00
b) Film (indoors)	Monday to Sunday 08:30 to 23:30
c) Indoors sporting events (indoors)	Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 00:00
d) Boxing and wrestling entertainment (indoors)	Monday to Sunday 07:30 to 23:00

e) Live Music (indoors and outdoors)	Monday to Sunday 10:00 to 23:00
f) Recorded Music (indoors and outdoors)	Monday to Sunday 08:30 to 00:00
g) Performance of dance (indoors)	Monday to Sunday 09:00 to 22:00
h) Anything of a similar description to that falling within (e), (f) and (g) - (indoors and outdoors)	Monday to Sunday 08:30 to 00:00
i) Provision of facilities for making music (indoors and outdoors)	Monday to Sunday 08:30 to 00:00
j) Provision of facilities for dancing (indoors and outdoors)	Monday to Sunday 08:30 to 00:00
k) Provision of facilities for entertainment of similar description to that falling within (i) or (j) (indoors and outdoors)	Monday to Sunday 08:30 to 00:00
l) Late night refreshment (indoors and outdoors)	Monday to Sunday 23:00 to 05:00
m) Sale of alcohol (indoors) General bar sales	Monday to Sunday 10:00 to 00:00
m) Sale of alcohol (indoors) Mini bar sales – residents of hotel	Monday to Sunday 00:00 to 00:00

The applicant has proposed steps, which they intend to be taken in order to promote the four licensing objectives. These are outlined under Part P of the application form.

On 6th March 2012, the applicant agreed to three additional conditions to be added to the operating schedule. These are attached as Appendix 4.

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

3. The Representations

The Licensing Authority received six representations in relation to the premises licence application from interested parties and one representation from a Responsible Authority, namely the Planning Department. These are attached as Appendix 5.

The representations undermine the following licensing objectives:

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

The Licensing Authority deemed the representations to be relevant.

4. The Parties

The Parties to the hearing will be:

- Miss Judith Adele Lennox (Applicant)
- Mr A Mellenthin (Interested Party)
- Mr & Mrs M Woods (Interested Party)
- Mr Ian Dobson (Interested Party)
- Cllr Bob Arthur (Interested Party)
- Cllr Dan Myers (Interested Party)
- Mr Mark Welsh (Interested Party)
- Mr Barry Gavillet (Responsible Authority – Planning)

5. Durham County Council Statement of Licensing Policy

The Sub-Committee's attention is drawn to the following relevant parts of the Policy:

- 5.0 The Prevention of Crime and Disorder
- 6.0 Public Safety
- 7.0 The Prevention of Public Nuisance
- 8.0 The Protection of Children from Harm

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 The Prevention of Crime and Disorder
- 2.19 Public Safety
- 2.32 Public Nuisance
- 2.41 Protection of 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 and the representations received.

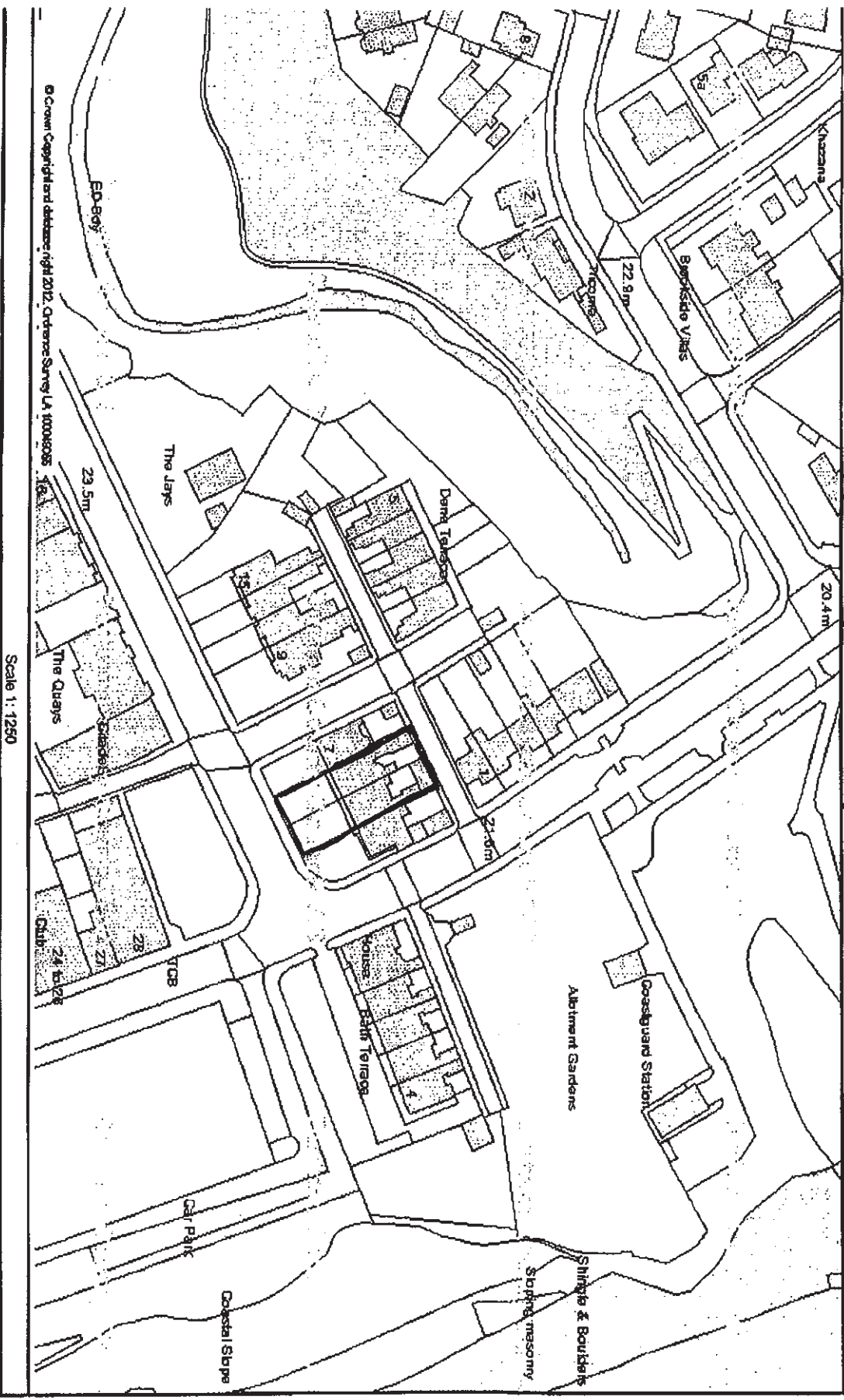
Background Papers:

