



Statutory Licensing Sub-Committee

Date Tuesday 27 March 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 Meetings held on 18 January 2012 and 16 February 2012 (Pages 1 - 16)
3. Application for the Variation of a Premises Licence - Dominos Pizza, 41-43 North Road, Durham (Pages 17 - 44)
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

19 March 2012

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

Councillors B Alderson, B Arthur, D Brown, J Shiell 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, Chester-le-Street on **Wednesday 18 January 2012 at 9.40 am**

Present:

Councillor C Carr (Chair)

Members of the Committee:

Councillors B Arthur and J Hunter

Apologies:

There were no apologies for absence.

Also Present:

C Greenlay (Legal Officer), K Monaghan (Senior Licensing Officer) and P Nicholson (Committee Services Officer)

1 Declarations of Interest (if any)

Councillor Arthur advised the Sub-Committee that he was from Seaham, but the Cricket Club was not within his ward.

2 Application for the Review of a Club Premises Certificate - Seaham Park Cricket Club, The Pavilion, Seaham Town Park, Stockton Road, Seaham

Consideration was given to the report of the Corporate Director, Neighbourhood Services which detailed an application from Durham Constabulary to review the club premises certificate in respect of Seaham Park Cricket Club.

The application had been advertised as prescribed and a representation had been received from Seaham Town Council.

A successful mediation had taken place between Durham Constabulary and Seaham Park Cricket Club, details of which had been circulated.

Durham Constabulary and the Solicitors acting on behalf of Seaham Park Cricket Club had both given notice to the Authority that a hearing was unnecessary and requested that it be dispensed with.

Members considered the conditions to be attached to the Club Premises Licence which were contained in the mediation document and sought clarification if the removal of the Chairman and Treasurer was on a permanent basis.

The Sub-Committee were advised that the Club Premises Certificate set out details on the Committee and Licensing would have to be notified of any amendments.

In determining the application, the Sub-Committee had considered the report of the Corporate Director, Neighbourhood Services 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 on the condition that all 12 conditions attached to the Club Premises Certificate which are listed below be substantially enforced.

- 1, The Club Premises Certificate be suspended for the period of three months from 17 January 2012 to 15 April 2012.
2. Before the 15 April 2012 the current Chairman, Richard Humphrey, and the current Treasurer, David Thynne, be removed from the Club Committee; and
3. The following conditions be attached to the Club Premises Certificate:
 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. Staff will be trained on their responsibilities under the Licensing Act and a record will be kept of training. Training will initially be refreshed before the 15 April 2012 and thereafter every 6 months. The training will be refreshed by an external company. That record will be available for inspection at the premises by the Police or the Licensing Authority upon providing reasonable notice.
 3. Clear and legible notices shall be displayed at exits and on the terrace advising patrons not to leave the confines of the grounds whilst in the possession of a glass or open alcohol container. Patrons will also be reminded that, except during the cricket season and when a game or practice is taking place, no alcoholic drink are allowed to leave the premises (including the terrace).
 4. Clear and legible notices shall be displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting.
 5. No person shall work behind the bar serving alcohol unless they have undergone training regarding the Licensing Act and sales of alcohol.

6. Fire fighting equipment shall be provided in the licensed premises in accordance with the risk assessment and staff shall be suitably trained as necessary.
7. Posters will be displayed at the premises advising members of the Challenge 25 Policy in operation.
8. 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 25 years (Challenge 25 Scheme) and who is seeking to purchase or consume alcohol 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.
9. The premises will operate a ‘Refusals Book’ to record refusals of sales of alcohol, in line with the premises Challenge 25 policy. Such will be available for inspection by the Police or the Licensing Authority upon providing reasonable notice.
10. An incident book 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 or the Licensing Authority upon providing reasonable notice.
11. There will be no parties at the premises for any birthdays under 21.
12. Any special events or functions shall be organised and operated under a risk assessment. Such assessment shall be discussed and minuted at a Committee Meeting.

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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 **Thursday 16 February 2012 at 10.00 am**

Present:

Councillor J Shiell (Chair)

Members of the Committee:

Councillors B Arthur and K Holroyd

Other Members:

Councillor B Graham

Apologies:

There were no apologies for absence

Also Present:

K Monaghan (Senior Licensing Officer), P Nicholson (Committee Services Officer) and G Proud (Legal Officer)

Mr D Wilson (Agent Acting on behalf of the Applicant)

Matt Trewartha (Lambton Estate Manager)

Robert Alexander Duff (Estate's Event Manager)

Mr AP McManus (Interested Party)

Mr W McCallum (Interested Party)

1 Declarations of Interest (if any)

There were no declarations of interest received.

2 Minutes of the Meetings held on 29 November 2011, 13 December 2011 and 19 December 2011

The Minutes of the Meetings held on 29 November, 2011, 13 December 2011 and 19 December 2011 were confirmed as a correct record and signed by the Chairman subject to the duplication of Councillors Alderson and Charlton being omitted from the minutes of the meeting held on 13 December 2011.

3 Application for the Grant of a Premises Licence - Biddick Hall, Lambton Park, Chester-le-Street

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 Biddick Hall, Lambton Park, Chester-le-Street (for copy see file of minutes).

Plans showing the location and the layout of the premises and a copy of the application had been circulated to Members together with copies of representations which had been received from Interested Parties.

The Senior Licensing Officer presented the report and advised the Sub-Committee that the Licensing authority were satisfied that the consultation was carried out correctly and that the application had been advertised in the Northern Echo and 32 notices were found to be displayed.

