

Statutory Licensing Sub-Committee

Wednesday 22nd August 2012

Application for the Variation of a the Premises Licence



Report of Terry Collins, Corporate Director, Neighbourhood Services

Name and Address of Premises: Montgomery's, 103 Front Street, Stanley
Co Durham DH9 OTB

1. Summary

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

Mr Paul Montgomery
1 Front Street
Stanley
Co Durham
DH9 OJQ

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 3rd July 2012 the Licensing Authority received an application for a variation of a premises licence from Mr Montgomery in respect of Montgomerys, 103 Front Street, Stanley, Co Durham. A copy of the application is attached as Appendix 3.

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

Details of Existing Premises Licence	Details of Variation Application
<u>Opening hours of the premises</u> Monday to Sunday – 09.00 to 02.30 (incl. Public & Bank Holidays)	<u>Opening hours of the premises</u> Monday to Thursday – 09.00 to 02.30 Friday and Saturday – 09.00 to 03.30 Sunday – 09.00 to 02.30 Sundays preceding a bank holiday – 09.00 to 03.30 Good Friday – 09.00 to 03.30

<p><u>Films (indoors)</u></p> <p>Monday to Sunday – 09.00 to 02.00 (incl. Public & Bank Holidays)</p>	<p><u>Films (indoors)</u></p> <p>Monday to Thursday – 09.00 to 02.00 Friday and Saturday – 09.00 to 03.00 Sunday – 09.00 to 02.00 Sundays preceding a bank holiday – 09.00 to 03.00</p>
<p><u>Performance of Live Music (indoors)</u></p> <p>Monday to Saturday – 11.00 to 02.00 Sunday – 14.00 to 00.30 Sunday preceding a Bank Holiday (incl. Easter Sunday) – 14.00 to 02.00 Bank Holidays, Good Friday & Christmas Day – 11.00 to 02.00 New Years Eve – 11.00 to 24.00 New Years Day – 00.00 to 23.00</p>	<p><u>Performance of Live Music (indoors)</u></p> <p>Monday to Thursday – 11.00 to 02.00 Friday and Saturday – 11.00 to 03.00 Sunday – 11.00 to 00.30 Sunday preceding a Bank Holiday – 14.00 to 03.00 Good Friday – 12.00 to 03.00 Easter Sunday – 12.00 to 00.30 Christmas Day – 12.00 to 15.00 & 19.00 to 22.30 Bank Holidays – 11.00 to 02.00 New Years Eve – 11.00 to 24.00 New Years Day – 00.00 to 23.00</p>
<p><u>Playing of Recorded Music (indoors)</u></p> <p>Monday to Sunday – 09.00 to 02.00 (incl. Public & Bank Holidays)</p>	<p><u>Playing of Recorded Music (indoors)</u></p> <p>Monday to Thursday – 09.00 to 02.00 Friday and Saturday – 09.00 to 03.00 Sunday – 09.00 to 02.00 Sundays preceding a bank holiday – 09.00 to 03.00</p>
<p><u>Performance of dance (indoors)</u></p> <p>Monday to Saturday – 11.00 to 02.00 Sunday – 14.00 to 00.30 Sunday preceding a Bank Holiday (incl. Easter Sunday) – 14.00 to 02.00 Bank Holidays, Good Friday & Christmas Day – 11.00 to 02.00 New Years Eve – 11.00 to 24.00 New Years Day – 00.00 to 23.00</p>	<p><u>Performance of dance (indoors)</u></p> <p>Monday to Thursday – 11.00 to 02.00 Friday and Saturday – 11.00 to 03.00 Sunday – 14.00 to 00.30 Sunday preceding a Bank Holiday – 14.00 to 03.00 Good Friday – 12.00 to 03.00 Easter Sunday – 12.00 to 00.30 Christmas Day – 12.00 to 15.00 & 19.00 to 22.30 Bank Holidays – 11.00 to 02.00 New Years Eve – 11.00 to 24.00 New Years Day – 00.00 to 23.00</p>