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

Contact: Karen Monaghan Tel: 0191 3018236
Email: Karen.monaghan@durham.gov.uk

APPENDIX 1 – LOCATION PLAN

Map produced by Durham County Council GIS

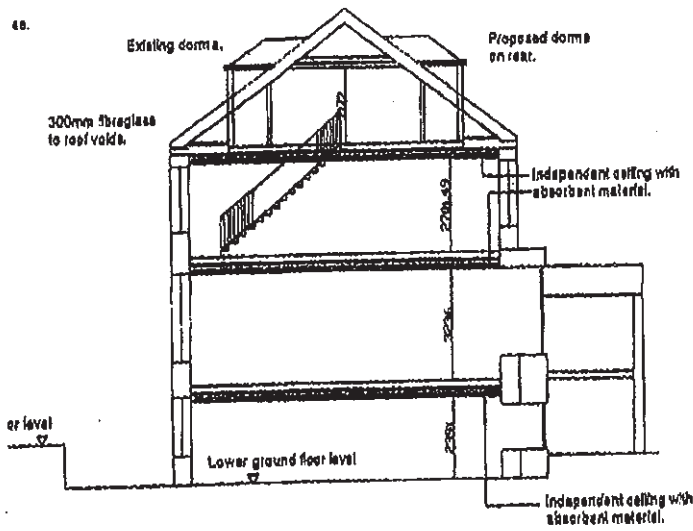


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APPENDIX 2 – LAYOUT PLAN

48.



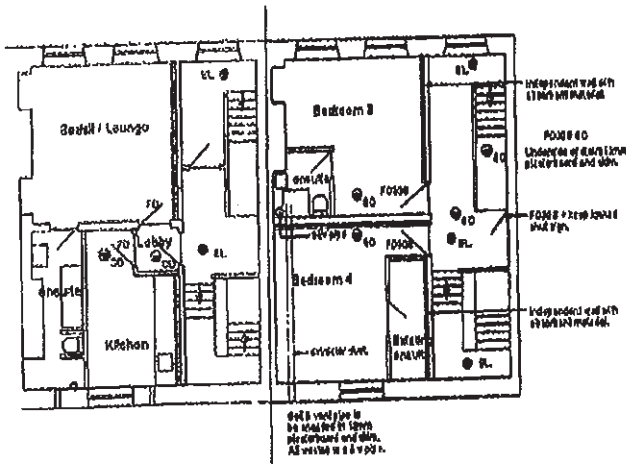
SECTION THRU [8 TEMPEST ROAD]

Notes to Contractor:
 All fire doors to be self closing with seal strips/brushes.
 L1 alarm system to be fitted - BS6839, alarm to be linked to apartments at 3 Tempest Road
 Fire extinguishes to BS5306 Part 3 - to each floor landing and behind bar.
 Signs - notices on back every door in bedroom.
 Kitchen - dry powder extinguisher and fire blanket.
 Part M 'Access Statement' to follow.

- Smoke detector.
- Emergency light to BS 5266.
- Heat detector.

All existing windows are double glazed.
 New 3 phase electricity supply to be installed
 Appropriate sized electric radiators with trv's to be installed in all rooms.
 Sound test required on completion of works.

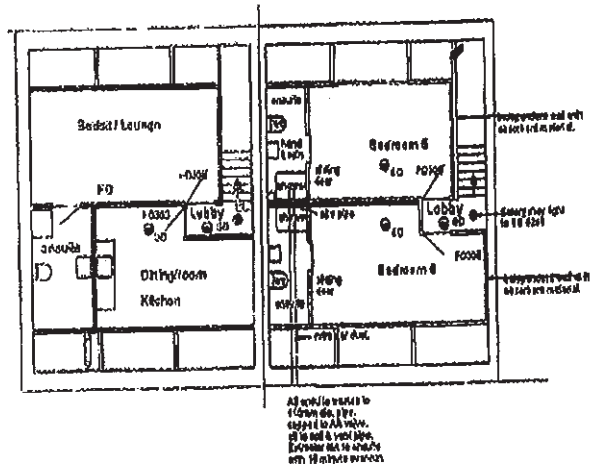
FRONT



EXISTING FIRST FLOOR PLAN [3 TEMPEST ROAD]

PROPOSED FIRST FLOOR PLAN [5 TEMPEST ROAD]

FRONT



EXISTING SECOND FLOOR PLAN [3 TEMPEST ROAD]

