

# Statutory Licensing Sub-Committee

11th December 2012

## Application for the Variation of a Premises Licence



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### Report of Terry Collins, Corporate Director, Neighbourhood Services

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**Name and Address of Premises:** Ferryhill Community Hub, Lambton Road, Ferryhill, Co. Durham. DL17 8TB

#### 1. Summary

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

Ferryhill Community Hub  
Lambton Road  
Ferryhill  
DL17 8TB

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

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

#### 2. Details of the Application

An application to vary the premises licence was received by the Licensing Authority on 19th October 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 details of the application to vary a premises licence are as follows:

<b>Details of Existing Premises Licence</b>	<b>Details of Variation Application</b>
<b><u>Opening hours of the premises</u></b>  09:00 – 01:00 hrs Mon – Sat 10:00 – 23:00 hrs Sun	  09:00 – 01:00 hrs Mon – Thursday 09:00 – 02:00hrs Fri & Sat and All Bank Holidays & New Years Eve 10:00 – 24:00 hrs Sun
<b><u>Indoor Sporting Events, Boxing or Wrestling, Live Music, Recorded</u></b>	

<p><b><u>Music, Performances of Dance, Entertainment Similar to Live Music, Recorded Music or Performance of Dance and Provision of Entertainment Facilities – All Indoors</u></b></p> <p>09:00 – 01:00 hrs Mon – Sat 10:00 – 23:00 hrs Sun</p>	<p>N/A</p>
<p><b><u>Sale of Alcohol (On Sales only)</u></b></p> <p>11:00 – 23:00 hrs Mon – Sat 12:00 – 22:30 hrs Sun</p>	<p>10:00 – 23:30 hrs Mon – Thur 10:00 – 01:30hrs Fri &amp; Sat and All Bank Holidays &amp; New Years Eve 12:00 – 23:30 hrs Sun</p>

### 3. The Representations

The Licensing Authority received representations from the following:

- Durham Constabulary (Responsible authority)
- Cllr B Avery (Other person)
- Cllr C Magee (Other person)
- Mrs E Whitfield – letter with residents’ petition (Other person)

The representations relate to the following licensing objectives:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance

Copies of the representations are attached as Appendix 4.

### 4. Mediation

Following successful mediation with Durham Constabulary, the applicant has agreed to amend their application and have reduced the requested hours for the Sale of Alcohol and agreed the following:

- **Sale of Alcohol - 10:00 to 00:00 hrs Friday and Saturday**
- **No alcohol to be consumed on the premises after 00:30 hrs.**

The applicant has also agreed to additional conditions relating to the licensing objectives.

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

Following the successful mediation with the applicant, Durham Constabulary have subsequently withdrawn their representation.

## **5. The Parties**

The Parties to the hearing will be:

- Mr David George Athey, Ferryhill Community Hub (the applicant)
- Cllr B Avery (Other person)
- Cllr C Magee (Other person)
- Mrs E Whitfield – letter with residents’ petition (Other person)

## **6. Durham County Council Statement of Licensing Policy**

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

- Part 5 - The Prevention of Crime and Disorder
- Part 7 - The Prevention of Public Nuisance

Relevant information is attached at Appendix 6.

## **7. 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
- Paragraph 2.18 – Licensing Objectives – Public Nuisance

## **8. For Decision**

The Sub-Committee is asked to determine the application in the light of the application, the successful mediation between the applicant and Durham Constabulary and the representations received.

