



Statutory Licensing Sub-Committee

Date Tuesday 3 September 2013
Time 10.00 am
Venue Committee Room 2, County Hall, Durham

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest (if any)
4. Minutes of the Meetings held on 3 and 31 May 2013, 26 June and 9 July 2013 (Pages 1 - 18)
5. Application for the Variation of a Premises Licence - Horden CW AFC Supporters Club, Eden Street, Welfare Park, Horden (Pages 19 - 56)
6. 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
23 August 2013

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

Councillors C Carr, B Graham, C Hampson, J Hart and A Hopgood

Contact: Jill Errington

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DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Spennymoor Leisure Centre, High Street, Spennymoor on **Friday 3 May 2013 at 12.30 pm**

Present:

Councillor J Lee (Chairman)

Members of the Committee:

Councillors D Brown and A Hopgood

Also Present:

C Greenlay – Legal Officer

K Monaghan – Senior Licensing Officer

Nominations were sought for the appointment of a Chairman for the Sub-Committee.

Resolved:

That Councillor June Lee chair the meeting.

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitute Members.

3 Declarations of Interest (if any)

There were no declarations of interest.

4 Consideration of Temporary Event Notice - Montgomery's 103 Front Street, Stanley

Consideration was given to the report of the Corporate Director, Neighbourhood Services which gave details of a Temporary Event Notice in respect of Montgomery's, Stanley (for copy see file of Minutes).

A copy of the Temporary Event Notice had been circulated to members together with a copy of the representations by the Police.

Successful mediation had taken place between Durham Constabulary and the Applicant, details of which had been circulated.

Durham Constabulary and the Applicant had both given notice to the Authority that a hearing was unnecessary and requested that it be dispensed with provided that any licence granted included all the conditions that were present on the current Premises Licence.

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 application for a Temporary Event Notice be granted subject to all the conditions present on the current premises licence apply for the full duration of the Temporary Event Notice and that the following licensing activities applied for can take place:-

Licensable Activities (Indoors)	Date and Time
Sale by retail of alcohol and the provision of regulated entertainment. Event: Circus Theme Night	09:00 hours on Saturday 25 May 2013 until 03:30 hours on Sunday 26 May 2013

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Council Chamber, County Hall, Durham on **Friday 31 May 2013 at 11.00 am**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors B Alderson, E Bell, J Lee and L Marshall

Also Present:

Karen Monaghan – Senior Licensing Officer

C Greenlay – Legal Officer

Everyday News

Mr B Seymour – Applicant

Mr S Trevor – Applicant's nominated person

Mr J Leadbitter – other person on behalf of Sherburn Parish Council

Ms A Leary – other person

Ms K Allott – other person

Golden Pizza

Mr E Teymouri – Applicant

Ms M Boyles – Applicant's nominated person

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitute Members.

3 Minutes

The Minutes of the meeting held on 27 February, 26 March, and 9 and 23 April 2013 were agreed as a correct record and were signed by the Chairman.

4 Declarations of Interest (if any)

There were no declarations of interest.

5 Application for the Grant of a Premises Licence - Everyday News, 19a Front Street, Sherburn Village

Chairman: Councillor C Carr
Councillors B Alderson and J Lee

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 Everyday News, 19a Front Street, Sherburn Village (for copy see file of Minutes).

Members had been provided with a copy of the application and location plan, together with representations from other persons and Sherburn Parish Council.

Successful mediation had taken place between the applicant and Durham Constabulary, and a copy of the Mediation Agreement had been circulated.

Mr B Seymour, the applicant addressed the Sub-Committee and, in accordance with the Mediation Agreement, advised what steps were proposed or were already in place to promote the four Licensing Objectives:-

Prevention of Crime and Disorder

A CCTV system was installed in the shop with cameras which covered all public areas, together with an additional camera located at the rear entrance of the Lambton Arms Public House from which the back entrance to the shop was visible.

He intended to implement Challenge 25 and together with his wife would become a member of the local Pubwatch/Shopwatch scheme.

The property next door was now occupied and surplus stock would be kept to a minimum. Any alcohol not on display would be locked in a store room.

Public Safety

Fire extinguishers had recently been serviced, a new emergency light had been installed and the premises had recently passed an electrical inspection.

In accordance with the Mediation Agreement an incident book was maintained and a record kept of any instances of disorder.

Prevention of Public Nuisance

During busy periods or in the event of problems the number of youths allowed into the shop at any one time would be limited, and the CCTV cameras would help to prevent proxy sales.

With regard to the car parking issues referred to by the Parish Council, with the agreement of all parties Mr Seymour circulated photographs which showed the availability of parking in the village. A photograph also showed the position of one of the external CCTV cameras.

All alcohol would be marked with a UV pen and would be kept behind the counter. He already picked up litter outside his premises and would continue to do so.

Protection of Children from Harm

As previously stated Challenge 25 would be introduced accepting photo ID only in the form of PASS logo card, passport or driving licence. To deter adults from purchasing alcohol on behalf of children posters would be displayed in the store. An example of a proxy sales poster was circulated to everyone in attendance.