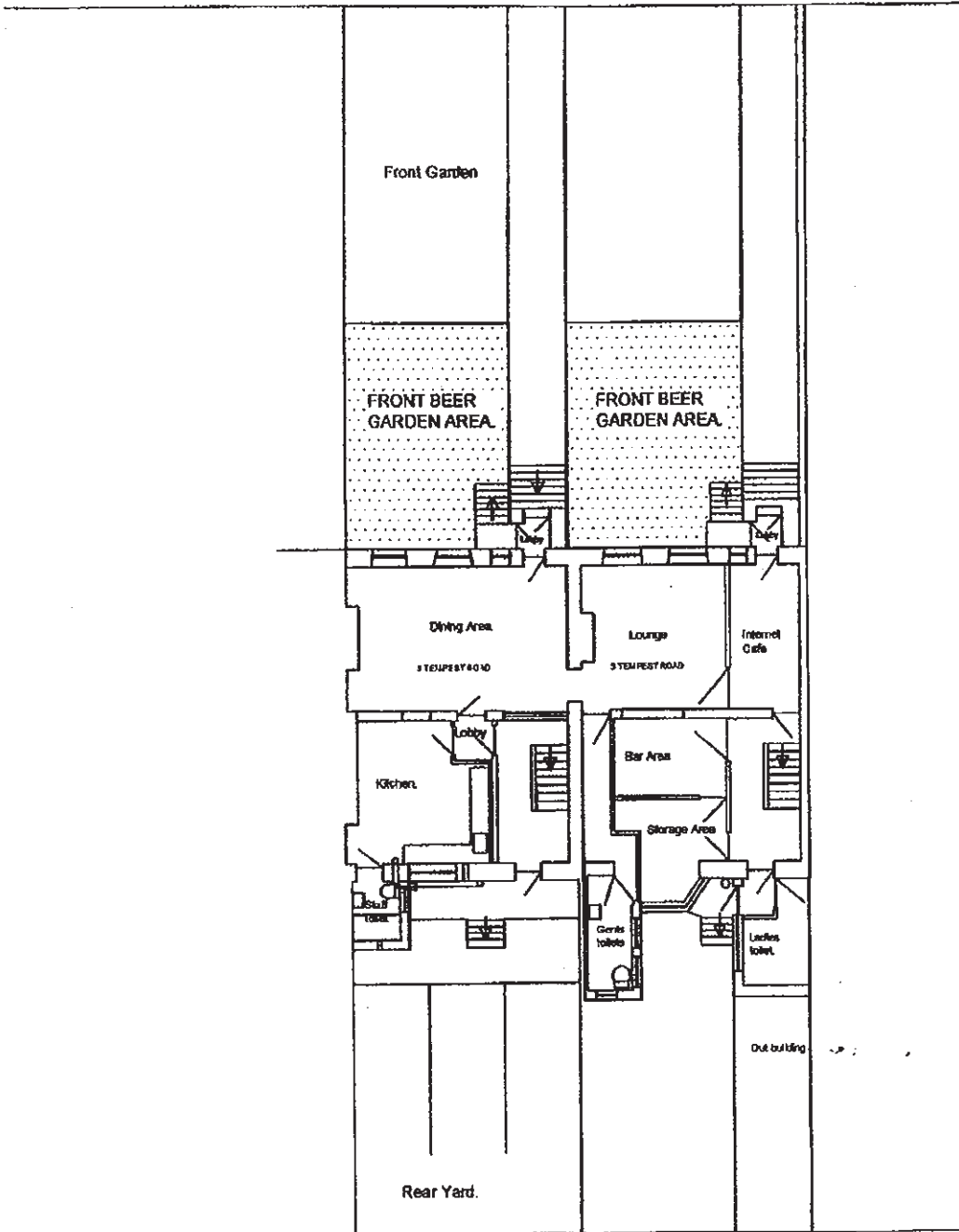
PROPOSED SECOND FLOOR PLAN [5 TEMPEST ROAD]

**PROPOSED BED AND BREAKFAST AT:
 5 TEMPEST ROAD, SEAHAM - INCORPORATING
 PROPOSED LOWER GROUND FLOOR RESTAURANT
 (Nos. 3 & 5 TEMPEST ROAD.)**

SCALE 1:100

Carriageway.

Public Footway



Back Street

PROPOSED BEER GARDEN
NOS. 3 & 5 TEMPEST ROAD.

SCALE 1:200

APPENDIX 3 – APPLICATION FORM

Last Day 22/03/12 £190



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 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 JUDITH ADELE LENNOX (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 <u>3-5 Tempest RD</u>	
Post town <u>SEAHAM CO DURHAM</u>	Post code <u>SR7 7BA</u>

Telephone number at premises (if any)

~~XXXXXXXXXX~~

Non domestic rateable value of premises

£ 8,200

Part 2 – Applicant Details

Please state whether you are applying for a Premises Licence as:

- Please tick ✓
- 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)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓

I am 18 years old or over

Current postal address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

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

Day	Month	Year

If 5000 or more people are expected to attend the premises at any one time, please state the number expected to attend

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

I would like the premises licence to start as soon as possible thank you.

Hotel lodge bistro, 3 consists of 3 self contained self catering holiday let apartments on 2nd 1st ground floor

Number 5 consists of ensuite bedrooms. on 2nd 1st ground floor 2 per floor.

The basement runs across 3-5 there is exits to front and rear of both properties and a door separating the two. 3/5

All windows in the property are tilt and turn to provide fire escapes.

What licensable activities do you intend to carry on from the premises?
 (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick ✓

- 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) performance 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)

Sale by retail 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	
Day	Start	Finish		Outdoors	
Mon	9am	10pm	Please give further details here (please read guidance note 3) PREVIOUSLY THE PREMISES WAS A HOTEL I PLAN TO REOPEN AS A HOTEL CHILD FRIENDLY ENVIRONMENT SEASONAL PUNCH JUDY, KIDS CLUBS KEEP CHILDREN OCCUPIED State any seasonal variations for performing plays (please read guidance note 4) PLAYS BURNS NIGHT RELIGIOUS OCCASIONS EG NATIVITY 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)	Both	✓
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both - please tick (✓) (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	8:30am	11:30pm	Please give further details here (please read guidance note 3) PEOPLE MAY WANT TO WATCH FILMS, CHILDRENS CLUB ENTERTAINMENT DADS PRE RECORDED FOOTAGE SKY. FUNCTIONS MAY BE HELD AS PREMISES COMUNAL AREA COULD BE HIRED. State any seasonal variations for the exhibition of films (please read guidance note 4) HIRE BASIS AND HALLOWEEN NEW YEAR CHRISTMAS PRESENTATIONS 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 (please read guidance note 5) NEW YEARS EVE RECAP CURRENT YEAR AT 2400HRS LOOK BACK 8:30 to 1am HALLOWEEN BALL FILMS 8:30 to 1am	Both	
Tue	8:30am	11:30pm			
Wed	..	..	
Thur	..	..	
Fri	..	..	
Sat	..	..	
Sun	..	..	

