

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Statutory Licensing Sub-Committee** held in Council Chamber, Council Offices, Chester-le-Street on **Tuesday 23 April 2013 at 10.00 am**

### **Present:**

**Councillor C Carr (Chair)**

### **Members of the Committee:**

Councillors B Alderson, A Hopgood and D Marshall

### **Apologies:**

Apologies for absence were received from Councillors D Morgan

### **Also Present:**

Councillor B Alderson  
K Monaghan – Senior Licensing Officer  
S Buston – Legal Officer

#### **1 Apologies for Absence**

An apology for absence was received from Councillor D Morgan.

#### **2 Substitute Members**

Councillor B Alderson and D Marshall were present as substitutes.

#### **3 Declarations of Interest (if any)**

There were no declarations of interest received.

#### **4 Application for the Variation of a Premises Licence - Oddfellows Arms, Church Street, Seaham**

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 the Oddfellow Arms, Seaham (for copy see file of Minutes).

Members had been provided with a copy of the application and plan, together with representations from the Police.

The Sub-Committee was advised that following successful mediation between the applicant and the Police, additional conditions had been included in the Premises Licence, details of which were set out in the Mediation Agreement. A copy of the Mediation Agreement had been circulated to Members.

In considering 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 application to vary the Premises Licence be granted as follows:-

#### **Opening Hours of the Premises**

Monday to Sunday – 09.00 to 01.00

#### **Playing of Recorded Music (indoors)**

Monday to Sunday – 09.00 to 00.30

#### **Anything of a similar description**

Monday to Sunday – 09.00 to 00.30

#### **Sale of Alcohol (on/off the premises)**

Monday to Sunday – 09.00 to 00.30

In addition the following conditions be added to the Premises Licence:-

1. The Premises Licence Holder shall ensure that a digital CCTV system is installed in the premises to the satisfaction of Durham Constabulary and in respect of which the following conditions shall apply:-
  - (a) It must be of such a quality that individuals are readily identifiable from recordings made;
  - (b) it must cover all public entrances, points of sale and display and other areas to which the public, paying members and guests have admission with particular regard to those areas which may not be visible from the bar or serving area;
  - (c) it must be operated by properly trained staff;
  - (d) it must be in operation at all times that the premises are being used for licensable activities;
  - (e) recordings must be kept secure where they cannot be tampered with and retained for a period of no less than 30 days or such other period as shall be specified by Durham Constabulary;
  - (f) recordings must be available on request to the Licensing Authority and/or Durham Constabulary or other responsible authority as defined in the Licensing Act 2003 and be provided within 14 days of any such request;

2. The Challenge 25 Scheme must be operated at the premises with a policy in place in accordance with the statutory mandatory conditions providing for such.
  - (a) A written or electronic record must be maintained to record all forms of training and:
    - (i) the same must be available upon request to the Licensing Authority, Durham Constabulary or other responsible authority as defined in the Licensing Act 2003;
    - (ii) the record must bear the signatures of the person trained to confirm the training occurred and the date thereof and the signature of the person who carried out the training and, where the detailed record is maintained electronically, a printed record or diary shall be kept signed by the relevant parties as confirmatory evidence.
3. A refusals challenges and incident book must be maintained and kept up to date. It must:
  - (a) record all refusals and challenges and/or requests for the production of identification;
  - (b) record the result of such challenge or request;
  - (c) record similar information with respect to any purchases considered to be attempted by an adult on behalf of a person under 18 or an adult who is known to, or the licence holder has been advised of being known to, buy on behalf of persons under 18 years of age;
  - (d) be available upon request to either the Licensing Authority, Durham Constabulary or other responsible authority as defined in the Licensing Act 2003.
4. Sales must be refused to any person appearing to be under the influence of alcohol or drugs.