She also advised the Sub-Committee that a mediation meeting had taken place on 4 February 2012 which was held on the Lambton Estate. Following this meeting Interested Parties had been contacted giving them the following 3 options:-

- 1) Your objections/representations on (one, two, etc or all five applications) remain valid and if you wish to proceed to hearing on 16 February 2012;
- 2) Your concerns/issues raised on the applications have been addressed by the applicant's agents and you have negotiated additional conditions and withdrawn your objections/representations; or
- 3) Your objections/representations on (one, two, etc or all five applications) have been withdrawn.

A copy of the responses from Interested Parties was circulated to everyone present and time was given for this document to be read.

She also advised the Sub-Committee that Durham Constabulary had negotiated with the Applicant's agent an additional condition to be attached to the operating schedule, details of which had been circulated.

Judith Tagg had indicated that she was unable to attend the meeting but asked that the Senior Licensing Officer verbally advise the Sub-Committee on her behalf that she felt that the ingress and egress should not be from Bonemill Lane.

Mr McManus an Interested Party advised the Sub-Committee that if the applicant did not deviate from what was said at the Mediation meeting then he would have no objections and that his main concerns were access and noise.

Mr McCallum an Interested Party advised the Sub-Committee that his concerns were widespread due to the volume of people attending the events but since the mediation meeting some of these concerns had been explained and on the whole he would have no objections if the access was limited to a number of events and the sale of alcohol was controlled properly.

Mr Trewartha showed a large scale plan which was similar to the plan shown on Page 60 of the report to the Sub-Committee. He indicated which areas were of concern and that the Lambton Estate was also within the area of Sunderland City Council. He advised the Sub-Committee that the access at Bonemill Lane would

only be used as an entrance for Lambton Castle and that a one way system would be put in place.

Mr Wilson the Agent acting on behalf of the applicant advised the Sub-Committee that there were residential properties on the estate and two way traffic would not work on the estate. He went on to say that the rooms were not large and the licence was required for weddings or events of a similar nature and that they were waiting for a licence for civil ceremonies. The venue could never be used as a nightclub and that the Earl of Durham still used the property. He indicated that the objections were in relation to noise and traffic at the Bonemill Lane entrance which was 2 miles away from the premises so noise would not be an issue.

Mr McManus indicated that they could hear shooting and Mr McCallum indicated that as the venue would not be large numbers he did not expect a large volume of noise so would raise no objections.

The Chairman asked for clarification on P.35 of the report in relation to the sale of alcohol. Mr Wilson advised the Sub-Committee that the sale of alcohol would be a pre sale made remotely which may be paid for at the estate office but in reality the sale of alcohol would be a paid bar for guests attending the event.

At 11.00 am the Sub-Committee left to deliberate the application in private. After reconvening at 11.10 am the Chair delivered the Sub-Committee's decision.

In determining the application, Members had considered the report of the Licensing Officer, Section 182 Guidance and the Council's Licensing Policy, together with the verbal representations of the Applicant. They also took into account the verbal and written representations of Interested Parties.

RESOLVED

That the application for a premises licence be granted as follows subject to the following conditions:-

Opening hours of the Premises	Monday to Sunday 00:01 to 00:00
a) Plays (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
b) Films (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
e) Live Music (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
f) Recorded Music (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be

	00:00
g) Performance of dance (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
h) Anything of a similar description to that falling within (e), (f), (g) (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
i) Provision of facilities for making music (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
j) Provision of facilities for dancing (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
k) Provision of facilities for entertainment of a similar description to that falling within (i) or (j) (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
l) Late night refreshment (indoors and outdoors)	Monday to Sunday – 23:00 to 02:00 Outdoors – the terminal hour will be 00:00
m) Sale of Alcohol (on & off the premises)	Monday to Sunday – 09:00 to 02:00 The termination hour for the sale of alcohol outwith the building of the hall shall be 00:00 for every day

- i) If Licensable activities are to be provided outdoors for an event which more than 500 people shall be present at any one time, the Safety Advisory Group at Durham County Council shall be informed of the event prior to the event taking place.

4 Application for the Grant of a Premises Licence - The Raceground, Lambton Park, Chester-le-Street

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 Raceground, Lambton Park, Chester-le-Street (for copy see file of minutes).

A Plan showing the location of the premises and a copy of the application had been circulated to Members together with copies of representations which had been received from Interested Parties.

The Senior Licensing Officer presented the report and advised the Sub-Committee that a mediation meeting had been held on 4 February 2012 as detailed in the previous application and the circulated document was also relevant for this application.

She also advised the Sub-Committee that Durham Constabulary had negotiated with the Applicant's agent an additional condition to be attached to the operating schedule, details of which had been circulated.

Mr McManus and Mr McCallum confirmed that they had no objections to the application.

Mr Wilson advised the Sub-Committee that this application was for entertainment only and that the Racecourse was a large field with a woodland area in the centre. He went on to say that any event would not be of a musical nature due to the close proximity of the A1 motorway and the woodland area and that it had its own entrance so Bonemill Lane would not be affected.

At 11.15 am the Sub-Committee left to deliberate the application in private. After reconvening at 11.25 am the Chair delivered the Sub-Committee's decision.

In determining the application, Members had considered the report of the Licensing Officer, Section 182 Guidance and the Council's Licensing Policy, together with the verbal representations of the Applicant. They also took into account the verbal and written representations of Interested Parties and were satisfied that the venue was not suitable for rock concerts.