Mr Seymour concluded by stating that he had attended the Fair Trades Award course operated by the Council and the premises already sold age restricted products without any problems to date.

In response to a question from Councillor Carr, Mr Seymour confirmed that the incident book was also a Refusals Register.

Mr Leadbitter from Sherburn Parish Council addressed the Sub-Committee on behalf of the Parish Council and 'other persons' present. He advised that the Parish Council could not support the application. Front Street created a focal point for youths to gather and older people in the area already felt intimidated by the existing problems they had with youths congregating, particularly at weekends.

There were parking problems in the village and the premises was located on a very busy road which was also on a major bus route.

The Parish Council believed that in order to succeed the premises would sell alcohol at a lower price than other retail outlets and this would make it easier for young people to access alcohol. He referred to the report included with their representations 'One on Every Corner' which followed research into the density of off-licensed premises and alcohol harm in young people. The publication highlighted that an increase in the density of off-licences increased 'shoulder tapping' ie proxy sales.

With regard to CCTV he believed that cameras did not prevent crime but assisted with making arrests later, and asked who would be watching the monitors when customers were being served.

The Parish Council was also concerned that the storage of alcohol on the premises may increase the opportunity for break-ins and whilst there was a camera which covered the rear of the premises this belonged to the Lambton Arms.

To conclude he stated that the village experienced problems as a direct result of excessive alcohol consumption, which although some residents felt had been resolved the Parish Council did not believe that this was the case. He referred to a press release included in their submission which reported that a quantity of alcohol had been seized by the Police as recently as February 2013.

In response to Mr Leadbitter's comments Mr Seymour clarified that the camera monitors were visible in the shop allowing staff to monitor the premises both internally and externally at all times.

Councillor Alderson asked how many staff worked at the premises. Mr Seymour responded that he and his wife were the only members of staff and one or both would be on the shop floor at all times.

In response to questions from Councillor Carr Mr Seymour explained that at busy times or in the event of any problems the number of unaccompanied children in the shop at any one time would be limited and a poster would be displayed advising of this. Any person seen causing problems on CCTV would be barred from the premises. This would also apply if information was received from the Pubwatch/Shopwatch scheme.

In summing up Mr Seymour stated that he had managed the business with his wife for 2 years, and were responsible retailers already selling age related products. There had been no break-ins at the shop and he considered that the village needed independent traders to survive and prevent the monopolisation of big businesses on the high street.

At 11.40am all parties were asked to withdraw from the meeting to allow the Sub-Committee to deliberate the application in private. After re-convening at 11.45am the Chairman delivered the Sub-Committee's decision. In determining the application Members had taken into account the written and verbal representations of the applicant and the Parish Council, the written representations of 'other persons' 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:

(a) That the Premises Licence be granted as follows:-

Opening hours of the premises
Monday to Sunday – 05.00 to 22.00
Sale of Alcohol (for consumption off the premises)
Monday to Sunday – 10.00 to 22.00

(b) the following conditions be applied to the Licence:-

- Challenge 25 will ensure only persons of lawful age will be able to purchase alcohol from the premises. Photo ID (PASS logo card/photo driving licence/passport). Refusals will be logged, along with any behaviour associated with the refusal.
- Visual inspection and personal interaction with customer will enable staff to determine if the customer is fit to be sold alcohol. If staff

believe person to be intoxicated with drink or drugs they will be refused.

- CCTV system has been installed and will be maintained to Home Office standards. Two further cameras will be installed on the outside of the premises that will cover outside the front of the premises. Recordings will be stored for a minimum of 28 days.
- A member of staff will be available at all times the premises is open to download CCTV footage when requested by an authorised Officer.
- Notices will be clearly displayed at the entrance and around the premises stating that CCTV is in operation.
- Persons known to be or suspected of buying on behalf of children will be refused and reported to the Police.
- External lighting will be installed, if required by the Licensing Authority and will be in full working order.
- Alcohol will be solely merchandised behind the serving counter area. No alcohol will be merchandised where members of the public can freely access it. A revised plan of the merchandising area will be submitted to Durham County Council.
- Good housekeeping procedures in place. This will include that the front of the premises is kept clean and free from rubbish.
- Where a Shop-watch exists, the premises will be an active member and will attend meetings and join activities.
- An incident book will be maintained and all instances of disorder will be reported.
- The DPS will be responsible for ensuring that groups of young people are discouraged from congregating outside the premises. The DPS will actively work with local Beat Officers/PCSOs in the reporting of any anti-social behaviour connected to the premises.
- Signs will be displayed at the premises regarding the sale of alcohol to children.
- If concerns arise about a child the Police will be contacted for advice/assistance.

At this point the Sub-Committee adjourned until 1.00pm.

6 Application for the Grant of a Premises Licence - 40 Front Street, Consett

Chairman: Councillor C Carr
Councillors B Alderson and E Bell

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 Golden Pizza, 40 Front Street, Consett (for copy see file of Minutes).

Members had been provided with a copy of the application, together with representations received from an 'other person' and an additional statement provided by the Applicant.