<p><u>Anything of a similar description (indoors)</u></p> <p>Monday to Sunday – 09.00 to 02.00 (incl. Public & Bank Holidays)</p>	<p><u>Anything of a similar description (indoors)</u></p> <p>Monday to Thursday – 09.00 to 02.00 Friday and Saturday – 09.00 to 03.00 Sunday – 09.00 to 02.00 Sundays preceding a bank holiday – 09.00 to 03.00</p>
<p><u>Provision of Facilities for making music (indoors)</u></p> <p>Monday to Saturday – 11.00 to 02.00 Sunday – 14.00 to 00.30 Sunday preceding a Bank Holiday (incl. Easter Sunday) – 14.00 to 02.00 Bank Holidays, Good Friday & Christmas Day – 11.00 to 02.00 New Years Eve – 11.00 to 24.00 New Years Day – 00.00 to 23.00</p>	<p><u>Provision of Facilities for making music (indoors)</u></p> <p>Monday to Thursday – 11.00 to 02.00 Friday and Saturday – 11.00 to 03.00 Sunday – 14.00 to 00.30 Sunday preceding a Bank Holiday – 14.00 to 03.00 Good Friday – 12.00 to 03.00 Easter Sunday – 12.00 to 00.30 Christmas Day – 12.00 to 15.00 & 19.00 to 22.30 Bank Holidays – 11.00 to 02.00 New Years Eve – 11.00 to 24.00 New Years Day – 00.00 to 23.00</p>
<p><u>Provision of Facilities for Dancing (indoors)</u></p> <p>Monday to Saturday – 11.00 to 02.00 Sunday – 14.00 to 00.30 Sunday preceding a Bank Holiday (incl. Easter Sunday) – 14.00 to 02.00 Bank Holidays, Good Friday & Christmas Day – 11.00 to 02.00 New Years Eve – 11.00 to 24.00 New Years Day – 00.00 to 23.00</p>	<p><u>Provision of Facilities for Dancing (indoors)</u></p> <p>Monday to Thursday – 11.00 to 02.00 Friday and Saturday – 11.00 to 03.00 Sunday – 14.00 to 00.30 Sunday preceding a Bank Holiday – 14.00 to 03.00 Good Friday – 12.00 to 03.00 Easter Sunday – 12.00 to 00.30 Christmas Day – 12.00 to 15.00 & 19.00 to 22.30 Bank Holidays – 11.00 to 02.00 New Years Eve – 11.00 to 24.00 New Years Day – 00.00 to 23.00</p>
<p><u>Anything of a similar description (indoors)</u></p> <p>Monday to Saturday – 11.00 to 02.00 Sunday – 14.00 to 00.30 Sunday preceding a Bank Holiday (incl. Easter Sunday) – 14.00 to 02.00 Bank Holidays, Good Friday & Christmas Day – 11.00 to 02.00</p>	<p><u>Anything of a similar description (indoors)</u></p> <p>Monday to Thursday – 11.00 to 02.00 Friday and Saturday – 11.00 to 03.00 Sunday – 14.00 to 00.30 Sunday preceding a Bank Holiday – 14.00 to 03.00 Good Friday – 12.00 to 03.00</p>

New Years Eve – 11.00 to 24.00 New Years Day – 00.00 to 23.00	Easter Sunday – 12.00 to 00.30 Christmas Day – 12.00 to 15.00 & 19.00 to 22.30 Bank Holidays – 11.00 to 02.00 New Years Eve – 11.00 to 24.00 New Years Day – 00.00 to 23.00
<u>Sale of Alcohol (on the premises)</u>	<u>Sale of Alcohol (on the premises)</u>
Monday to Sunday – 09.00 to 02.00 (incl. Public & Bank Holidays)	Monday to Thursday – 09.00 to 02.00 Friday and Saturday – 09.00 to 03.00 Sunday – 09.00 to 02.00 Sundays preceding a bank holiday – 09.00 to 03.00 Good Friday – 09.00 to 03.00

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.

The representation relates to the Prevention of Crime and Disorder and the Prevent of Public Nuisance licensing objectives.

A copy of the representation and additional information received from Durham Constabulary is attached as Appendix 4.

4. The Parties

The Parties to the hearing will be:

- Mr Paul Montgomery (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
- Section 7.0 Prevention of Public Nuisance

Relevant information is attached at Appendix 5.

6. Section 182 Guidance

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

- 2.1 Prevention of Crime and Disorder
- 2.33 Prevention of Public Nuisance

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

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