

Statutory Licensing Sub-Committee

22nd August 2012

Application for the grant of a Premises Licence



Report of Terry Collins, Corporate Director, Neighbourhood Services

Name and Address of Premises: Shell Garage – High Street, Carville, Durham. DH1 1LU

1. Summary

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

Shell UK Oil Products Limited
Shell Durham
High Street
Carville
Durham DH1 1LU

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

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

2. Details of the Application

An application for the grant of a premises licence was received by the Licensing Authority on 20th June 2012. A copy of the application is attached as Appendix 3.

The application is deemed by the Licensing Authority to be correctly served and has been correctly advertised.

The application is in respect of the following licensable activities and for the hours detailed:

Activity	Days & Hours requested
Sale of Alcohol for consumption off the premises	Mon - Sun 0000 – 2400 hrs
Provision of Late Night Refreshment (Indoors only)	Mon – Sun 2300 – 0500 hrs

Opening Hours of the Premises	Mon – Sun 0000 – 2400 hrs
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The applicants have proposed steps which they intend to take in order to promote the four licensing objectives. These are outlined within the application form at Appendix 3.

3. The Representation

The Licensing Authority received one representation on 17th July 2012 from Durham Constabulary.

The representation relates to the Prevention of Crime and Disorder objective.

A copy of the representation from Durham Constabulary is attached as Appendix 4.

4. Mediation

Following successful mediation with Durham Constabulary, the applicants have agreed to amend their application and have reduced the requested hours for the Sale of Alcohol, as follows:

- Sale of Alcohol - 0500 to 2300 hrs

A copy of the signed mediation document confirming the applicant's agreement to amend the proposed times for the sale of alcohol is attached at Appendix 5.

5. Durham County Council Statement of Licensing Policy

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

- Part 5 – Prevention of Crime and Disorder

Relevant information is attached at Appendix 6.

6. Section 182 Guidance

The Sub-Committee's attention is drawn to the Guidance issued under section 182 of the Licensing Act 2003 and in particular

- Paragraph 2.1 – Licensing objectives – Crime and Disorder

7. For Decision

The Sub-Committee is asked to determine the application in the light of the application and the successful mediation which has taken place between the applicant and Durham Constabulary.

Background Papers:

- Durham County Council's Statement of Licensing Policy
- Guidance issued under section 182 of the Licensing Act 2003 (as amended April 2012)