The Senior Licensing Officer explained that the applicant had amended the application reducing the proposed closing time on Friday and Saturday to 02:30 hours.

The applicant and Durham Constabulary had entered into successful mediation and as result the applicant had agreed to add extra conditions to his application, as detailed in Appendix 6.

Marlene Boyles, the owner of the premises addressed the Sub-Committee on behalf of the applicant and provided Members with information about Mr Teymouri .

She stated that Mr Teymouri had been a tenant of the property for 5 months and due to a misunderstanding the late night refreshment licence had not been applied for. It was impossible to make a living from daytime and early evening trade only. Consett did not benefit from the tourist visitors that Durham City enjoyed and the shop units were too small to attract larger companies. This resulted in a large number of food outlets in the town.

In response to a question from the Chairman Mrs Boyles clarified that Mr Teymouri had originally wanted to open until 4.00am but a condition of the planning permission was that the premises closed at 2.30am. For clarification the Senior Licensing Officer referred Members to paragraph 2 of the report and Appendix 3 where reference was made to the amended closing time.

In order to address representations received regarding the licensing objectives the applicant was asked to explain the location of the premises in relation to residential properties on Taylor Street.

Members were advised that there was a mix of both residential and business premises in Taylor Street. The taxi and hairdressing businesses had provided letters of support and there had been no objections from any of the residents apart from one. The access to the shop was on the Front Street only and any persons walking down Taylor Street would be going home.

In summing up for the applicant Marlene Boyles stated that Mr Teymouri had put his life-savings into the business and the only way this and other premises in the area could survive was to open later. Weekend trade was essential.

At 1.30pm all parties were asked to withdraw to allow Members to deliberate the application in private. After re-convening at 1.35pm the Chairman delivered the Sub-Committee's decision. In determining the application Members considered the report of the Licensing Officer, the verbal and written representations on behalf of the Applicant, the Mediation Agreement and relevant representations from an 'other person'. The Sub-Committee also took 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:-

<p>Opening hours of the Premises Monday to Thursday – 10.00 to 23.59 Friday and Saturday – 10.00 to 02.30 Sunday – 10.00 to 23.59 Bank Holidays – 10.00 to 02.30</p>
<p>Late Night Refreshment (Indoors) Monday to Thursday – 23.00 to 23.59 Friday and Saturday – 23.00 to 02.30 Sunday – 23.00 to 23.59 Bank Holidays – 23.00 to 02.30</p>

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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 26 June 2013 at 2.40 pm**

Present:

Councillor C Carr (Chair)

Members of the Committee:

Councillors E Bell and L Marshall

Also Present:

Councillor Bob Glass

1 Apologies

There were no apologies for absence.

2 Substitute Members

There were no substitute Members.

3 Declarations of Interest

There were no declarations of interest.

4 Consideration of a Temporary Event Notice - Montgomery's, 103 Front Street, Stanley

Consideration was given to the report of the Corporate Director, Neighbourhood Services which gave details of a Temporary Event Notice in respect of Montgomery's, Stanley (for copy see file of Minutes).

A copy of the Temporary Event Notice had been circulated to members together with a copy of the representations by the Police.

Successful mediation had taken place between Durham Constabulary and the Applicant, details of which had been circulated.

Durham Constabulary and the Applicant had both given notice to the Authority that a hearing was unnecessary and requested that it be dispensed with provided that any licence granted included all the conditions that were present on the current Premises Licence.

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 application for a Temporary Event Notice be granted subject to all the conditions present on the current premises licence apply for the full duration of the Temporary Event Notice and that the following licensing activities applied for can take place:-

Licensable Activities (Indoors)	Date and Time
Sale by retail of Alcohol and The Provision of Regulated Entertainment. Event: Circus Theme Night	09:00 hours on Saturday 6 July 2013 until 03:30 hours on Sunday 7 July 2013

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Council Chamber, Council Offices, Spennymoor on **Tuesday 9 July 2013 at 10.00 am**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors E Bell and B Glass

Also Present:

Councillor Barbara Graham, Councillor Joyce Maitland, C Greenlay (Principal Solicitor) and Y Raine (Senior Licensing Officer), Sergeant Robson (Durham Constabulary), PCSO Level (Durham Constabulary, Mr Ali (Premises Licence Holder) and Ms Anderson (Employee at UK Pizza)

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitute members.

3 Declarations of Interest

There were no declarations of interest.

4 Application for the Review of a Premises Licence - UK Pizza, 61 Yoden Way, Peterlee.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which gave details of an application by Durham Constabulary to review the premises licence in respect of UK Pizza, 61 Yoden Way, Peterlee (for copy see file of minutes).

A copy of the premises licence and location plan had been circulated to Members.

The Senior Licensing Officer advised the Sub-Committee that no representations had been received from responsible authorities and that the Premises Licence Holder had now employed a Security Guard and closes the premises 20 minutes earlier.

Additional information from the Premises Licence Holder and Durham Constabulary had been circulated to members and all parties prior to the meeting.

Sergeant Robson acting on behalf of Durham Constabulary indicated that there were high levels of alcohol related disorder in the vicinity of the premises which were currently open until 3.00 am and the licence holder was Mr Ali.