### **Background Papers:**

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

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**Contact: Yvonne Raine**

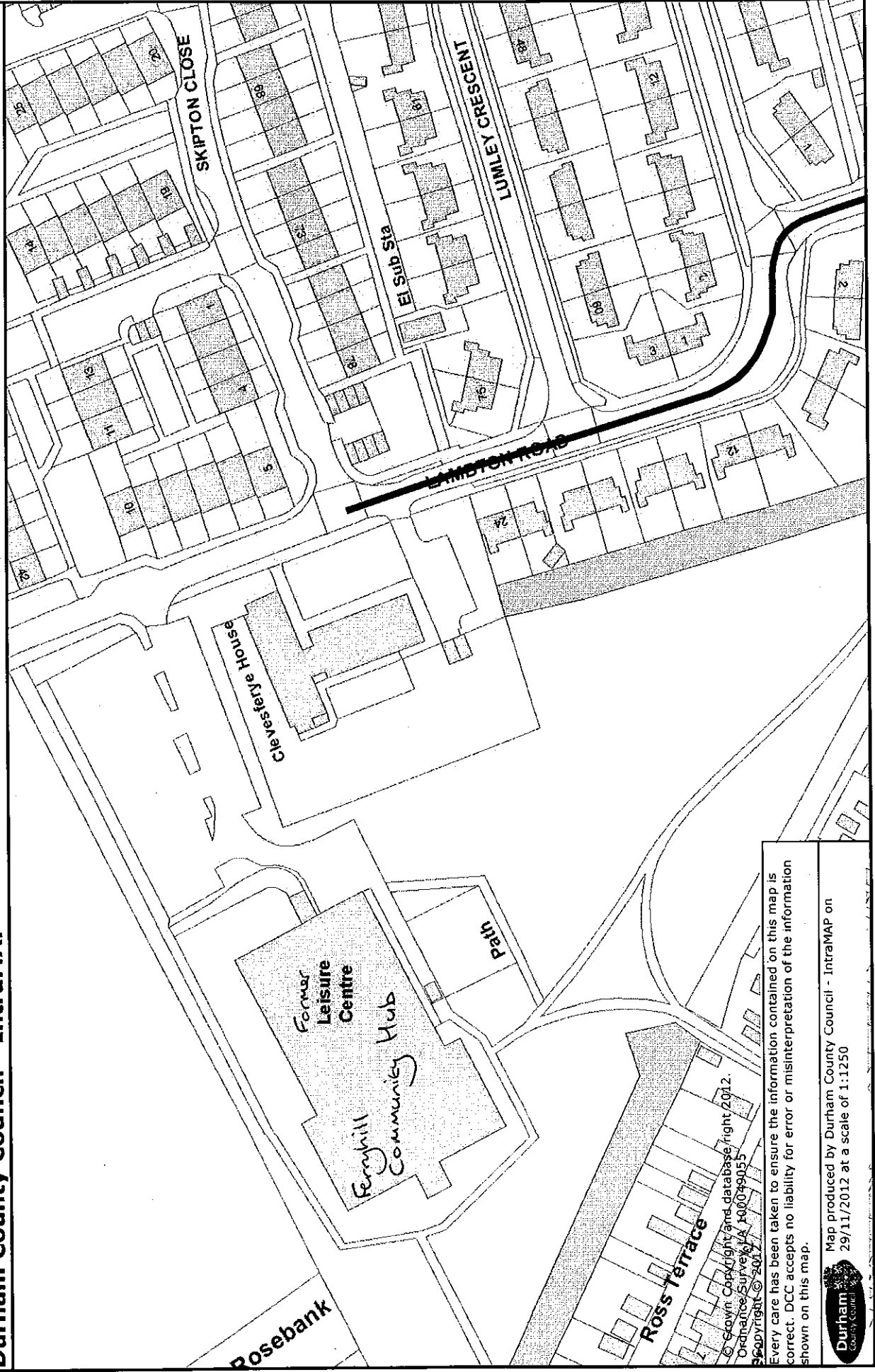
**Tel: 03000 265256**

**Email: [yvonne.raine@durham.gov.uk](mailto:yvonne.raine@durham.gov.uk)**

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## APPENDIX 1 – LOCATION PLAN