Contact: Yvonne Raine**Tel: 03000 265256****Email: yvonne.raine@durham.gov.uk**

APPENDIX 1 – LOCATION PLANS



Address **High St**
Durham, County Durham DH1, UK





Address

Address is approximate





Address

Address is approximate





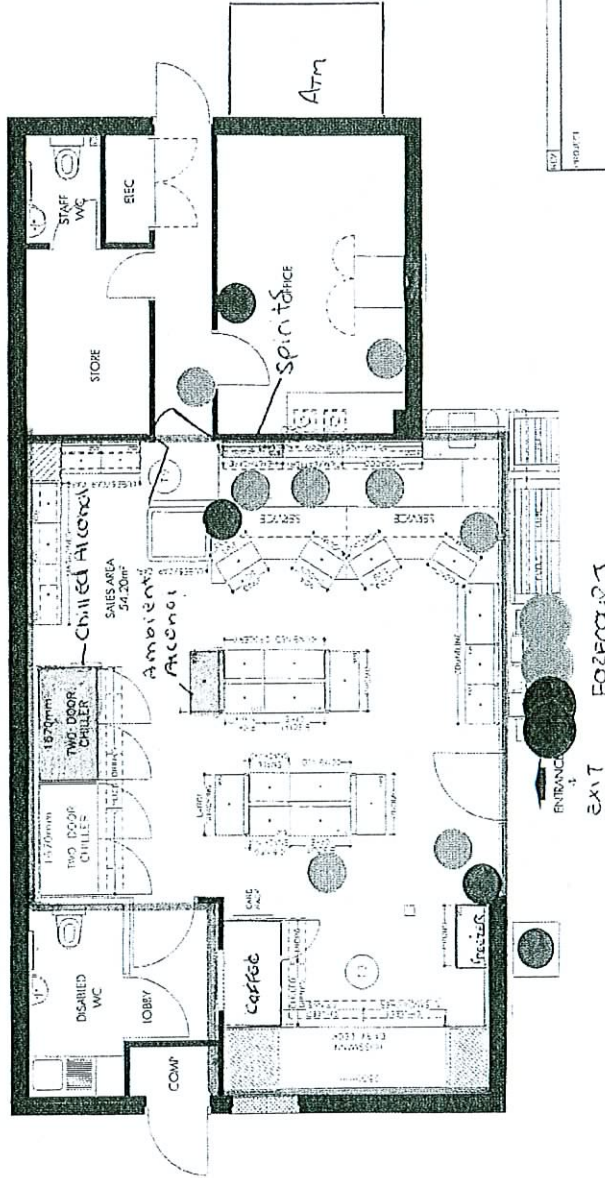
Address

Address is approximate



APPENDIX 2 – LAYOUT PLAN

Display of alcohol is to be permitted throughout the store, spirits to be located only behind the counter.



Key:	
●	- Fire extinguisher.
●	- CCTV.
●	- Fire bucket.
—	- Area to be licenced for the sale of alcohol for consumption off the premise and LNR.

PROJECT	DATE
MERCANDISING INSTALLATION.	
 SHELL (UK) LICENSING BUSINESS DEVELOPMENT 20000 HIGH STREET WIDNES, CHESHIRE WA84 2JF TEL: 01928 540000 FAX: 01928 540001	
PERMIT NO.	ISSUE DATE
366225	01/09/11
ISSUE NO.	001

APPENDIX 3 – APPLICATION



* required information

Section 1 of 22

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is the applicant's business registered in the UK with Companies House? Yes No

* Registration number

* Business name If the applicant's business is registered, use its registered name.

* VAT number Put "none" if the applicant is not registered for VAT.

* Legal status

Continued from previous page...

* Your position in the business LICENSING COMPLIANCE COORDINATOR

Home country The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

* Building number or name Lockett House

* Street 13 Church Street

District

* City or town Kidderminster

County or administrative area

* Postcode DY10 2AH

* Country United Kingdom

The information given here will be saved and will be pre-filled in future forms.

Section 2 of 22

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name SHELL DURHAM

Street HIGH STREET

District

City or town CARRVILLE

County or administrative area DURHAM

Postcode DH1 1LU

Country United Kingdom

Further Details

Telephone number 0191 374 0950

Continued from previous page...

* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number

* Business name

If your business is registered, use its registered name.

* VAT number

Put "none" if you are not registered for VAT.

* Legal status

Continued from previous page... Non-domestic rateable value of premises (£)

71,000

Section 3 of 22

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

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

Section 4 of 22

NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

SHELL UK OIL PRODUCTS LIMITED

Continued from previous page...

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Address

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country

Contact Details

E-mail
Telephone number
Other telephone number

Section 5 of 22

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

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

Provide a general description of the premises

Continued from previous page...

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.

Convenience Store Overview.

This is a well established convenience store site which is currently being refurbished. It is traded by SHELL with ancillary fuel sales. There are 8 pumps located on the forecourt as well as an ATM machine and carwash. There are no facilities on site for the maintenance and/or sale of motor vehicles.

The Convenience Store.

The convenience store has a retail area of approximately 585 sq ft. The purpose built store has been designed to serve both the local community along with passing trade. The convenience store operates 24 hours per day, seven days per week under the company's own format. The store stocks a range of fresh foods and dairy produce, groceries and other domestic products and also offers 'express' lunch facilities. In addition dry fuel products such as BBQ charcoal/kindling/logs are available. Off sales are a standard and expected feature of the convenience store service.

The Operation.