He went on to say that during May 2011 to April 2013 there had been 17 reported incidents of anti-social behaviour, violence, aggression and disorderly conduct at or in the vicinity of the premises.

On the 26 May 2012 an incident took place which resulted in the window of the premises been broken. CCTV showed Mr Ali and the customer ready to fight. CCTV then jumped forward and showed Mr Ali leaving the premises with an instrument in his hand.

Sam Level PCSO Licensing Specialist visited UK Pizza on 29 June 2012 and noted concerns in relation to Health and Safety.

On the 10 August 2012 officers were called to the premises and staff were unable to operate the CCTV. This is an operational condition of the licence.

On the 2 February 2013 a male was stabbed at the premises and Mr Ali was charged with a Section 18 wounding and possession of an offensive weapon. When interviewed he claimed he was not responsible for this attack. CCTV from the premises was removed but footage was unable to be recovered. Mr Ali pleaded not guilty to the offence until the day of the hearing when he pleaded guilty.

A copy of the Trial Record Sheet had been previously circulated to Members and Interested Parties which showed that Mr Ali had been given 12 months Imprisonment suspended for 18 months on Suspended Sentence plus a fine and surcharge.

On 4 February 2013 Officers attended UK Pizza and found poor hygiene levels, no fire blankets or extinguishers and evidence of smoking in the food preparation area.

They also found under the counter 2 table legs and a hammer which could be used as weapons and staff could not account for these items.

On the 27 February 2013 a witness came forward to report affray which had taken place in November 2011.

Sergeant Robson stated that Mr Ali had little control of his temper, poor management of staff and did not act professionally when confronted.

He asked that the Sub-Committee consider revoking the current licence which would result in the premises still been able to remain open until 11.00 pm. Durham Constabulary felt that any extension would have a detrimental impact on the vicinity and they felt that the Licence Holder could not control his temper.

Councillor Bell sought clarification if the evidence of cigarette ends was an observation and if the CCTV had been working when the Police visited the premises.

Sergeant Robson responded that photographs had been taken and the matter referred to Health and Safety. There had also been previous issues of food hygiene in relation to these premises.

He also stated that the Police had been unable to access the CCTV and on one occasion the CCTV had been removed from the premises and this could not be accounted for.

Councillor Glass indicated that CCTV was a condition of the premises licence and sought clarification if this had been complied with consistently. Sergeant Robson responded that it had not been complied with consistently.

Councillor Carr sought clarification on attacks to customers and staff.

Sergeant Robson responded that Mr Ali had to encounter drunken customers and there had been an incident with a customer over his £2.00 change. Mr Ali was racially abused but he dealt with this on his own rather than contact the Police.

Mr Ali advised the Sub-Committee that he had informed the Police but they did not respond so he had no choice but to deal with it, but he tried his best.

Mr Ali went on to say that he could control what went on inside his shop but not outside. He referred to a message that he had on his mobile which asked for him to pay £5,000 which he reported to the police.

The Chairman asked Mr Ali to refer to the Grounds for Review.

Mr Ali showed the Sub-Committee that he had a message on his mobile demanding money. The Chairman advised Mr Ali that the message was not relevant for the hearing today.

Mr Ali then went on to advise Members that he had now employed a Door Supervisor to work on the door in the shop and had CCTV installed.

Mr Ali was asked if he had made a complaint to the Police in regard to his statement that the Police do not turn up when he calls. The Solicitor advised him in future to make a complaint to Durham Constabulary.

Mr Ali was given time to look at the Grounds for Review which was contained within the papers.

The Chairman and Councillor Glass asked Mr Ali questions on each of the Grounds for Review as follows:-

Grounds for Review Item 2

Mr Ali confirmed that he was the Premises Licence Holder for UK Pizza.

Grounds for Review Item 4

Mr Ali explained to members that his window had been broken as a customer had asked for his food for free. He telephoned the Police and he was arrested. The Solicitor asked him to confirm what the implement was. Mr Ali stated that there was no implement. The Solicitor referred him to the CCTV evidence which showed him with a weapon in his arms. Mr Ali confirmed that it was a staff belt.

Councillor Glass referred to the CCTV footage which had not been produced but referred to in the papers that stated that the footage jumped forward. Mr Ali responded that the police had taken the footage so he did not know why it had jumped forward.

Grounds for Review Item 5

Councillor Glass asked Mr Ali to respond to the statement regarding poor hygiene levels found at the premises on 29 June 2013. Mr Ali responded that smoking had taken place in the back room. Ms Anderson an employee of Mr Ali stated that the cigarette end must have been carried in on someone's shoe.

Grounds for Review Item 6

Councillor Glass referred to all staff having to operate the CCTV equipment as part of the licence conditions. Mr Ali responded that not all staff were trained to operate the CCTV equipment.

Grounds for Review Item 7

Councillor Glass sought clarification on four customers been assaulted by four members of staff. Mr Ali responded that it was true. The Solicitor asked if it was acceptable for him to assault customers.