8:30am
1am

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) FOOTBALL DARTS DOMINOS, BROWNIES SCOUTS, KIDS CLUBS, BOARD GAMES MARTIAL ARTS
Day	Start	Finish	
Mon	10am	11pm	State any seasonal variations for indoor sporting events (please read guidance note 4) SEASONAL TIMETABLE OF VARIOUS SPORTS, TRAMPOLINE AVAILABLE UNDER SUPERVISION OF ADULT PARENT SUBJECT TO SEASON
Tue	10am	11pm	
Wed	10am	11pm	
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) PRESENTATIONS OF LOCAL CLUBS ORGANISATIONS PRESENTATIONS EVENINGS.
Fri	..	..
Sat	..	..
Sun	10am	12pm	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (✓) (please read guidance note 2) WATCHING BOXING SPORTS	Indoors	Outdoors	Both
Day	Start	Finish		<input checked="" type="checkbox"/>		
Mon	7.30am	11pm	Please give further details here (please read guidance note 3) WATCHING BOXING SPORTS PRACTICE ON SITE GYM FACILITIES, CHARITY AND FUNDRAISING ORGANISATIONS HIRE			
Tue				
Wed	State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4) YEARLY AWARDS EVENING LOCAL CLUBS			
Thur				
Fri	Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 5)			
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		
Day	Start	Finish		Outdoors		
Mon	10am	11pm	Please give further details here (please read guidance note 3) BUSKERS NIGHT, QUIZ BAND, KAROKE	Both	<input checked="" type="checkbox"/>	
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4) CHARITY FUNCTIONS SUMMER TIME ONE OFF OCCASIONS, CAROL SINGING		
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) ONLY CHRISTMAS CAROLS SALVATION ARMY		
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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
Mon	830am	12pm	Please give further details here (please read guidance note 3) QUIZ BACKGROUND MUSIC, WHILE EATING DRINKING GENERAL OPENING HOURS.	Both	<input checked="" type="checkbox"/>
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4) 830am 130 am for residents INSIDE 830am 9 pm outside		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5) AS THIS IS A HOTEL RESIDENTS WILL BE ABLE TO PLAY MUSIC WITH TV ETC IN THEIR ROOMS, COMMUNAL AREA SUBJECT TO CONDITIONS NO NUISANCE TO OTHER RESIDENTS OR NEIGHBOURS		
Sat					
Sun					

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	9am	10pm	Please give further details here (please read guidance note 3) SPACE INSIDE TEA DANCE RESIDENTS CHILDRENS ADULTS STAYING AT HOTEL OR PEOPLE HIRING SPACE SPECIAL OCCASIONS	Both	
Tue					
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)	
Thur					
Fri				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. (please read guidance note 5)	
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)			Please give a description of the type of entertainment you will be providing	Indoors	
Day	Start	Finish		Outdoors	
Mon	08.30	12.00pm	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue					
Wed				State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	
Thur					
Fri				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. (please read guidance note 5)	
Sat					
Sun					

Provision of facilities for making music Standard day 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 checked="" type="checkbox"/>
Day	Start	Finish		
Mon	8:30 am	12 pm	Please give further details here (please read guidance note 3)	
Tue	✓	✓		
Wed	✓	✓	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Thur	✓	✓		
Fri	✓	✓	Non standard timings. Where you intend to use the premises for the 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)	
Sat	✓	✓		
Sun	✓	✓		

J

Provision of facilities for dancing Standard days & timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish		
Mon	8:30 a.m.	12 pm	Please give a description of the facilities for dancing you will be providing	
Tue	✓	✓	Please give further details here (please read guidance note 3)	
Wed	✓	✓	State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thur	✓	✓		
Fri	✓	✓		
Sat	✓	✓		
Sun	✓	✓	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list. (please read guidance note 5)	

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)			Please give a description of the type of entertainment facility you will be providing				
			Will the entertainment facility be place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Indoors	<input type="checkbox"/>	Outdoors
Indoors	<input type="checkbox"/>						
Outdoors	<input type="checkbox"/>						
Both	<input checked="" type="checkbox"/>						
Day	Start	Finish	Please give further details here (please read guidance note 3)				
Mon	8.30	00.00					
Tue	11	11	State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within (i) or (j) (please read guidance note 4)				
Wed	11	11					
Thur	11	11	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. (please read guidance note 5)				
Fri	11	11					
Sat	11	11					
Sun	11	11					

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)			
			<table border="1"> <tr> <td>Indoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Indoors	<input type="checkbox"/>	Outdoors
Indoors	<input type="checkbox"/>					
Outdoors	<input type="checkbox"/>					
Both	<input checked="" type="checkbox"/>					
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon	2300 pm	5am				
Tue	11	11	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Wed	11	11				
Thur	11	11	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)			
Fri	11	11				
Sat	11	11	RESIDENTS ONLY AND GUESTS OF RESIDENTS PAYING TO STAY OVERNIGHT.			
Sun	11	11				

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)

CCTV, CRBS, ON STAFF, MAINTAIN GOOD RELATIONS WITH POLICE
REGULAR SUGGESTION REVIEW, CONTACT WITH COUNCIL
FAMILY FRIENDLY ATMOSPHERE.

- I HAVE WORKED WITH VUNRABLE GROUPS OF PEOPLE FOR 6 YEARS
- HAVE QUALIFICATIONS AND A VAST EXPERIENE IN A VARIETY OF JOBS, WITH COUNCIL, SCHOOLS, MENTAL HEALTH SUBSTANCE ABUSE. I HAVE GOOD COMMUNICATION SKILLS, GOOD KNOWLEDGE OF DEALING IN ALL CIRCUMSTANCES AND THINKING ON MY FEET. I AM PROFESSIONAL AT ALL TIMES.

b) The prevention of crime and disorder

I WILL ABIDE BY ANY CONDITIONS STIPULATED AND IN CONJUNCTION WITH THE LICENCING LAWS, I WILL ENCOURAGE A NATURE RESPONSIBLE APPROPRIATE BEHAVIOUR AND REFUSE ANYONE WHO DOESNT
CCTV WILL BE FITTED, FIRM BUT FAIR ATTITUDE TOWARDS OTHERS HAS ENABLED ME TO GAIN RESPECT IN THE COMMUNITY
THERE WILL BE SIGNS CLEARLY DISPLAYED INFORMING PEOPLE TO BEHAVE IN A APPROPRIATE MANNER.

- AFFORDABLE SOFT DRINK, WHEN PUBLIC HAVE DRANK ~~ENOUGH~~ APPROACHABLE FRIENDLY STAFF.

c) Public safety

- I AM FIRST AID TRAINED HAVE VARIOUS
- NO DRINKS WILL BE ABLE TO LEAVE PREMISES
- RESPONSIBLE DOOR STAFF ON FUNCTIONS WITH VALID LICENCE
- NO SERVICE WHEN PEOPLE HAVE HAD ENOUGH
- CHEAP ALTERNATIVES TO ALCOHOL I.E HOT DRINKS SOFT DRINKS
- TAXIS CALLED FOR CUSTOMERS
- PROMOTE HEALTHY ATTITUDE RESPECT FOR EACH OTHER
- TILT TURN WINDOWS ON ALL FLOORS
- FIRE EXTINGUISHERS EVERY FLOOR. • SMOKE ALARMS FITTED TESTED WEEKLY

d) The prevention of public nuisance

PREMISES HAVE BEEN SOUND PROOFED
THESE PREMISES WERE OPEN BEFORE AND TRADING THERE WAS NO NOISE NUISANCE TO THE PUBLIC, SO IT IS PERFECTLY PERIEVABLE AGAIN, PROMT RESPONSE, TO TIMES TRADING AND ASSISTANCE LEAVING PREMISES.

e) The protection of children from harm

TIMES FOR GENERAL PUBLIC AND GUESTS STAYING WILL BE AT SET TIMES. I WILL ABIDE BY THE LAW ON LICENCING RULES FOR CHILDREN. I EXPECT ADULTS TO UNDERSTAND I AM PROVIDING A FAMILY FRIENDLY ATMOSPHERE. THIS VENU WILL NOT TOLERATE ANYTHING THAT GOES AGAINST THAT
I AM A MOTHER MYSELF AND UNDERSTAND FIRST HAND THAT MY CHILDS SAFETY IS FIRST.