# Durham County Council - IntraMAP



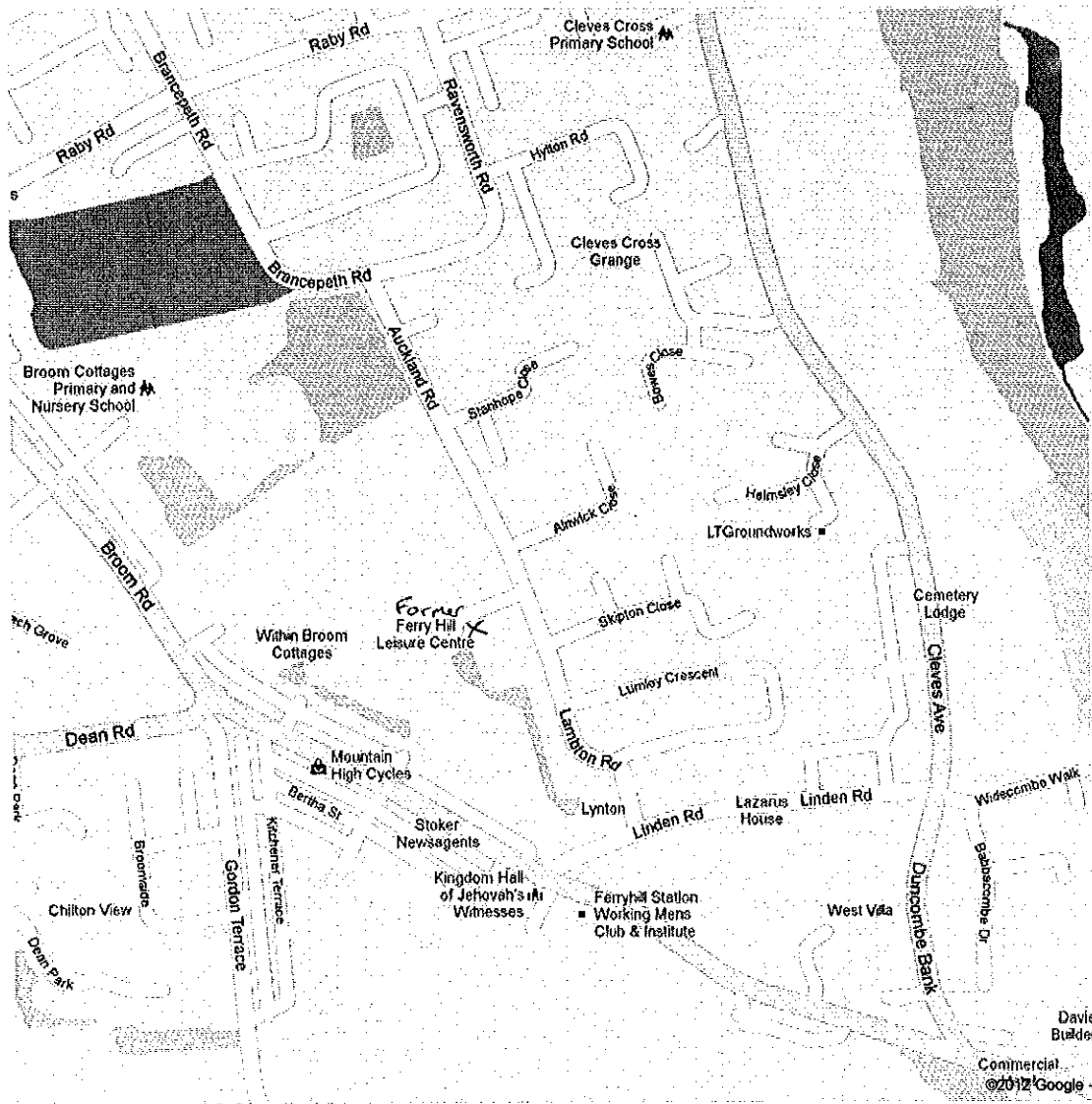
© Crown Copyright and database right 2012.  
 Ordnance Survey (A 100049055)  
 StreetView © 2011

Every care has been taken to ensure the information contained on this map is correct. DCC accepts no liability for error or misinterpretation of the information shown on this map.