The convenience store is operated by the Manager who is also the DPS, assisted by a team of full and part time staff. The Designated Premises Supervisor, is trained and certified through an accredited scheme and is responsible for training all staff utilising the Lockett & Co Due Diligence pack-and keeping complete training records. The Challenge 25 trading initiative is used supported by the refusals system with records kept in the Refusals Log.

Security.

The internal and external digital CCTV system benefits from a recorder with in excess of 31 day image retention. Recordings can be made available to Police and other enforcement agencies as needed. The convenience store operates at closed door policy between the hours of 23.00 and 05.00 seven days per week with all service taking place through the night hatch.

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PROVISION OF PLAYS

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

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Continued from previous page...

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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PROVISION OF FACILITIES FOR MAKING MUSIC

Will you be providing facilities for making music?

Yes No

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PROVISION OF FACILITIES FOR DANCING

Will you be providing facilities for dancing?

Yes No

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PROVISION OF FACILITIES FOR ENTERTAINMENT OF A SIMILAR DESCRIPTION TO THOSE PROVIDED FOR MAKING MUSIC OR DANCING

Will you be providing facilities similar in nature to those provided for making music or dancing?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

THE PROVISION OF HOT PIES, SAVOURIES, SOUP, HOT DRINKS ETC CONSISTENT WITH A TAKEOUT SERVICE FOR CONSUMPTION ON OR OFF THE PREMISES.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Personal Licence number
(if known)

NOT YET KNOWN

Issuing licensing authority
(if known)

SUNDERLAND CITY COUNCIL

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

NONE.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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.

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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LICENSING OBJECTIVES

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

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

List here steps you will take to promote all four licensing objectives together.

PLEASE SEE ATTACHED DOCUMENT CALLED LOCKETTS GENERAL CONDITIONS.

b) The prevention of crime and disorder

PLEASE SEE ATTACHED DOCUMENT CALLED LOCKETTS GENERAL CONDITIONS.

Continued from previous page...

c) Public safety

PLEASE SEE ATTACHED DOCUMENT CALLED LOCKETTS GENERAL CONDITIONS.

d) The prevention of public nuisance

PLEASE SEE ATTACHED DOCUMENT CALLED LOCKETTS GENERAL CONDITIONS.

e) The protection of children from harm

PLEASE SEE ATTACHED DOCUMENT CALLED LOCKETTS GENERAL CONDITIONS.

Section 22 of 22

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Premises licence fees can be calculated by visiting the Department for Culture Media and Sport website at http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/3193.aspx

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time. Details of these additional fees can be found on the website http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4040.aspx

* Fee amount (£)

315.00

Continued from previous page...

ATTACHMENTS

Durham Analysis of Use	electronic
Locketts General Conditions	electronic
Durham Notice & Ad	electronic
Consent form of premises supervisor	electronic
Premises plan	electronic

DECLARATION

* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Digital signature

You can digitally sign the form if you wish, this will be verified and passed to the authority.

When you are satisfied that you have completed the form correctly, save it and continue with the application process. If the online application screen is no longer available in your browser, [click here](#) to resume.

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

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

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits will be located behind the counter.

b) The prevention of crime and disorder.

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Spirits will be located behind the counter.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

c) Public Safety.

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

d) Prevention of public nuisance.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

e) The protection of children from harm.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

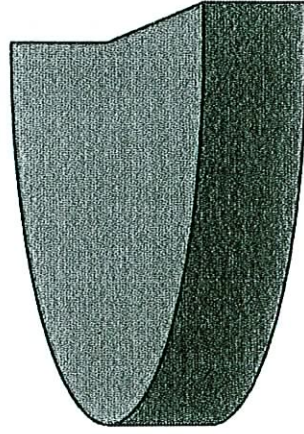
A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits will be located behind the counter.

Analysis of Intensity of Use

Shell Durham, High Street, Carrville, Durham, DH1 1LU.

1st January to 31st March 2012 incl.



Convenience Store,
89230, 52%



Fuel,
83128, 48%

Analysis of Intensity of Use.

Shell Durham, High Street, Carrville, Durham, DH1 1LU.