OVERALL I FEEL THE FOUR CONDITIONS ALL COMPLIMENT EACH OTHER AND TIE IN WITH EACH OTHER.

- I have made or enclosed payment of the fee
- I have enclosed a plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the proposed 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

Please tick ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

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 20/2/12

Capacity

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 address for correspondence associated with this application (please read guidance note 19)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	



**Consent of individual to being specified as premises supervisor
under the Licensing Act 2003**

I JUDITH ADELE LENNOX (full name of prospective premises supervisor)
of ~~.....~~
~~.....~~ (home address of prospective premises supervisor)
hereby confirm that I give my consent to be specified as the designated premises
supervisor in relation to the application for NEW PREMISES (type of application)
by JUDITH ADELE LENNOX (name of applicant)
relating to a premises licence (number of existing licence, if any)
for 3/5 NORTH PIER LODGE 3/5 TEMPEST RD SEAHAM CO
DURHAM SR7 7BA (name and address of premises to which the application relates)
and any premises licence to be granted or varied in respect of this application made
by JUDITH ADELE LENNOX (name of applicant)
concerning the supply of alcohol at NORTH PIER LODGE 3-5 TEMPEST
RD SEAHAM CO DURHAM (name and address of premises to which application relates).
SR7 7BA

I also confirm that I am applying for, intend to apply for or currently hold a personal
licence, details of which I set out below.

Personal licence number DOC N PER 02208 (Insert personal licence number, if any)

Personal licence issuing authority SUNDERLAND CITY COUNCIL

..... (insert name and address and telephone number of personal licence issuing authority, if any)

..... signed
Judith Adele Lennox name (please print)
23/2/12 dated

APPENDIX 4 – AGREEMENT

NOT PROTECTIVELY MARKED

**Chester-Le-Street Police Station
Licence Support Officer
Administration Department
Newcastle Road
CHESTER-LE-STREET
County Durham
DH3 3TY**

Web Site: www.durham.police.uk
E-mail: NALU@durham.pnn.police.uk

Tel No: 0191 3752308
Fax No: 0191 375 2304
DX: 721661



Your Ref:
Our Ref: PJI/PREM/2701
09 March 2012

This matter is being dealt with by **MR P. J. LINCOLN (Licence Support Officer)**
Tel 0845 60 60 365 ext 6632351 or direct 0191 3752351

Dear Sir/Madam

Premises: North Pier Lodge, 3 - 5 Tempest Road, Seaham

Applicant: Judith Adele Lennox

Type of application: new Premise Licence application

Date Received: 02.03.2012

With reference to the above application, please note that the Police have no objections.

This follows negotiations with the applicant to add amendments to the operating Schedule, see attached letter signed, dated by Judith Lennox and addressed to the Licensing Authority.

A copy of this letter was also faxed to DCC's Dragonville office on 06.03.2012.

Yours faithfully

 Chief Inspector I. Butler

NOT PROTECTIVELY MARKED

Licensing Officer
Durham County Council
Easington Office
Council Offices
Seaside Lane
Easington Village
Peterlee
Co Durham
SR8 3TN

To The licensing authority
Durham County Council

I would like to add the following
amendments to the application for North Pier
Lodge bistro 3-5 Tempest RD Seaham CO. Durham
SR7 7BA.

There will be as follows :

1. The CCTV System will record on a 28 day hard drive
this is to comply with home office standards.
2. Sale of alcohol to the public will stop at
midnight with 30 minutes drinking up
time
3. I will be operating challenge 25 scheme.

6/3/12

APPENDIX 5 - REPRESENTATIONS

Mr A Mellenthin

7 Tempest Road

Seaham

SR7 7BA

12th March 2012

Dear Sir/Madam,

Premises License Application: 3-5 Tempest Road, Seaham

By good fortune I have been made aware of the above application. I have not been able to access or been able to view specific details but was informed that every regulated activity listed on the application form has been applied for.

I live next door to the applicant, in the end terrace house of consisting of numbers 1, 3, 5 and 7 and was under the impression that the licensing authority had a duty to inform any immediate neighbours in the form of a written communication. I received consultation when the previous owner applied for a license a number of years ago. Is this now optional? If so I would be interested in observing the criteria used.

Please receive the following comments:

- I believe the four town houses consisting of numbers 1, 3, 5 and 7 Tempest Road, Seaham form a visual reminder of Seahams heritage and should be preserved and protected for future generations.
- I also believe these houses should also be restricted to single family use, however, understand this is impossible to enforce.
- I am unaware of the current authorised occupancy use status, but am aware the current owner/occupier initially purchased No 3, then No 5 Tempest Road a significant time after. I am unsure if both premises are relinked as a Hotel/B&B/Single/Multi occupied/HMO or as individual flats/apartments accessed by one or more front /rear doors.
- I have not observed a public notification of the application posted/displayed prominently for public viewing. Can you confirm if a member of the licensing authority has viewed this?
- I suggest the enforcing authority conduct a site visit to discuss and inform the applicant of the need to comply fully with all legislative requirements and to view the proposed licensed areas. I believe many of the requested regulated activities are inappropriate to room layout, size and authorised occupancy use.
- Some regulated activities may be appropriate to the authorised premises occupancy/use, specifically if for residents or guest use only and if the whole premises are covered by single safety systems, ie recorded CCTV, Fire Detection, Emergency Lighting, Fire Doors, Signage etc to British Standards, Risk Assessments carried out by competent persons, significant findings implemented and competent management control systems, all not just implemented but regulated effectively.
- However, from past experiences at this location under a previous license holder, it appeared from my perspective that licence conditions were abused, with general public accessing the facility and public nuisance problems developing with no apparent action taken by any of the enforcing authorities.