Map produced by Durham County Council - IntraMAP on  
 29/11/2012 at a scale of 1:1250



Google



## **APPENDIX 2 – PREMISES LICENCE**



## LICENSING ACT 2003 PREMISES LICENCE

**Premises Licence Number**  
**Granted**  
**Issued**

<b>SBCDL16PRM0178</b>
<b>03 September 2005</b>
<b>10 February 2012</b>

**Part 1 – Premises details**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	<b>Issuing Authority</b>
<b>FERRYHILL LEISURE CENTRE</b> LAMBTON ROAD	DURHAM COUNTY COUNCIL ENVIRONMENT, HEALTH & CONSUMER PROTECTION PO BOX 617 DURHAM DH1 9HZ
<b>Post town:</b> FERRYHILL	<b>Postcode:</b> DL17 8TB
<b>Telephone number:</b> 01740 654121	

<b>Where the licence is time limited the dates</b> N/A
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<b>Licensable activities authorised by this licence</b> Indoor Sporting Events Boxing or Wrestling Live Music Recorded Music Performance of Dance Anything of a similar description to live music, recorded music or performances of dance Provision of Facilities for Making Music Provision of facilities for Dancing Provision of facilities for entertainment similar to making music or dancing Sale by Retail of Alcohol
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<b>The opening hours of the premises (all times in 24hr format)</b>		
Monday	09:00 - 01:00	<b>Non standard/seasonal timings:</b> N/A
Tuesday	09:00 - 01:00	
Wednesday	09:00 - 01:00	
Thursday	09:00 - 01:00	
Friday	09:00 - 01:00	
Saturday	09:00 - 01:00	
Sunday	10:00 - 23:00	

<b>Where the licence authorises the sale by retail of alcohol whether these are on and/or off sales</b> ON ALCOHOL SUPPLIES
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**The times the licence authorises the carrying out of licensable activities (all in 24hr format)**

**Indoor sporting events**

Monday	09:00 - 01:00	Further details
Tuesday	09:00 - 01:00	N/A
Wednesday	09:00 - 01:00	
Thursday	09:00 - 01:00	Non standard/seasonal timings:
Friday	09:00 - 01:00	N/A
Saturday	09:00 - 01:00	
Sunday	10:00 - 23:00	

**Boxing or wrestling entertainments**

Indoors only		
Monday	09:00 - 01:00	Further details
Tuesday	09:00 - 01:00	N/A
Wednesday	09:00 - 01:00	
Thursday	09:00 - 01:00	Non standard/seasonal timings:
Friday	09:00 - 01:00	N/A
Saturday	09:00 - 01:00	
Sunday	10:00 - 23:00	

**Live music**

Indoors only		
Monday	09:00 - 01:00	Further details
Tuesday	09:00 - 01:00	N/A
Wednesday	09:00 - 01:00	
Thursday	09:00 - 01:00	Non standard/seasonal timings:
Friday	09:00 - 01:00	N/A
Saturday	09:00 - 01:00	
Sunday	10:00 - 23:00	

**Recorded music**

Indoors only		
Monday	09:00 - 01:00	Further details
Tuesday	09:00 - 01:00	N/A
Wednesday	09:00 - 01:00	
Thursday	09:00 - 01:00	Non standard/seasonal timings:
Friday	09:00 - 01:00	N/A
Saturday	09:00 - 01:00	
Sunday	10:00 - 23:00	

**Performances of dance**

Indoors only		
Monday	09:00 - 01:00	Further details
Tuesday	09:00 - 01:00	N/A
Wednesday	09:00 - 01:00	
Thursday	09:00 - 01:00	Non standard/seasonal timings:
Friday	09:00 - 01:00	N/A
Saturday	09:00 - 01:00	
Sunday	10:00 - 23:00	