RESOLVED

That the application for a premises licence be granted as follows subject to the following conditions:-

Opening hours of the Premises	Monday to Sunday 00:01 to 00:00
a) Plays (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
b) Films (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
e) Live Music (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
f) Recorded Music (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
g) Performance of dance (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
h) Anything of a similar description to that falling within (e), (f), (g) (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
i) Provision of facilities for making music (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
j) Provision of facilities for dancing	Monday to Sunday – 09:00 to 00:00

(indoors and outdoors)	
k) Provision of facilities for entertainment of a similar description to that falling within (i) or (j) (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00

- i) If Licensable activities are to be provided outdoors for an event which more than 500 people shall be present at any one time, the Safety Advisory Group at Durham County Council shall be informed of the event prior to the event taking place.

5 Application for the Grant of a Premises Licence - The Estate Office, Lambton Park, Chester-le-Street

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 Estate Office, Lambton Park, Chester-le-Street (for copy see file of minutes).

Plans showing the location and the layout of the premises and a copy of the application had been circulated to Members together with copies of representations which had been received from Interested Parties.

The Senior Licensing Officer presented the report and advised the Sub-Committee that a mediation meeting had been held on 4 February 2012 as detailed in the Biddick Hall application and the circulated document was also relevant for this application.

She also advised the Sub-Committee that Durham Constabulary had not negotiated a mediation agreement with the Applicant's agent for these premises and page 118 of the document should therefore be disregarded.

Mr McManus and Mr McCallum confirmed that they had no objections to the application but Mr McCallum indicated that he had asked Mr Wilson for clarification if alcohol could be sold to staff and residents and that these concerns had now been alleviated after talking to Mr Wilson.

Mr Wilson advised the Sub-Committee that the application was required for telephone and internet sales and that no alcohol would be kept within the Estates Office.

At 11.40 am the Sub-Committee left to deliberate the application in private. After reconvening at 11.50 am the Chair delivered the Sub-Committee's decision.

In determining the application, Members had considered the report of the Licensing Officer, Section 182 Guidance and the Council's Licensing Policy, together with the verbal representations of the Applicant. They also took into account the verbal and written representations of Interested Parties.

RESOLVED

That the application for a premises licence be granted as follows subject to the following conditions:-

Opening hours of the Premises	Monday to Sunday 00:01 to 00:00
Sale of Alcohol (off the premises)	Monday to Sunday – 00:01 to 00:00

6 Application for the Grant of a Premises Licence - Lambton Castle, Lambton Park, Chester-le-Street

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 Lambton Castle, Lambton Park, Chester-le-Street (for copy see file of minutes).

Plans showing the location and the layout of the premises and a copy of the application had been circulated to Members together with copies of representations which had been received from Interested Parties.

The Senior Licensing Officer presented the report and advised the Sub-Committee that a mediation meeting had been held on 4 February 2012 as detailed in the Biddick Hall application and the circulated document was also relevant for this application.

She also advised the Sub-Committee that Durham Constabulary had negotiated with the Applicant's agent an additional condition to be attached to the operating schedule, details of which had been circulated.

Mr McManus raised concerns in relation to access from Bonemill Lane and late night music and asked for a concession that access be withdrawn from Bonemill Lane.

Mr McCallum also raised concerns in relation to access at Bonemill Lane and the level of noise. He asked that a limit be imposed on the number of people attending events in this area.

Mr Wilson indicated that the walls of the Castle would contain any noise and any activities outside would cease at midnight. The entrance and noise concerns had been discussed with authorities and no issues were raised. He also indicated that the drive was a mile in length which gave an opportunity for vehicles to line up on the driveway so no congestion would be created. He also indicated that if there was potential for congestion then staff and visitors could be advised in advance that vehicles do not cross the flow of traffic and use the roundabout so that they enter the estate by turning left from the road.

Mr McCallum and Mr McManus advised the Sub-Committee that using the roundabout was reasonable but asked that the first roundabout be not used as it

was not suitable for a u-turn. They referred to the noise from the Castle which rises due to it being a big and open space, they had no problems with noise during the day but were concerned with noise on an evening and the increased amount of traffic on an evening with people leaving an event. Mr McManus suggested that a ceiling level be imposed and any events above this level the applicant would have to apply for a special event to allow a judgement to be made.

The Chairman and Solicitor advised the Sub-Committee that they had to approve or refuse the application as they did not have the power to approve on a temporary basis but if the application was granted a review could be undertaken at anytime.

Mr Wilson indicated that the estate could have proceeded via a temporary events notice which would not allow residents to object but they felt it would be easier to obtain a licence. He advised the Sub-Committee that the Castle and outdoor area was surrounded by trees and was not in an open field and any problems of noise would be dealt with by seeking professional advice, so that they did not create a nuisance.

He also advised the Sub-Committee that a one way system would be put into place and they would use the most suitable roundabout. They did not intend to have weddings simultaneously at the Castle and Biddick Hall and their long term plan was to have weddings at the Castle but the Castle was going to be used by a film company for the next 12 months so no event would be held at the Castle for some time.

Mr McManus confirmed that his concerns remained in relation to the access at Bonemill Lane and music for late night events.

Mr McCallum indicated that as a local resident he had concerns but he believed the applicant would carry out what they have said but nothing was in writing to confirm this and he would like to see something in writing.