Grounds for Review Item 9

Councillor Glass asked why the premises were still open at 3.28 am on 1 January 2013 when the premises should have closed at 12.30 am. Mr Ali stated that this was not true and the premises were only open until 12.00 midnight.

Ms Anderson stated that they were cleaning as this does take a considerable time.

Grounds for Review Item 10

Councillor Glass referred to staff been unable to operate the CCTV equipment on 21 January 2013.

Ms Anderson responded that since the incident new staff were now employed at the premises.

Grounds for Review Item 11

Councillor Glass sought clarification on the stabbing which took place on 2 February 2013. Mr Ali responded that this was a big mistake and that the knife did not belong to him. Mr Anderson stated that the person who was stabbed was the same person who was trying to blackmail Mr Ali. Councillor Glass asked if he had contacted the police about the blackmail. Mr Ali confirmed that he had gone to the police but they had not believed him.

Grounds for Review Item 12

Councillor Glass asked about the pieces of wood which were under the counter. Mr Ali responded that they were pieces of wood which he had used to try and fix the counter.

Grounds for Review Item 13

Councillor Glass asked about the breach in fire regulations. Mr Ali responded that no one had spoken to him about any breaches.

The Chairman asked him if he was sure as he was aware that Fire Officers did visit premises when there had been a breach.

Ms Anderson advised members that the premises now had fire extinguishers.

Grounds for Review Item 14

Councillor Glass referred to the allegation of affray which took place on 26 November 2011 but came to light on 27 February 2013 and asked if he owned a baseball bat. The Solicitor asked for confirmation when he owned the premises. Mr Ali responded that it was 2011 and he did not own a baseball bat.

Sergeant Robson advised members that this incident was still under investigation.

PCSO Level advised that the incident had not come to light until after the stabbing when people were encouraged to come forward.

In response to the submission by Mr Ali, Sergeant Robson asked why there was no door supervisor in place when police officers visited the premises in June 2013. Mr Ali responded that he had employed someone from the Job Centre to work on a Friday and Saturday.

Ms Anderson stated that they have had a couple of door supervisor but it was difficult to keep them as it was not the work that everyone wanted to do.

The Solicitor asked for confirmation that the Door Staff were registered. Mr Ali confirmed that they were registered.

Sergeant Robson referred to the premises been open at 3.28 am and confirmed that Sergeant Wells witnessed this. Ms Anderson stated that they were clearing up. The Chairman indicated that there was a difference with the door open and clearing up. The Solicitor stated that there was no witness statement from Sergeant Wells.

Sergeant Robson confirmed that Mr Ali had come to see him at Annand House concerning the texts from the person who he had stabbed and he advised him that he had reported it to the police.

Mr Ali responded that he did go to the police about the threats and had a letter to prove it but the police never turned up.

The Solicitor looked at the contents of this letter which was from Mr Ali's Solicitor which stated that he attended the police station. The Solicitor read out an abstract from the letter but indicated that it was not confirmation that Mr Ali had attended the police station.

Sergeant Robson referred to the allegation of affray which had taken place on 26 November 2011 and sought clarification of when Mr Ali obtained his licence for these premises. Mr Ali responded that he had obtained his licence on 20 September 2011.

In Summing up, Sergeant Robson indicated that the premises had a history of violence. Conditions had been imposed on the licence particularly in view of the area. There were issues with management and the conditions of the licence not been adhered to. People were been injured and in his opinion a leopard does not change its sport. There was violence associated with Mr Ali and it was their job to deal with this. He asked that the licence be revoked as the shop could still remain open until 11.00 pm.

In Summing up, Mr Ali gave reassurances that there would be no more problems with UK Pizza. He now employed door supervisors and CCTV had been installed. He would manage the premises with no problems from today.

Members of the Sub-Committee left to deliberate the application in private at 11.25 am. After reconvening at 11.40 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 and Licence Holder.

Resolved:

That the premises licence be revoked.

Statutory Licensing Sub-Committee

Tuesday 3rd September 2013

Application for the Variation of a Premises Licence



Report of Terry Collins, Corporate Director, Neighbourhood Services

Name and Address of Premises: Horden CW AFC Supporters Club,
Eden Street, Welfare Park Horden,
Peterlee. SR8 4LW

1. Summary

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

Mr Robert Alan Facey

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

A copy of the existing premises licence is attached as Appendix 2.

2. Details of the Application

On 11th July 2013, the Licensing Authority received an application for a variation of the premises licence. A copy of the application is attached as Appendix 3.