**Anything of a similar description to live music, recorded music or performances of dance**

Indoors only

Monday	09:00 - 01:00	Further details
Tuesday	09:00 - 01:00	N/A
Wednesday	09:00 - 01:00	
Thursday	09:00 - 01:00	Non standard/seasonal timings:
Friday	09:00 - 01:00	N/A
Saturday	09:00 - 01:00	
Sunday	10:00 - 23:00	

**Provision of facilities for making music**

Indoors only

Monday	09:00 - 01:00	Further details
Tuesday	09:00 - 01:00	N/A
Wednesday	09:00 - 01:00	
Thursday	09:00 - 01:00	Non standard/seasonal timings:
Friday	09:00 - 01:00	N/A
Saturday	09:00 - 01:00	
Sunday	10:00 - 23:00	

**Provision of facilities for dancing**

Indoors only

Monday	09:00 - 01:00	Further details
Tuesday	09:00 - 01:00	N/A
Wednesday	09:00 - 01:00	
Thursday	09:00 - 01:00	Non standard/seasonal timings:
Friday	09:00 - 01:00	N/A
Saturday	09:00 - 01:00	
Sunday	10:00 - 23:00	

**Provision of facilities for entertainment similar to making music or dancing**

Indoors only

Monday	09:00 - 01:00	Further details
Tuesday	09:00 - 01:00	N/A
Wednesday	09:00 - 01:00	
Thursday	09:00 - 01:00	Non standard/seasonal timings:
Friday	09:00 - 01:00	N/A
Saturday	09:00 - 01:00	
Sunday	10:00 - 23:00	

**Sale by retail of alcohol**

On sales

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 - 23:00	N/A
Saturday	11:00 - 23:00	
Sunday	12:00 - 22:30	

**Part 2**

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b>	
FERRYHILL COMMUNITY HUB LAMBTON ROAD FERRYHILL  [REDACTED] [REDACTED]	
<b>Registered number of holder, for example company number, charity number (where applicable)</b>	
Company no:	NOT APPLICABLE
Charity no:	NOT APPLICABLE

<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises the sale by retail of alcohol</b>
MR DAVID GEORGE ATHEY [REDACTED] [REDACTED] [REDACTED] [REDACTED]

<b>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</b>
SBCDL16PER0147 SEDFIELD BOROUGH COUNCIL

**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: embedded restrictions**

This Premises Licence has been granted upon conversion under schedule 8 of the Licensing Act 2003 of the previous Justices' On Licence, and such rights and restrictions that applied to such Licence are hereby incorporated into this Premises Licence, subject to any express terms to the contrary hereinafter specified, and/or any restriction applying to a Premises Licence and/or any licensable activity.

### **Standard Conditions For Places Of Public Entertainment**

#### **PART 1 GENERAL**

Application - 1. These Conditions and Definitions shall apply whenever the premises are in use under the terms of a licence issued by the Council.

Note: In order to ensure the safety of staff and performers, it is generally advisable to extend the operation of arrangements provided for the safety of the public to all times when the premises are occupied.

Definitions - 2 In these Conditions the following words have the meanings indicated. Except where the context demands otherwise the singular includes the plural and the masculine includes the feminine. Words in italics throughout these Conditions denote words defined below.

Accommodation Limit - the maximum number of people, not being staff or performers, permitted by the Council to be within the premises or a designated area of the premises when they are in use under the terms of a licence issued by the Council.

Note (1) Experience has shown that where accommodation limits include staff, Licensees may reduce the number of staff present as the entertainment area becomes more crowded in order to comply with the accommodation limits on the licence. Such reduction is undesirable. Therefore accommodation limits exclude staff and performers

Note (2) In exceptional circumstances the Council may also limit the numbers of staff and performers.

Approved - permitted in advance by the Council in writing.

Approved Arrangements - the arrangement of the premises (including the layout and fittings, installations and all other things in connection therewith) as approved by the Council.