Mr Wilson indicated that the objector who lived nearest to the access at Bonemill Lane had withdrawn his objections after visiting the estate. He referred to Bonemill Lane not being a narrow country track and stated it was a proper highway. It was suggested that the wall and entrance be moved back but unfortunately it was listed so was unable to be moved.

At 12.30 pm the Sub-Committee left to deliberate the application in private. The Sub-Committee reconvened at 12.35 pm in order for Mr Wilson to advise them that further gates were going to be installed which would result in visitors having to use the one way system as they would not be able to get back down the drive.

At 12.40 pm the Sub-Committee left to deliberate. After reconvening at 12.55 pm the Chair delivered the Sub-Committee's decision.

In determining the application, Members had considered the report of the Licensing Officer, Section 182 Guidance and the Council's Licensing Policy, together with the verbal representations of the Applicant. They also took into account the verbal and written representations of Interested Parties.

The Sub-Committee felt that the Bonemill Lane entrance had been addressed with the use of the roundabout and the introduction of a one way system and any outdoor events would cease at 12.00 midnight.

RESOLVED

That the application for a premises licence be granted as follows subject to the following conditions:-

Opening hours of the Premises	Monday to Sunday 00:01 to 00:00
a) Plays (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
b) Films (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
e) Live Music (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
f) Recorded Music (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
g) Performance of dance (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
h) Anything of a similar description to that falling within (e), (f), (g) (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
i) Provision of facilities for making music (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
j) Provision of facilities for dancing (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00
k) Provision of facilities for entertainment of a similar description to that falling within (i) or (j) (indoors and outdoors)	Monday to Sunday – 09:00 to 02:00 Outdoors – the terminal hour will be 00:00

l) Late night refreshment (indoors and outdoors)	Monday to Sunday – 23:00 to 02:00 Outdoors – the terminal hour will be 00:00
m) Sale of Alcohol (on & off the premises)	Monday to Sunday – 09:00 to 02:00 The termination hour for the sale of alcohol outwith the building of the Castle shall be 00:00 for every day

- i) If Licensable activities are to be provided outdoors for an event which more than 500 people shall be present at any one time, the Safety Advisory Group at Durham County Council shall be informed of the event prior to the event taking place.

Mr McManus left the Meeting at 12.50 pm.

7 Application for the Grant of a Premises Licence - The Riverside and Walled Garden, Lambton Park, Chester-le-Street

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 Riverside and Walled Garden, Lambton Park, Chester-le-Street (for copy see file of minutes).

Plans showing the location and the layout of the premises and a copy of the application had been circulated to Members together with copies of representations which had been received from Interested Parties.

The Senior Licensing Officer presented the report and advised the Sub-Committee that a mediation meeting had been held on 4 February 2012 as detailed in the Biddick Hall application and the circulated document was also relevant for this application.

She also advised the Sub-Committee that Durham Constabulary had negotiated with the Applicant’s agent an additional condition to be attached to the operating schedule, details of which had been circulated.

Mr McCallum advised the Sub-Committee that he had no objections to the application.

Mr Wilson advised the Sub-Committee that it was a large outdoor area known as ‘the Bottoms’ which could be used for activities. He indicated that there was a large structure in the walled garden which in the future could be used for civil weddings. As this area was in the valley any noise would be contained so he believed that this would not give rise to noise issues. Access arrangements for this site were the same as Lambton Castle.

At 1.05 pm the Sub-Committee left to deliberate the application in private. After reconvening at 1.15 pm the Chair delivered the Sub-Committee’s decision.

In determining the application, Members had considered the report of the Licensing Officer, Section 182 Guidance and the Council's Licensing Policy, together with the verbal representations of the Applicant. They also took into account the verbal and written representations of Interested Parties.

RESOLVED

That the application for a premises licence be granted as follows subject to the following conditions:-

Opening hours of the Premises	Monday to Sunday 00:01 to 00:00
a) Plays (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
b) Films (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
e) Live Music (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
f) Recorded Music (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
g) Performance of dance (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
h) Anything of a similar description to that falling within (e), (f), (g) (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
i) Provision of facilities for making music (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
j) Provision of facilities for dancing (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00
k) Provision of facilities for entertainment of a similar description to that falling within (i) or (j) (indoors and outdoors)	Monday to Sunday – 09:00 to 00:00

- i) If Licensable activities are to be provided outdoors for an event which more than 500 people shall be present at any one time, the Safety Advisory Group at Durham County Council shall be informed of the event prior to the event taking place.

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Statutory Licensing Sub-Committee

27th March 2012

Application for the Variation of a Premises Licence



Report of Terry Collins, Corporate Director, Neighbourhood Services

Name and Address of Premises: Dominos Pizza,
41-43 North Road, Durham, DH1 4SE

1. Summary

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

Marino Foods Ltd
High Clere
Scotland Lane
Horsforth
Leeds
LS18 5SF

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

2. Details of the Application

On 2nd February 2012, the Licensing Authority received an application for a variation of a premises licence from Marino Foods Ltd in respect of Dominos Pizza. 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 Thursday – 12:00 to 23:30 Friday and Saturday – 12:00 to 00:00 Sunday - 12:00 to 23:30	<u>Opening hours</u> Monday to Sunday – 11:00 to 02:30
<u>Late Night Refreshment</u> Monday to Thursday – 12:00 to 23:30 Friday and Saturday – 12:00 to 00:00 Sunday - 12:00 to 23:30	<u>Late Night Refreshment</u> Monday to Sunday – 23:00 to 02:30

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 nine representations in relation to the variation of a premises licence application from Interested Parties. These are attached as Appendix 3.