Source: EPOS - 1st January to 31st March 2012 incl.

	Fuel	Convenience Store	Total
1st to 31st January 2012	28324	30793	59117
1st to 29th February 2012	25801	28766	54567
1st to 31st March 2012	29003	29671	58674
TOTAL	83128	89230	172358

APPENDIX 4 – REPRESENTATION

Yvonne Raine

From: Jim Lincoln [jim.lincoln@durham.pnn.police.uk]
Sent: 17 July 2012 15:00
To: Yvonne Raine
Subject: Shell Durham [NOT PROTECTIVELY MARKED]

NOT PROTECTIVELY MARKED

Hi Yvonne,
As we talked about –

Durham Constabulary would like to **Object** to the New Premise Licence application for Shell Durham, High Street, Carville, Durham.

This is on the **Grounds of the Prevention of Crime & Disorder**.

We're trying to negotiate with Locketts and their clients to reduce these hours, but so far had no word back.

Licence Support Officer - Jim Lincoln
Durham Constabulary
Alcohol Harm Reduction Unit
John Street North
Meadowfield
Co Durham
DH7 8RS
jim.lincoln@durham.pnn.police.uk
6614981 (internal)
0191 3752351 (external)

NOT PROTECTIVELY MARKED

DURHAM CONSTABULARY - Protecting Neighbourhoods, Tackling Criminals, Solving Problems...Around the Clock

NEIGHBOURHOOD POLICING: Use your postcode to get access to local news and events from your Neighbourhood Policing Team, at <http://www.durham.police.uk/local>

This email carries a disclaimer, a copy of which may be read at <http://www.durham.police.uk/email.php>

APPENDIX 5 – MEDIATION DOCUMENT

LICENSING ACT 2003

TO: The County Council of Durham as the Licensing Authority.

Application for the grant ??? variation ??? of a Premises Licence

Premises: SHELL DURHAM HIGH STREET, CARVILLE.

Applicant: SHELL UK OIL PRODUCTS LTD

We being the Applicant pursuant to Regulation 9 of The Licensing Act 2003 (Hearings) Regulations 2005 give notice to the Authority that we consider a hearing to be unnecessary and request that the Authority dispenses with such provided that any licence granted includes the following provisions or conditions in addition to any already put forward in the original application:

- AMEND THE APPLICATION TO SHOW ALCOHOL SALES
- OSDD HRS - 2300 HRS SEVEN DAYS A WEEK
-

Signed: *S. Clement* (PP: LOCKETT & CO.) (Applicant)

Title: LICENSING MANAGER

Print Full Name: *SARA CLEMENT* Date: *03/7/10*

Signed: *PJL* (Responsible Authority) *Police*

Title: *LICENCE SUPPORT OFFICER*

Print Full Name: *PATRICK JAMES LINGOW* Date:

NOT PROTECTIVELY MARKED

Durham Constabulary
Licence Support Officer
Alcohol Harm Reduction Unit
Annand House
John Street North
Meadowfield
County Durham
DH7 8RS

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



Tel No: 0191 3752351
Fax No: 0191 375 2303
DX: 721661

Your Ref:
Our Ref: PJL/PREM/2809

24 July 2012

This matter is being dealt with by PCSO Martin Haigh
Tel 0845 60 60 365 ext 6632351 or direct 0191 3752351

Dear Sir/Madam

Premises: Shell Durham, High Street, Carville, Durham

Applicant: Shell UK oil Products Ltd

Type of application: new Premise Licence application

Date Received: 21.06.2012

With reference to the above application, please note that the Police have no objections. This follows negotiations with the applicant's solicitors about reducing the hours for the sale of alcohol. Mediation document has been signed by both parties.

Yours faithfully

A handwritten signature in black ink, appearing to be 'C Dobson', written over a faint, larger signature.

Inspector Colin Dobson

NOT PROTECTIVELY MARKED

Licensing Officer
Durham County Council
Annand House
John Street North
Meadowfield
County Durham
DH7 8RS

**APPENDIX 6 – 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.