

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Committee Room 2, County Hall, Durham on **Monday 5 August 2013 at 10.00 am**

Present:

Councillor L Marshall (Chair)

Members of the Committee:

Councillors B Alderson, A Hopgood, J Maitland and P May

Also Present:

K Monaghan – Senior Licensing Officer

S Grigor – Legal Officer

S Robinson – Applicant's Solicitor

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 Application for the Grant of a Premises Licence - Land to the South West of Hardwick Hall Hotel, Sedgefield

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 land to the south west of Hardwick Hall Hotel, Sedgefield (for copy see file of Minutes).

A copy of the application form and location plan had been circulated to Members. Members were advised of amendments to the application and additional conditions added by the applicant following mediation. Representations had also been received from 2 other persons as outlined in the report.

Members were advised that since the report had been circulated further mediation had taken place which restricted the licence to 1 day in 2013 only, the date being 14 September 2013.

The Senior Licensing Officer advised that a mediation agreement had been signed by the applicant and Sedgefield Residents Forum but that whilst it had not been possible to obtain the written agreement of the other interested party Dr and Mrs Jones they had indicated by telephone that they would be happy with what was proposed.

The applicant's Solicitor had submitted a letter in advance of the hearing which referred to the mediation and a copy had been circulated to Members.

Mr Robinson, the applicant's Solicitor addressed the Sub-Committee stating that his client's original intent was to hold the event year on year but had taken the views of Sedgefield Residents Forum and Dr and Mrs Jones very seriously and felt that the restriction to a one day event and the additional conditions represented a satisfactory compromise.

This would allow the applicant to assess the event and decide whether or not to re-apply next year.

At 10.05am all parties were asked to leave to allow the Sub-Committee to deliberate the application in private. After re-convening at 10.10am the Chair delivered the Sub-Committee's decision.

In determining the application, Members had considered the report of the Licensing Officer, the written representations of the applicant and other persons, together with the additional information circulated to Members and the verbal representations of the applicant's representative.

Resolved:

That

- (a) the application for a Premises Licence be granted as follows for 14 September 2013 only:-

Opening hours of the premises	10.00 until 00.00
Supply of alcohol (on the premises)	10.00 until 23.00
Live music	10.00 until 23.00
Recorded music	10.00 until 23.00
Performance of dance	10.00 until 23.00
Anything of a similar description	10.00 until 23.00
Provision of late night refreshment	23.00 until 00.00

- (b) the following additional conditions be imposed on the Premises Licence:-

Crime and Disorder

- A full stewardship plan, to include SIA registered staff, will be drawn up and shared with the Police prior to the event

- An operational daily log must be kept which documents door supervisors' information. This is to include full name, date of birth, full badge number, contact telephone number, security company name and start and finish times of duty on each event
- Entry to the event will be declined to anyone who appears to be drunk
- Searches will be carried out prior to entry to the event and will include all bags to prevent alcohol and other illegal substances being brought to the event
- The event organisers will have a written policy on serving to drunks which includes details of how bar staff will be supported by management and security to feel confident to refuse someone
- Signage will be erected to remind people of the offence of driving whilst under the influence of alcohol
- There will be a written drug policy in place
- All drinks to be served in plastic or polycarbonate glasses

Public Safety

- The event organisers will consult with the Safety Advisory Group for County Durham before the event
- There will be an area designated for first aid provision/medical treatment
- There will be a designated safe area for lost children and where children can be reunited with a parent, guardian or responsible adult
- An area should be designated as a safe place where ill or intoxicated persons can be taken to a place of safety for medical treatment

Protection of Children from Harm

- Staff will accept only photographic ID as a proof of age which includes a current passport, driving licence or PASS approved proof of age card (ie ID4U)
- Bar staff will be briefed prior to the event on serving to drunks, proxy provision of alcohol to under 18s and Challenge 25

- Bar staff and door supervisors will be trained prior to the event in the protection of children
- A refusal register will be maintained for the refusal of any sales of alcohol
- Security staff will actively monitor the site to identify where adults are supplying alcohol to under 18s
- All children under the age of 18 must be supervised by a responsible adult at all times
- Signs will be erected reminding adults that it is illegal to be drunk in charge of a child in a public place
- The organisers will ensure efficient entry and dispersal procedures are in place so that young people are not left in a vulnerable position
- Where alcohol is seized from persons under 18 details to be recorded in a register
- A written policy will be in place for under 18s and will include:
 - prior marketing of the event will make it clear that no alcohol will be sold to under 18s
 - dealing with under 18s who appear to be under the influence of drugs or alcohol
 - preventing under aged persons leaving and returning to the event in order to consume alcohol outside
- All attendees to be given a secure wristband of different colours differentiating over 18s from under 18s

(c) the following additional conditions be imposed in accordance with the mediation agreement:-

- The applicant shall submit a timetable of operations relevant to the planned event. Information submitted shall include a map of the proposed event; clearly detailing : stage area/s, speakers, noise mixing desk, noise monitoring points and noise sensitive receptors etc
- An annual noise management plan for the event shall be submitted four weeks before the event and shall be agreed with the Nuisance Action Team/Noise Enforcement Section before commencement. The noise management plan shall include a noise monitoring procedure

- Noise levels shall be set prior to the commencement of the event and shall comply with the Code of Practice on Environmental Noise Control Concerts. Representative noise levels will also be set in line with recognised bass frequency
- Noise monitoring shall take place in line with the procedure stated in the noise monitoring plan. All noise monitoring shall be undertaken using Class 1 Sound Level Meters; relevant calibration certification shall be submitted to Pollution Control prior to each annual event. Persons responsible for noise monitoring shall be deemed competent and relevant qualification will be submitted on request
- Authorisation, which allows reasonable access to the event shall be provided to two officers from DCC's Nuisance Action Team/Noise Enforcement Section. Reasonable access may be required to fulfil statutory duties under Section 79 Environmental Protection Act 1990
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