I do not want to appear obstructive but have lived at the address for over 40 years and have the best interests of all at heart. If the Premises License is approved, I would appreciate the monitoring of conditions by all authorities/interested parties to ensure public safety of residents and others.

Yours,

13/3/2012

1 North Rd, Seaham, Co Durham, SR7 7BD

Dear Sir/Madam,

Re. Premises License at 3-5 Tempest Road, Seaham

Our concern is that allowing licensed activity to take place at 3-5 Tempest Rd would impact on the viability of neighbouring properties as family housing. We feel the location is inappropriate for regulated activities because of the residential character.

3-5 Tempest Rd is apartments/hotel (according to latest planning application) with facilities for guest use only. It is situated in a location residential in nature, and is positioned between two family houses. The rear of the premises is a poorly lit residential back street and is opposite the side of our property and garden. This street is on occasion affected by street fouling.

We have concerns that regulated activity could cause public nuisances that would impact on residents living and sleeping in the vicinity of 3-5 Tempest Rd.

1. The times that the applicant has applied for, give the potential for regulated entertainment to take place 7 days a week, 7.30am-12.30pm, and entertainment facilities between 8.30am-12.30pm. We feel that the times and frequency of these activities, within the close proximity of noise sensitive residential properties, could lead to public nuisance.
2. Supplies of hot food or hot drink are exempt from legislation where the supply is on or from premises to which, at the time of the supply, only guests (and their guests) of hotels will be admitted and supplied with hot food or hot drink. Therefore we object to a license for Late Night Refreshment.
3. Access to the premises from Tempest Road is near a busy road junction. We have concerns that the use of 3-5 Tempest Road as location for entertainment has the potential to attract a higher number of vehicles to the area and that the lack of adequate on-site parking would congest the streets around the site. This could lead to dangers for road users. There could also be an increased danger to pedestrians crossing Tempest Road from North Terrace area.
4. North Terrace area is a recognised commercial area for eating/drinking; the character of Tempest Road and the area to the north is a residential area. Patrons of North Terrace currently recognise the change in character when passing through the residential areas. Our concern is if 3-5 Tempest Road was to become licensed, as per the application, the boundary between North Terrace and Tempest Road would become blurred and that this could lead to a change of public attitude within the proximity of 3-5 Tempest Road. The effects could be in the form of increased noise, vehicles, litter etc.
5. We have concerns that the space available on the premises is not suitable, in terms of scale and layout, for some of the activities applied. This could risk public safety, crime and disorder.

Please note that planning permission (14/8/2007) was granted for change of use from residential to hotel subject to the condition: the use of the hotel facilities shall be restricted to use of the residents only and shall not be available to members of the general public (in the interests of the amenities of the local residents). We therefore feel that any licensed activity at 3-5 Tempest Rd should also be restricted to use by hotel residents only, and any such conditions monitored by authorities. Previous advert for "Bistro" at 5 Tempest Rd seemed to encourage use by non-resident members of the public.

Previous activity on site of 3-5 Tempest Rd has caused noise disturbance from the rear of the property due to use of ventilation fan. This nuisance restricted use of our garden for peaceful relaxation.

Mr & Mrs M Woods

02 MAR 2012

1 Tempest Road
Seaham
Co Durham
SR7 7BA

21 March 2012

Dear Sirs,

Ref Licence application for 3 Tempest Road (North Pier Lodge Bistro)

The advertised application shows the applicant as North Pier Lodge Bistro, with an address of North Pier Lodge Bistro, Tempest Road, Seaham.

This is not representative of the properties which are no's 3 & 5 Tempest Road, Seaham, the centre two properties in a terrace of four prominent houses that have always been large residential homes.

Whilst the previous owner intended to make them into 3 holiday lets and a B&B. I understand that, as part of this a licence was granted for a small Bistro and Bar for the use of residential guests only.

Neither of these businesses were successfully brought into operation and in attempt to rescue the previous owners financial position, I believe that the agreed licence terms were broken and the Bar / Bistro was opened to the public. Again this was unsuccessful and the properties were put up for sale.

There is no reason that I can see why a licence application as advertised in the local media should be granted in whole or in part. Even 'just for residents' as the occupants I believe are the owner of the properties and her parents and one other who appears to be a friend / tenant that has apparently taken on the top floor in No 3.

Incidentally these two properties are showing 'For Sale' boards, which would seem to render any licence application pointless as it's terms would have to be met by a future owner.

I should also comment that the properties 1-7 Tempest Road are part of the Conservation Area and for some while the frontages of No3 & 5 are visibly a mess with removed timber and old fittings along with general rubbish strewn around the now 'cobbled over' garden.

I believe that any general or part licence would be detrimental to the area and be totally inappropriate for the location. If any licence were to be granted, I believe the public nuisance factor would be substantial, with excessive noise and danger that would impede the safeguarding of children. It is expected to cause a rise in crime and disorder.

It should also be noted that with the enhancements to the sea front that vehicular parking is becoming a greater and greater issue.

Sincerely,

Ian Dobson LMPA NUJ

Owner and resident of 1 Tempest Road for approximately the last 32 years.

Karen Monaghan

From: Bob Arthur
Sent: 19 March 2012 13:24
To: Karen Monaghan
Subject: .
FW:

From: Bob Arthur
Sent: 19 March 2012 13:13
To: 'KMonaghan-gcsx@durham.gcsx.gov.uk'
Subject:

Afternoon Karen,

I have not received any information on the application for the Bistro Tempest Road, Seaham. Apparently objections deadline is 22-3-2012. On the scant information I have I wish to object on behalf of the residents in the area. I am led to believe a license is being applied for for alcohol, sport films etc up to 0500am.

I wish to object on the grounds of the licensing objectives Public Nuisance and Public Safety. The premises originally were three storey town houses for many years and are surrounded by similar structures which would be detrimental to the neighbourhood, it is also situated on a busy road and a junction.