The representation undermines three of the licensing objectives, namely, the prevention of crime and disorder, public safety and the prevention of public nuisance.

The Licensing Authority deemed the representation to be relevant.

There were no representations received by any Responsible Authorities.

4. Mediation

The Licensing Authority have arranged a mediation meeting with the applicant and interested parties and 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:

- Mr Gary Reid / Mr Nick Reynolds - Marino Foods Ltd (Applicant)
- Mr James O'Neill The Bridge Hotel (Interested Party)
- Partners in Hair (Interested Party)
- M T Turrington (Interested Party)
- K Turrington (Interested Party)
- D Loughrian (Interested Party)
- J Hartley (Interested Party)
- C Bell (Interested Party)
- R Britnell (Interested Party)
- B Middleton (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
- 6.0 Public Safety
- 7.0 The Prevention of Public Nuisance

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
- 2.19 Public Safety
- 2.32 Public Nuisance

8. For Decision

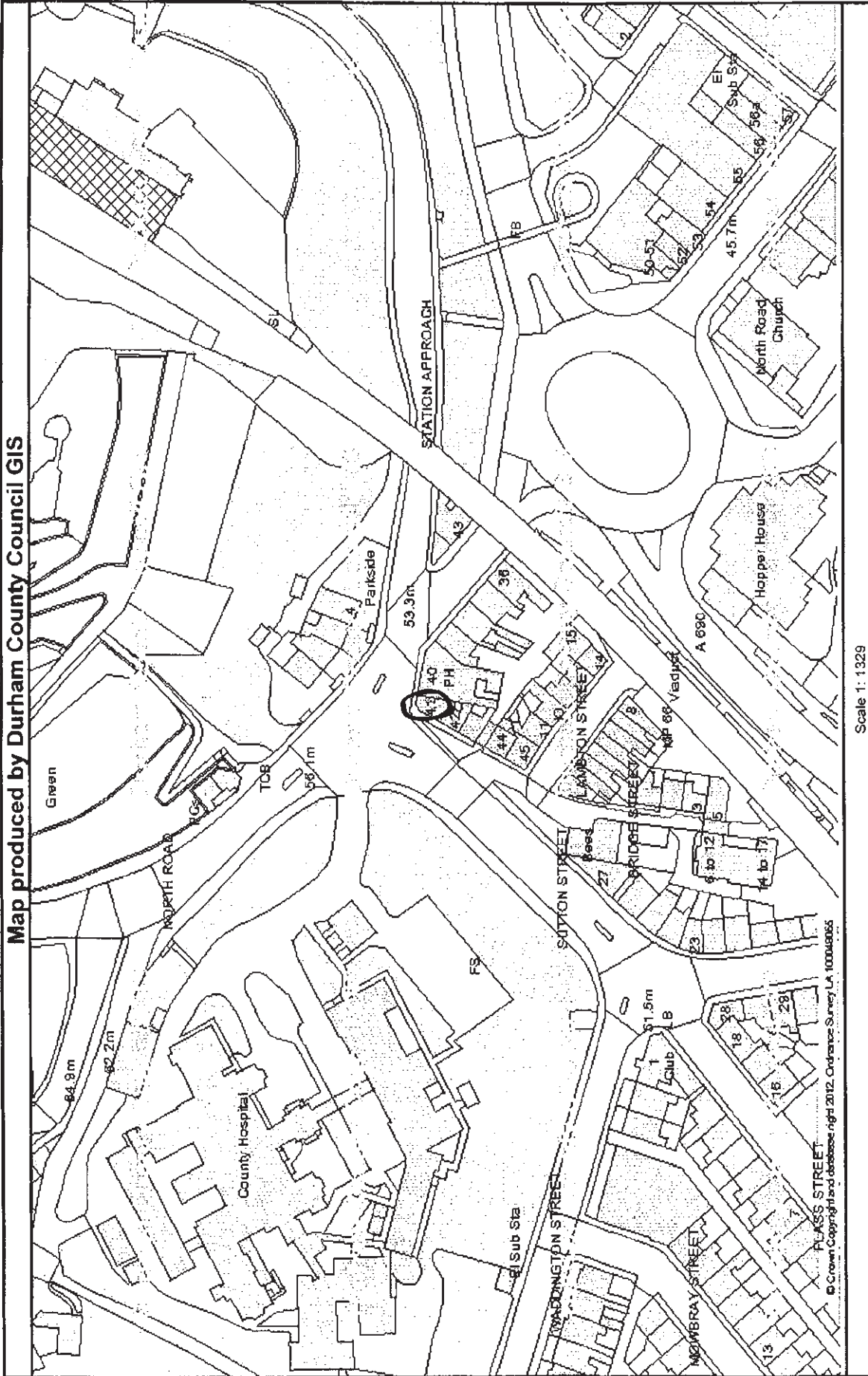
The Sub-Committee is asked to determine the application in the light of the above having regard to the application, the representation received and any mediation between the Applicant and the Interested Parties.