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

Details of Existing Premises Licence	Details of Variation Application
<p><u>Opening hours of the premises</u></p> <p>Sunday to Thursday: 11.00 to 23.30 hrs Friday & Saturday: 11.00 to 00.30 hrs Bank Holidays & Xmas Eve: 11.00 to 00.30 hrs New Years Eve: 11.00 to 00.00 hrs. New Years Day: 00.00 to 30 mins after permitted hours for alcohol on New Years Day</p>	<p><u>Opening hours of the premises</u></p> <p>Monday and Thursday: 11.00 to 00.30 hrs Friday and Saturday: 11.00 to 01.30 hrs</p> <p>No change to opening hours for Tuesday, Wednesday and Sunday or Bank Holidays</p>

<p><u>Performance of Plays (indoors and outdoors)</u></p> <p>Friday and Saturday: 11.00 to 00.00 hrs</p>	<p><u>Performance of Plays (indoors and outdoors)</u></p> <p>No change</p>
<p><u>Films (indoors)</u></p> <p>Sunday to Thursday: 11.00 to 23.00 hrs Friday & Saturday: 11.00 to 00.00 hrs Bank Holidays & Xmas Eve: 11.00 to 00.00 hrs New Years Eve: 11.00 to 00.00 hrs. New Years Day: 00.00 to end of permitted hours for showing of films</p>	<p><u>Films (indoors)</u></p> <p>No change</p>
<p><u>Indoor Sporting Events</u></p> <p>Sunday to Thursday: 11.00 to 23.00 hrs Friday & Saturday: 11.00 to 00.00 hrs Bank Holidays & Xmas Eve: 11.00 to 00.00 hrs New Years Eve: 11.00 to 00.00 hrs. New Years Day: 00.00 to end of permitted hours for indoors sports</p>	<p><u>Indoor Sporting Events</u></p> <p>No change</p>
<p><u>Performance of Live Music (indoors and outdoors)</u></p> <p>Monday to Thursday: 11.00 to 23.00 hrs Friday & Saturday: 11.00 to 00.00 hrs Sunday: 12.00 to 23.00 hrs Bank Holidays & Xmas Eve: 11.00 to 00.00 hrs New Years Eve: 11.00 to 00.00 hrs. New Years Day: 00.00 to end of permitted hours for live music</p>	<p><u>Performance of Live Music (indoors and outdoors)</u></p> <p>No change</p>
<p><u>Playing of Recorded Music (indoors)</u></p> <p>Sunday to Thursday: 11.00 to 23.00 hrs Friday & Saturday: 11.00 to 00.00 hrs Bank Holidays & Xmas Eve: 11.00 to 00.00 hrs New Years Eve: 11.00 to 00.00 hrs. New Years Day: 00.00 to end of permitted hours for recorded music</p>	<p><u>Playing of Recorded Music (indoors)</u></p> <p>Monday and Thursday: 11.00 to 00.00 hrs Friday and Saturday: 11.00 to 01.00 hrs</p> <p>No change for Tuesday, Wednesday and Sunday or Bank Holidays</p>

<p><u>Provision of Facilities for Dancing (indoors)</u></p> <p>Thursday: 21.00 to 23.00 hrs Friday & Saturday: 21.00 to 00.00 hrs Bank Holidays & Xmas Eve: 11.00 to 00.00 hrs New Years Eve: 11.00 to 00.00 hrs. New Years Day: 00.00 to end of permitted hours for provision of facilities for dancing</p>	<p><u>Provision of Facilities for Dancing (indoors)</u></p> <p>No change</p>
<p><u>Late night refreshment (indoors)</u></p> <p>Friday and Saturday: 23.00 to 00.00 hrs Bank Holidays & Xmas Eve: 23.00 to 00.00 hrs New Years Eve: 23.00 to 00.00 hrs. New Years Day: 00.00 – 05.00 hrs</p>	<p><u>Late night refreshment (indoors)</u></p> <p>No change</p>
<p><u>Sale of Alcohol (on the premises)</u></p> <p>Sunday to Thursday: 11.00 to 23.00 hrs Friday & Saturday: 11.00 to 00.00 hrs Bank Holidays & Xmas Eve: 11.00 to 00.00 hrs New Years Eve: 11.00 to 00.00 hrs. New Years Day: 00.00 to end of permitted hours for sale of alcohol</p>	<p><u>Sale of Alcohol (on the premises)</u></p> <p>Monday and Thursday: 11.00 to 00.00 hrs Friday and Saturday: 11.00 to 01.00 hrs</p> <p>No change for Tuesday, Wednesday and Sunday or Bank Holidays</p>

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

3. The Representations

The Licensing Authority received one representation from a Responsible Authority, namely Durham Constabulary. This is attached as Appendix 4.

The representation relates to the following licensing objective:

- Prevention of Crime and Disorder

4. The Parties

The Parties to the hearing will be:

- Mr Robert Alan Facey (The applicant)
- Sgt Tim Robson, Durham Constabulary (Responsible Authority)

5. Durham County Council Statement of Licensing Policy

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

- Section 5.0 Prevention of Crime and Disorder

Relevant information is attached as Appendix 5.

6. Section 182 Guidance

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

- 2.1 Prevention of Crime and Disorder

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 representation received.