Regards Cllr Bob Arthur

**County Councillor Dan Myers
5 North Road
Seaham
SR 7 7Bd**

Tel: 0191 5812561

Licence Application 3 – 5 Tempest Road Seaham

I wish to object to the above mentioned licence application on the grounds of

**Public Nuisance
Health and Safety**

Public Nuisance

Tempest Road, and adjacent to the rear of Tempest Road - Dene Terrace plus 1 - 5 North Road - consist of individual Family Houses and this licence would fundamentally alter the character of the area.

[3 – 5 Tempest Road properties were never a “Bistro” as some are trying to claim.]

Noise emanating from the premises would cause annoyance to neighbours on either side and to the rear.

The area is also a conservation area.

Health and Safety

Tempest Road is an extremely busy road for traffic in Seaham and 3 – 5 Tempest Road is right on the junction where it intersects with the equally busy seafront traffic. Parking in front of the premises is already causing problems with pavement parking prevalent hindering “sight lines” at the junction and traffic emerging from Dene Terrace and Back North Road onto Tempest Road.

The rear of the properties is a narrow back street and the adjacent cul de sacs of Dene Terrace and 1 – 5 North Road [back] have the constant danger of reversing and manoeuvring traffic which will be exacerbated if this licence is approved.

Councillor Dan Myers

Helen Johnson

From: Mark Welsh [mark@seaham.gov.uk]
Sent: 22 March 2012 11:43
To: Helen Johnson
Subject: RE: RE Licensing Application - Applicant J A Lennox, 3-5 Tempest Road, Seaham, SR7 7BA - Notification of the Concerns of Seaham Town Council

Hi Helen,

Members have considered the information you provided and as a result I have been requested to inform you that Seaham Town Council wish to submit a formal objection to this licensing application based on the following concerns:

1. That there will be a significant increase in anti-social behaviour in the area due to the proposed duration of the various activities which would be taking place from very early in the morning until after midnight.
2. That there will be a significant increase in congestion and parking problems due to increased parking in the area by those people using the premises especially for large events.
3. That there will be a significant increase in noise as a result of the proposed events and as this is in a residential area there is a definite probability of a negative impact on the quality of life of local residents.

Please ensure that this objection is taken into account when the application is considered.

Regards,

Mark Welsh
TOWN CLERK
Seaham Town Council
3/4 Adelaide Row
Seaham
County Durham
SR7 7EF

Tel: 0191 5818034
Fax: 0191 5130361
Email: mark@seaham.gov.uk

James Horn

From: Barry Gavillet
Sent: 19 March 2012 14:47
To: James Horn; Ann Armitage
Subject: Premises license application - 3-5 Tempest Road, Seaham

Dear James,

with regard to your recent notification on the premises license at 3-5 Tempest Road, Seaham I can confirm the following:

The existing planning permission for the bistro has a condition attached to it which limits its use to hotel residents only, this was imposed in order to limit any loss of amenity to neighbouring residents. It is noted that planning permission would be required for most of the uses proposed under the license application. As such, the planning department would recommend refusal of any planning application which is likely to have an adverse impact on adjoining residents, as seems to be the case here.

regards

Barry Gavillet - Senior Planning Officer
Durham County Council - Central & East Durham - 17 Claypath - Durham - DH1 1RH

Statutory Licensing Sub-Committee

13th April 2012



Application for the Variation of a Premises Licence

Report of Terry Collins, Corporate Director, Neighbourhood Services

Name and Address of Premises: Co-operative Group Foods Ltd,
Newhouse Road, Esh Winning,
Durham DH7 9JX

1. Summary

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

Co-operative Group Food Ltd
Licensing Department
5th Floor Federation Building
Dantzic Street
Manchester M60 OAF

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

2. Details of the Application

On 21st February 2012, the Licensing Authority received an application for a variation of a premises licence from Co-operative Group Food Ltd in respect of Co-operative Food. A copy of the application is attached as Appendix 2.

The details of the application to vary a premises licence are as follows:

Existing Premises Licence	Variation Application
<u>Opening hours</u> Monday to Sunday – Not stated	<u>Opening hours</u> Monday to Sunday – 06:00 to 23:00
<u>Supply of Alcohol (off the premises)</u> Monday to Saturday – 08:00 to 23:00 Sunday - 10:00 to 22:30	<u>Supply of Alcohol (off the premises)</u> Monday to Sunday – 06:00 to 23:00

The applicant has proposed additional steps that are intended to be taken in order to promote the four licensing objectives which are outlined under Part P of the application form.

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

3. The Representations

The Licensing Authority received one representation in relation to the variation of a premises licence application from an Interested Party. This is attached as Appendix 3.

The representation undermines three of the four licensing objectives, namely, the prevention of crime and disorder, prevention of public nuisance and protection of children from harm.

The Licensing Authority deemed the representation to be relevant.

There were no representations received by any Responsible Authorities.

4. Mediation

Upon the request of the applicant the Licensing Authority forwarded documentation to alleviate the concerns of Brandon & Byshottle Parish Council. Members will be updated on the day of the hearing of the outcome of any mediation.

5. The Parties

The Parties to the hearing will be:

- Co-operative Food Group Ltd (Applicant)
- Cllr Wilkinson representing Brandon & Byshottles Parish Council (Interested Party)

6. 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:

- 5.0 The Prevention of Crime and Disorder
- 7.0 The Prevention of Public Nuisance
- 8.0 The Protection of Children from Harm

7. 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 Crime and Disorder
- 2.32 Public Nuisance
- 2.41 Protection of Children from Harm