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



Durham County Council

Unit 1 Damson Way, Dragonville Industrial Estate, Dragonville,
Co Durham, DH1 2YN Tel: 03000 260727 Fax: 0191 3018678

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form 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 (MARINO FOODS LTD) apply for a premises licence under section 17 of the
(insert name(s) of applicant)
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

Name of Premises	DOMINOS PIZZA
Postal address of premises	41-43 NORTH ROAD DURHAM
Postcode	DH1 4SE

Telephone number of premises (if any) 0191 38 44 777

Non-domestic rateable value of premises £ 17,000

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

- 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)

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname	First names

I am 18 years old or over Yes
 Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr Mrs Miss Ms Other title (for example Rev)

Surname	First names

I am 18 years old or over Yes
 Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone

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	MARINO FOODS LTD		
Address	HIGH CLERE SCOTLAND LANE MORSFORTH LEEDS LS18 5SF.		
Registered number (where applicable)	50 187726		
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY		
Telephone number (if any)	<div style="background-color: black; width: 150px; height: 15px;"></div>	E-mail address (optional)	<div style="background-color: black; width: 150px; height: 15px;"></div>

Part 3 – Operating Schedule

When do you want the premises licence to start?

Day Month Year

1	5	0	3	2	0	1	2
---	---	---	---	---	---	---	---

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

Day Month Year

--	--	--	--	--	--	--	--

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

General description of premises (please read guidance note 1) Continue on a different sheet if necessary.

The premises is a Dominos pizza franchise located at 41-43, North Road, Durham, DH1 4SE. It comprises of a standard Dominos store layout of customer area, kitchen area, dry goods store, office, prep area, cold room and toilet. There are three doors to the property at the front, side and back.

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)

Please Tick

Provision of regulated entertainment

- 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 for:

- j) making music (if ticking yes fill in box I)
- k) Dancing (if ticking yes, fill in box J)
- l) 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			Will the performance of a play take place indoors or outdoors or both – please tick	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u>		
Mon					
Tues					
Wed			<u>State any seasonal variations for performing plays</u>		
Thur					
Fri			<u>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u>		
Sat					
Sun					

B

Films Standard days and timings			Will the exhibition of films take place indoors or outdoors or both – please tick	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u>		
Mon					
Tues					
Wed			<u>State any seasonal variations for performing plays</u>		
Thur					
Fri			<u>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u>		
Sat					
Sun					

C

Indoors sporting events Standard days and timings			
Day	Start	Finish	
Mon			<u>Please give further details</u>
Tues			
Wed			<u>State any seasonal variations for performing plays</u>
Thur			
Fri			<u>Non-standard timings. Where you intend to use the premises for the indoor sporting events at different times to those listed in the column on the left, please list</u>
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		<u>Please give further details here</u>
Tues					
Wed					<u>State any seasonal variations for boxing or wrestling entertainment</u>
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>
Sat					
Sun					

E

Live music Standard days and timings			Will the performance of live music take place indoors or outdoors or both – please tick	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here		
Mon					
Tues			State any seasonal variations for the performance of live music		
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		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings			Will the playing of recorded music take place indoors or outdoors or both – please tick	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here		
Mon					
Tues			State any seasonal variations for playing recorded music		
Wed					
Thur			Non-standard timings. Where you intend to use the playing of recorded music entertainment at different times to those listed in the column on the left, please list		
Fri					
Sat					
Sun					

G

Performance of dance Standard days and timings			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u>	Indoors		
Day	Start	Finish		Outdoors		
Mon			<u>Please give further details here</u>	Both		
Tues						
Wed				<u>State any seasonal variations for the performance of dance</u>		
Thur						
Fri						
Sat				<u>Non-standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u>		
Sun						

H

Performance of a similar description to that falling within (e), (f) or (g) Standard days and timings			<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>	Indoors	
Mon					Outdoors
Tues			Both		
Wed			<u>Please give further details here</u>		
Thur					
Fri					
Sat			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u>		
Sun					
			<u>Non-standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u>		

Provision of facilities for making music Standard days and timings			Please give a description of the type of facilities for making music you will be providing	
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick	Indoors
Mon				
			Both	
Tues			<u>Please give further details here</u>	
Wed			<u>State any seasonal variations for the provision of facilities for making music</u>	
Thur				
Fri			<u>Non-standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list</u>	
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings			Will the facilities for dancing be indoors or outdoors or both – please tick	Indoors	
Day	Start	Finish		Outdoors	
Mon				<u>Please give a description of the facilities for dancing you will be providing</u>	
Tues			<u>Please give further details here</u>		
Wed			<u>State any seasonal variations for providing dancing facilities</u>		
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>		
Sat					
Sun					

K

Provision of facilities for Entertainment of a similar des to that falling within I or J Standard days and timings			<u>Please give a description of the type of entertainment facility you will be providing</u>	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick	Indoors
Mon				Outdoors
				Both
Tues			<u>Please give further details here</u>	
Wed				
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within J or K</u>	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of similar description to that falling within J or K at different times to those listed in the column on the left, please list</u>	
Sun				

L

Late night refreshment Standard days and timings			Will the provision of late night refreshment take place indoors or outdoors or both - please tick	Indoors	
				Outdoors	<input checked="" type="checkbox"/>
				Both	
Day	Start	Finish	<u>Please give further details here</u>		
Mon	11pm	2.30am	we intend to run both carry out and delivery service up to 11pm Sunday - Thursday and midnight Friday & Saturday. The Late Licence application is for delivery only.		
Tues	11pm	2.30am			
Wed	11pm	2.30am	<u>State any seasonal variations for the provision of late night refreshment</u>		
Thur	11pm	2.30am			
Fri	11pm	2.30am	<u>Non-standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list</u>		
Sat	11pm	2.30am			
Sun	11pm	2.30am			

M

Supply of alcohol Standard days and timings			Will the supply of alcohol be for consumption (please tick)	On the premises				
				Off the premises				
				Both				
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u>					
Mon								
Tues								
Wed								
Thur								
Fri								
Sat								
Sun								
						<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u>		

Supply of alcohol only:

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

Name.....