Background Papers:

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

Contact: Yvonne Raine

Tel: 03000 265256

Email: yvonne.raine@durham.gov.uk

APPENDIX 1 – LOCATION PLAN



Address **Horden, County Durham SR8 4LW**
UK

Horden Colliery Welfare FC





Address **Eden Street**

Address is approximate

Horden Colliery Welfare FC



APPENDIX 2 – PREMISES LICENCE



LICENSING ACT 2003 PREMISES LICENCE

Premises Licence Number
Granted
Issued

DOEP256
24 November 2005
24 November 2005

Part 1 – Premises details

Postal address of premises, or if none, Ordnance Survey map reference or description	Issuing Authority
<p>HORDEN CW AFC SUPPORTERS CLUB WELFARE PARK HORDEN PETERLEE, DURHAM SR8 4LW</p>	<p>DURHAM COUNTY COUNCIL EHCP LICENSING SERVICES PO BOX 617 DURHAM DH1 9HZ</p>
<p>Telephone number: 0191 5866204</p>	

Where the licence is time limited the dates
N/A

Licensable activities authorised by this licence

- Plays
- Films
- Indoor Sporting Events
- Live Music
- Recorded Music
- Provision of Facilities for Dancing
- Late Night Refreshment
- Sale by Retail of Alcohol

The opening hours of the premises (all times in 24hr format)

Monday	11:00 - 23:30	Non standard/seasonal timings: Bank Holidays: 11:00 - 00:30 Christmas Eve: 11:00 - 00:30 New Years Eve: 11:00 - 00:00 New Years Day: 00:00 - 30 mins after the end of permitted hours
Tuesday	11:00 - 23:30	
Wednesday	11:00 - 23:30	
Thursday	11:00 - 23:30	
Friday	11:00 - 00:30	
Saturday	11:00 - 00:30	
Sunday	11:00 - 23:30	

Where the licence authorises the sale by retail of alcohol whether these are on and/or off sales
ON ALCOHOL SALES ONLY

The times the licence authorises the carrying out of licensable activities (all in 24hr format)

Performance of plays		
Indoors and outdoors		
Friday	11:00 - 00:00	Further details
Saturday	11:00 - 00:00	N/A
		Non standard/seasonal timings: N/A-

Films		
Indoors only		
Monday	11:00 - 23:00	Further details
Tuesday	11:00 - 23:00	N/A
Wednesday	11:00 - 23:00	
Thursday	11:00 - 23:00	Non standard/seasonal timings:
Friday	11:00 - 00:00	Bank Holidays: 11:00 - 00:00
Saturday	11:00 - 00:00	Christmas Eve: 11:00 - 00:00
Sunday	11:00 - 23:00	New Years Eve: 11:00 - 00:00
		New Years Day: 00:00 - end of permitted hours

Indoor sporting events		
Monday	11:00 - 23:00	Further details
Tuesday	11:00 - 23:00	N/A
Wednesday	11:00 - 23:00	
Thursday	11:00 - 23:00	Non standard/seasonal timings:
Friday	11:00 - 00:00	Bank Holidays: 11:00 - 00:00
Saturday	11:00 - 00:00	Christmas Eve: 11:00 - 00:00
Sunday	11:00 - 23:00	New Years Eve: 11:00 - 00:00
		New Years Day: 00:00 - end of permitted hours

Live music		
Indoors and outdoors		
Monday	11:00 - 23:00	Further details
Tuesday	11:00 - 23:00	N/A
Wednesday	11:00 - 23:00	
Thursday	11:00 - 23:00	Non standard/seasonal timings:
Friday	11:00 - 00:00	Bank Holidays: 11:00 - 00:00
Saturday	11:00 - 00:00	Christmas Eve: 11:00 - 00:00
Sunday	12:00 - 23:00	New Years Eve: 11:00 - 00:00
		New Years Day: 00:00 - end of permitted hours

Recorded music		
Indoors only		
Monday	11:00 - 23:00	Further details
Tuesday	11:00 - 23:00	N/A
Wednesday	11:00 - 23:00	
Thursday	11:00 - 23:00	Non standard/seasonal timings:
Friday	11:00 - 00:00	Bank Holidays: 11:00 - 00:00
Saturday	11:00 - 00:00	Christmas Eve: 11:00 - 00:00
Sunday	11:00 - 00:00	New Years Eve: 11:00 - 00:00
		New Years Day: 00:00 - end of permitted hours

Provision of facilities for dancing

Indoors only

Thursday	21:00 - 23:00	Further details
Friday	21:00 - 00:00	N/A
Saturday	21:00 - 00:00	

Non standard/seasonal timings:
 Bank Holidays: 11:00 - 00:00
 Christmas Eve: 11:00 - 00:00
 New Years Eve: 11:00 - 00:00
 New Years Day: 00:00 - end of permitted hours

Late night refreshment

Indoors only

Friday	23:00 - 00:00	Further details
Saturday	23:00 - 00:00	N/A

Non standard/seasonal timings:
 Bank Holidays: 23:00 - 00:00
 Christmas Eve: 23:00 - 00:00
 New Years Eve: 23:00 - 00:00
 New Years Day: 00:00 - 05:00

Sale by retail of alcohol

On Sales Only

Monday	11:00 - 23:00	Further details
Tuesday	11:00 - 23:00	

Wednesday	11:00 - 23:00	Non standard/seasonal timings:
Thursday	11:00 - 23:00	Bank Holidays: 11:00 - 00:00
Friday	11:00 - 00:00	Christmas Eve: 11:00 - 00:00
Saturday	11:00 - 00:00	New Years Eve: 11:00 - 00:00
Sunday	11:00 - 23:00	New Years Day: 00:00 - end of permitted hours