8. For Decision

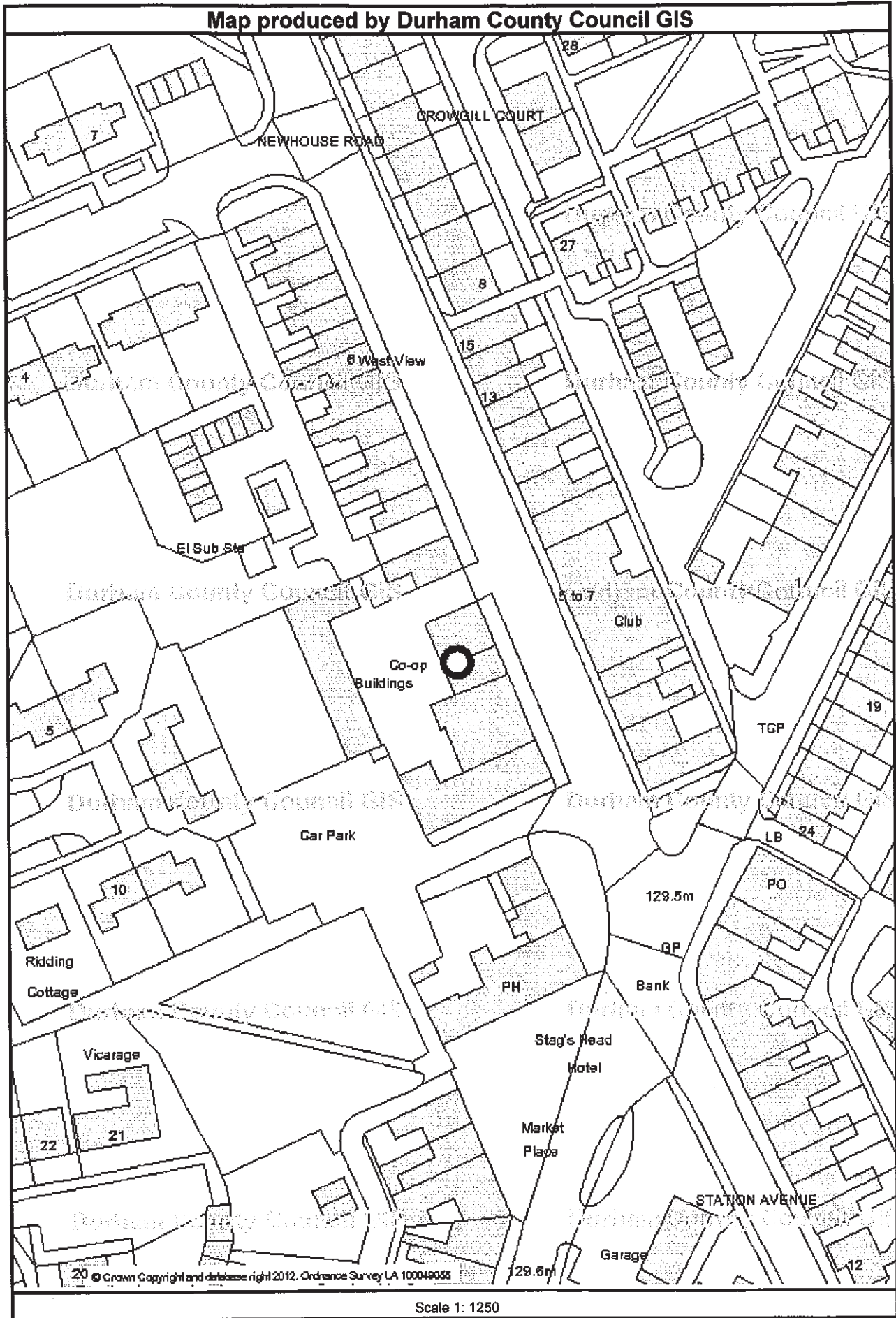
The Sub-Committee is asked to determine the application in the light of the above having regard to the application, the representation received and any mediation between the Applicant and the Interested Party.

Background Papers:

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

Contact: Karen Monaghan Tel: 0191 3018236
Email: karen.monaghan@durham.gov.uk

APPENDIX 1 – LOCATION PLAN



APPENDIX 2 – APPLICATION FORM

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Co-operative Group Food Ltd

(Insert name(s) of applicant)

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

Premises licence number LAPRE/05/0677

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Co-operative Food
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Newhouse Road

Esh Winning

Post town	Durham
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Post code	DH7 9JX
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£16,750.00
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Part 2 – Applicant details

Daytime contact telephone number	0161 827 5404
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E-mail address (optional)	licensing@co-operative.coop
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Current postal address if different from premises address	Licensing Department 5 th Floor Federation Building Dantzic Street
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Post Town	Manchester
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Postcode	M60 0AF
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Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day			Month			Year		

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
To amend the trading hours and / or the licensed hours in store

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please 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)

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

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music 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 playing of recorded music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<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 performance of dance (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
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					
Fri			<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)		
Sat					
Sun					
			<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)		

1

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be 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				
Thur				
Fri				
Sat				
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
			<u>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</u> (please read guidance note 5)	
Sun				

J

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

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)					
Mon	06:00	23:00						
Tue	06:00	23:00						
Wed	06:00	23:00						
Thur	06:00	23:00				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)		
Fri	06:00	23:00						
Sat	06:00	23:00						
Sun	06:00	23:00						

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

Please tick yes

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

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

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

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

A closed circuit TV monitoring system to be installed and maintained. images recorded and retained for at least 21 days and to be handed to police/local authority on request.

b) The prevention of crime and disorder

Signage to be displayed instore that it is an offence for people aged under 18 to purchase alcohol.

Store fitted with a panic button for staff to press in cases of emergency

Store fitted with a burglar alarm.

c) Public safety

To meet the requirements of the Fire Safety Order 2005

d) The prevention of public nuisance

no deliveries to take place between the hours of 2300 and 0600 the following day.

e) The protection of children from harm

all staff are trained in relation to underage related sales of alcohol. proof of age scheme in place.

"Challenge 25" scheme in place and notices of this prominently displayed within the store

electronic till prompt when alcohol is scanned to remind staff to check the age of the purchaser

"Age Refusals Register" refusals book kept to record where sales of alcohol are challenged or

refused.


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, 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 5 – Signatures (please read guidance note 10)

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

Signature	
Date	20/02/2012
Capacity	Licensing Administrator

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) Licensing Department 5 th Floor Federation Building Dantzic Street			
Post town	Manchester	Post code	M60 0AF
Telephone number (if any)	0161 827 5404		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) licensing@co-operative.coop			

Notes for Guidance

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

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

APPENDIX 3 – REPRESENTATION

Valerie Craig

From: Brandon & Byshottles Parish Council [REDACTED]
Sent: 19 March 2012 12:00
To: Valerie Craig
Subject: Variation of [premises license-Esh Winning Co-op

Dear Ms Craig

The Parish Council would like to object to the proposal for a change in licensing hours at Esh Winning Co-operative Store. The Members feel it would be irresponsible to increase the availability of alcohol in the village by a further 2 hours especially as there is an existing problem with under-age drinking and associated anti-social behaviour which is borne out by police statistics provided to the Parish Council.

The Members request that common sense should prevail and that the proposal to extend the hours should be refused in the interests of the local residents.

I trust these comments will be considered when determining the application

Yours sincerely

Susan M Carmedy
Clerk to the Council



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