Address.....

.....

Postcode.....

Personal Licence number (if known).....

Issuing licensing authority (if known).....

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

none

Q.

Hours premises are open to the public Standard days and timings			State any seasonal variation
Day	Start	Finish	
Mon	11am	2.30am	<u>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list</u>
Tues	11am	2.30am	
Wed	11am	2.30am	
Thur	11am	2.30am	
Fri	11am	2.30am	
Sat	11am	2.30am	
Sun	11am	2.30am	

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

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

As part of a national franchise we are required to maintain a high standard of safety and security and get checked three times a year by our Head office. I am also signed up to Bibby's who guide me on Health and Safety and employment Law.

b) The prevention of crime and disorder

- CCTV - 8 cameras inside shop
- shop alarm monitored 24 hours by advanced security
- two panic buttons counter & office
- time delayed safe
- drivers operate a key fob system as they come & go.
- drivers never carry more than £15 on any delivery
- all our drivers are provided with free business insurance

c) Public Safety

- CCTV 8 cameras
- Fire alarm monitored by Advanced Security
- Fire extinguishers serviced by the Fire
- Security alarm monitored by advanced
- panic buttons
- gas supply emergency stop Lock
- all electrical equipment Pat tested
- all gas equipment serviced regularly
- windows are all non shatter
- delivery driver have their cars checked before each shift

d) The prevention of public nuisance

- CCTV
- drivers drop their cash after each delivery in secure box in store
- each driver is provided with Business Insurance
- two panic buttons
- shop alarm / Fire Alarm
- time delayed safe
- employees enter premises with their own keys
- Fire risk assessment completed

e) The protection of children from harm

- CCTV
- Fire extinguishers and alarm
- panic buttons
- drivers insured and vehicles checked
- all equipment regularly serviced
- all food handlers take food hygiene course
- risk assessment completed

- 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

Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.

Signature *Gary Reid*

Capacity *Director* Date *11/2/12*

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant please state in what capacity.

Signature

Capacity Date

Contact name (where not previously given) and address/postcode for correspondence associated with this application	
GARY REID HIGH CLERE SCOTLANDS LANE MORSFORTH LEEDS LS18 5SF	
Telephone number (if any)	E-mail address (optional)
[REDACTED]	[REDACTED]

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would 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 the 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 calendar months.
5. For example (but not exclusively) would you allow the alcohol to be consumed on the premises during Christmas Eve.
6. Please give details in 24 hour time zone (UTC) and give details of any 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 off. 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 a nuisance or disturbance to the neighbourhood. Please give details of any measures you have taken to prevent such a nuisance or disturbance. Please give details of any measures you intend to take to prevent such a nuisance or disturbance.
9. Please give details of any measures you have taken to prevent such a nuisance or disturbance.
10. Please give details of any measures you intend to take to prevent such a nuisance or disturbance.
11. Please give details of any measures you intend to take to prevent such a nuisance or disturbance.
12. Please give details of any measures you intend to take to prevent such a nuisance or disturbance.
13. Please give details of any measures you intend to take to prevent such a nuisance or disturbance.
14. Please give details of any measures you intend to take to prevent such a nuisance or disturbance.
15. Please give details of any measures you intend to take to prevent such a nuisance or disturbance.

APPENDIX 3 – LETTERS FROM INTERESTED PARTIES

The Bridge Hotel
40 North Road
Durham City
DH1 4SE

16th February 2012

Licensing Authority
Consett Access Point
36-38 Front Street
Consett
County Durham .

Dear sir/madam

As General Manager of the above residential and catering establishment I wish to register, on behalf of the owners and myself and staff, the strongest possible objection to the proposed extension of opening hours for the Domino's Pizzeria Take Away on North Road, Durham City.

The Pizzeria is directly next door to The Bridge Hotel and is already a public nuisance in contravention of the Licensing Act of 2003. We have residents here trying to sleep over the noise of queues hanging around the outside of the Pizza shop until after midnight. The place is typically run by extremely young and inexperienced staff who are ill equipped to keep order among late night drunks and revellers who frequent the shop after a night out. The staff is also changed at intervals so there is unlikely to be any serious commitment to good business practice.

This careless attitude presented by the owners of the franchise(?) results in a surrounding area permanently strewn with litter, food debris and dirt so it is very difficult for us at The Bridge Hotel to make our visitors welcome and comfortable when the very first thing they see and hear when arriving here from the Railway Station is disorder and noise amidst anti-social surroundings. This is a nationally respected tourist city and we, as committed business people, wish to maintain its attractiveness to visitors.

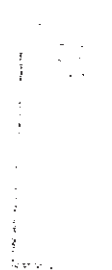
A further serious problem is occasioned by the fact that there is no parking available to customers, as this shop faces on to double yellow lines on a singularly dangerous corner. Cars turn this corner blindly and frequently have to swerve around customers' vehicles parked partly on the kerb. This presents a serious hazard to road users and it would seem to be only a matter of time before there is an accident.