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence	
MR ROBERT ALAN FACEY 	

Registered number of holder, for example company number, charity number (where applicable)	
Company no:	N/A
Charity no:	N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the sale by retail of alcohol

MR TREVOR WILLIAM HADDICK

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the sale by retail of alcohol

DOEI200
EASINGTON

Annex 1 – Mandatory conditions

No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol: -

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

The responsible person shall ensure that:-

(a) Where any of the following alcoholic drinks is sold or supplied for sale or consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:-

1. Beer or cider - ½ pint;
2. Gin, rum, vodka or whisky - 25ml or 35ml; and
3. Still wine in a glass - 125ml; and

(b) Customers are made aware of the availability of these measures.

Mandatory condition: exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where- (a) the film classification body is not specified in the licence, or (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section- "children" means persons aged under 18; and "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Annex 2 – Conditions consistent with the premises Operating Schedule

The Prevention of Crime and Disorder

Members of Pubwatch Scheme

Posters regarding drug to be displayed

Provide sensor activated lighting at the premises

Age restriction of sale of alcohol - use of ID checks

Not serving patrons who are intoxicated

Public Safety

Emergency lighting in place

Fire exit to rear and front of premises

Trained first aid personnel

Admission limited to 90 persons

The Prevention of Public Nuisance

Music levels checked to avoid nuisance

Daily litter clearance

Delivery times for daylight hours only

Amplified music time restricted

The Protection of Children from Harm

No adult entertainment provided

Request for proof of age cards

Notices on gaming machines

Children on premises limited to 20:00 hrs

Children must be accompanied by an adult

Annex 3 – Conditions attached after a hearing by the licensing authority

N/A

Annex 4 – Plans attached

Attached

A handwritten signature in cursive script, appearing to read "G. Wallace".

**Signature of Authorised Officer
Head of Environment, Health and Consumer Protection**

APPENDIX 3 - APPLICATION

recd 11/7/13

DURHAM COUNTY COUNCIL, Licensing Services, PO Box 617, Durham. DH1 9HZ

by 15/8
by 8/8

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 ROBERT ALAN FACEY
(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	DOEP 256
-------------------------	----------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
HORDEN C. W. AFC SUPPORTER CLUB LTD EDEN STREET. WELFARE PARK HORDEN			
Post town	PETERLEE	Postcode	SR8 4LW

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]
E-mail address (optional)	[REDACTED]

Current postal address if different from premises address		[REDACTED]	
[REDACTED]		[REDACTED]	
Post town	[REDACTED]	Postcode	[REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

EXTEND THE HOURS FOR ALCOHOL AND RECORDED MUSIC
 TO 00-00 MONDAY AND THURSDAY
 AND
 01.00 FRIDAY AND SATURDAY

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 all that apply

- 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 late night refreshment (if ticking yes, fill in box I)



Sale by retail of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<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 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<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 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 4)</u> <u>State any seasonal variations for the performance of live music (please read guidance note 5)</u> <u>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 6)</u>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11.00	00.00			
Tue	11.00	23.00			
Wed	11.00	23.00			
Thur	11.00	00.00			
Fri	11.00	01.00			
Sat	11.00	01.00			
Sun	11.00	23.00			
			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
			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 6)		

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><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 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11.00	00.00			
Tue	11.00	23.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed	11.00	23.00			
Thur	11.00	00.00			
Fri	11.00	01.00	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 6)		
Sat	11.00	01.00			
Sun	11.00	23.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11.00	00.00			
Tue	11.00	23.00			
Wed	11.00	23.00			
Thur	11.00	00.00			
Fri	11.00	01.00			
Sat	11.00	01.00			
Sun	11.00	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 6)		

K

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11.00	00.30	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Tue			
Wed			
Thur	11.00	00.30	
Fri	11.00	01.30	
Sat	11.00	01.30	
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

M

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 and e) (please read guidance note 10)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Please tick as appropriate

- 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 not enclosed the premises licence or relevant part of premises licence.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee, or I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 11)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	[REDACTED]
Date	5/7/13
Capacity	SECRETARY

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 14)

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)			

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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. 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 or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

APPENDIX 4 – REPRESENTATION

Karen Monaghan

From: Jim Lincoln [REDACTED]
Sent: 09 August 2013 10:43
To: Karen Monaghan
Cc: Tim Robson; Samantha Level
Subject: Horden Football Club [CONFIDENTIAL]

CONFIDENTIAL

Karen,

With reference to the variation application for Horden Football Club, that we received on 17th July 2013, this was to extend their hours.

Durham Constabulary are objecting to this application on the Grounds of Prevention of Crime & Disorder

We have evidence that this premise is already opening after hours in contravention to its licence, plus we have other evidence, which I can't disclose at the moment of other criminal activities.

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Durham Constabulary
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APPENDIX 5 – STATEMENT OF LICENSING POLICY

Durham County Council Statement of Licensing Policy

5.0 The Prevention of Crime and Disorder

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

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

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

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

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

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

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

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

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