I hope that you will seriously consider the reputation of the city, as well as our welfare as honest business people, when considering this entirely unreasonable application.

Yours faithfully

James O'Neill
General Manager, The Bridge Hotel.

J.O.



received by [unclear]
21/12/2012

Partners in Hair
North Road
Durham City
22nd Feb. 2012-02-23

Licensing Authority
Consett Access Point
36-38 Front Street
Consett
Co. Durham

Dear sir

As both business owners and residents who work and live only four doors away from Domino's Pizza Takeaway, we have to complain about the terrible prospect of that place being allowed to remain open until 2.30 am.

We already have problems with drunks and vandals who come up here to Domino's any time up to midnight, making a racket and damaging property. They smash windows and throw food and litter around already. What are they going to be doing at two thirty in the morning? The place is too small for them to be inside so they are going to be outside on the road and pavement keeping us awake.

I notice they have tidied up the usual horrible mess from around the shop. That will probably be for the inspector's benefit. They are not even honest about the usual state of affairs.

I hope you will take notice of this complaint.

Yours sincerely

Partners in Hair.

3 Parkside
North Road
Durham City
DH1 4RE

14th February 2012

Licensing Authority
Consett Access Point
36-38 Front Street
Consett
County Durham

Dear sir/madam

We wish to register the strongest possible objection to the proposed extension of opening hours for the Domino's Pizzeria Take Away on North Road, Durham City. The Licensing Act of 2003 claims provision for:

- The prevention of crime and disorder
- The prevention of public nuisance.

Crime, disorder and public nuisance are already facts of life around the above premises which are situated in a predominantly residential area but which already entertain numbers of noisy and anti-social customers until midnight. The premises are surrounded by cigarette stubs, food waste, littered packaging and spilt drinks as well as occasional vomit and urine. Customers feel free to throw food and litter into the gardens of the houses directly opposite and use the steps as urinals.

It is interesting to note, (and we hope that in making your judgement, you do take note and remain aware of this) that the area around the premises has been significantly tidied up and cleaned in the last two days, presumably in case your representative might wish to make an inspection. Their 'track-record' would clearly suggest that this orderliness will be a very temporary state of affairs. Nor does it take any stretch of the imagination to predict that those coming up from the bars and clubs in the town even later than at present are likely to be even more drunk and out of control than at present.

As it is, we have an unreasonably high level of irresponsible and often anti-social students and young people from out of town who patronise this shop. Police records of our late-night complaints would confirm this.

It is therefore extremely important that you also take note of the fact that the premises are *too small to contain its customers, who are obliged to spill out onto the road and pavement in a noisy rabble* while waiting to be served. This is within the distance of a single carriageway from law-abiding residents, whose living and sleeping rooms face the shop. The shop is currently replenished in the early hours of the morning by a noisy, flashing container unit which would also seem to be operating outside of reasonable parameters of nuisance.

Furthermore, the respectable small businesses around here have been plagued by graffiti and smashed windows and doors in the early hours of the morning perpetrated by anti-social people making their way up from the late-opening premises in the city. It is rapidly becoming a nightmarish place to live because of behaviour that resembles *absolute licence*. This defies the stated objective of the 2003 Act concerning the prevention of crime and disorder and any extension would provide a further inducement for these groups to gather. The Licensing Authority must surely take some responsibility for what occurs *at present* let alone the inevitable worsening of the situation should it extend this freedom further.

Finally, it is our belief that due procedure has not been followed re notification of interested parties concerning this Application. There is no mention in the Applications section of The Durham Times and the free newspaper, The Advertiser, where it appears, is never distributed in this area. The only notice of intent is a barely readable sticker on the side window of the shop (*not* North Road, where the entrance faces and where pedestrians and residents pass.) This sticker first appeared on Wednesday, 14th

February— as late as possible before the closing date for any response. We believe that we are being deliberately misinformed and misled.

We therefore hope that you will give this application for extended hours a resounding veto.

Yours faithfully

M T Turrington	_____	resident (3 Parkside)
K Turrington	_____	resident (3 Parkside)
_____	_____	resident (4a Parkside)
_____	_____	resident (4b Parkside)
J. HARTLEY	_____	resident (4c Parkside)
CHRIS BELL	_____	resident (2 Parkside)
R. BRIDELL	_____	
B Middleton	_____	Middleton Design Station House

TEL [REDACTED]

15TH FEBRUARY 2012

DEAR KAREN MONOGHAN,

1 PARKSIDE
NORTH ROAD
DURHAM CITY
DH1 4RE

RE. DOMINO'S PIZZA 41-43 NORTH RD DURHAM DH1 4SE

WE ARE OBJECTING TO THE APPLICATION FOR A LICENSE FOR THE ABOVE PREMISES FROM 11PM TO 2-30AM NIGHTLY.

CURRENTLY WE DO NOT HAVE A PROBLEM WITH NOISE DISTURBANCE FROM DOMINOS. HOWEVER ANY EXTENSION OF THEIR OPENING HOURS WOULD ENCOURAGE ROWDY LATE NIGHT DRINKERS TO A RESIDENTIAL NEIGHBOORHOOD WHICH ALREADY SUFFERS FROM EXCESS NOISE AND DISTURBANCE.

GIVEN THAT WE LIVE DIRECTLY ACROSS THE ROAD FROM THESE PREMISES WE HOPE THIS OBJECTION RECEIVES YOUR SERIOUS CONSIDERATION.

YOURS SINCERELY