Attendant - a member of staff on duty to assist the public in entering or leaving the auditoria and to assist in the event of fire or other emergency.

Authorised Officer - any police or fire officer or any person authorised in writing by the Council.

Balcony Front - the barrier at the front edge of a balcony which prevents people from falling on to the floor or tier beneath the balcony.

BS - the appropriate British Standard, which may be equivalent harmonised European Standard. All references to British Standards are to the current edition unless a date is shown.

Certificate - a written report or reports of inspection and satisfactory condition completed by an appropriately qualified engineer or other competent person and normally submitted to the Council within one month of inspection.

Note - The competent person, when completing the certificate, may indicate the period of validity of the certificate, which will normally be accepted by the Council.

Competent Person - a person who has such practical and theoretical knowledge and such experience as is necessary to carry out the work and who is aware of the limits of his own ability, expertise and knowledge.

Consent - permission given in advance by the Council in writing.

Council - the licensing authority named on the licence.

Door Supervisor - any person employed at or near the entrance to the premises to ascertain or satisfy himself as to the suitability of members of the public to be allowed on the premises or any person employed to maintain order on the premises.

Note: The Council will not normally consider the Licensee or Duty Manager to be a Door Supervisor.

Duty Fire Officer - a member of staff who has been adequately trained in fire prevention and fire-fighting to the satisfaction of the Council.

Duty Manager - a person appointed by the Licensee in writing to be in charge of the premises.

Durably-treated flame-retarded fabric - see under Flame-retarded fabric

Emergency lighting - see under Lighting

Entertainment area - that part of the premises which is constructed and arranged for use for entertainments including any stage or auditorium

Escape Lighting - see under Lighting

Film exhibition - any exhibition of moving pictures which is produced otherwise than by the simultaneous reception and exhibition of programmes included in a programme service within the meaning of the Broadcasting Act 1990.

Flame-retardant fabric - a fabric that has been tested using the methods in BS 5438: 1989 Tests 2A (face ignition) and 2B (bottom ignition) using a 10 second flame application time in each case. The results of tests on the fabric shall show

that no part of any hole nor the lowest boundary of any flaming reached the upper or either vertical edge of the specimen and that there was no separation of any flaming debris. (This performance standard is akin to that set out in BS5867-2: 1980 Type B).

**Durably-treated flame-retardant fabric** - a fabric that has been chemically treated to render it flame-retardant. Prior to the ignitability tests set out above the fabric is subjected to the appropriate wetting or cleansing procedure set out in BS 5651: 1989. After this washing or cleansing procedure, the fabric shall meet the performance standard for flame-retardant fabric set out above.

**Inherently flame-retardant fabric** - a fabric which, although not non-combustible and not subjected to any flame-retarding process or finish, meets the performance standard for flame-retarded fabric set out above throughout its thickness. The BS 5651 'durability' procedure can be omitted before testing fabrics composed entirely of thermoplastic materials such as nylon, polyester or modacrylic, to which a flame-retarding treatment has not been applied.

**Indoor sports** - see under Sports entertainment

**Inherently flame retardant fabric** - see under Flame-retardant fabric

**Inspect/inspection** - to carry out a visual inspection accompanied by such other test as may be necessary, in the opinion of the competent person carrying out the inspection, to enable the completion of a certificate of (satisfactory) condition.

**Licensee** - the person (or body) to whom the Council has granted the licence or who is deemed to be the holder of the licence under the relevant statutory provision.

**Emergency Lighting** - lighting provided for use in the event of the failure of the normal lighting system. Emergency lighting includes escape lighting. Any reference in these Conditions to an emergency lighting battery shall be taken to apply to all batteries provided as part of the emergency lighting installation.

**Escape lighting** - that part of the emergency lighting, which is provided to ensure that the escape routes are illuminated at all material times. In these Conditions any reference to emergency lighting shall be taken to apply likewise to any escape lighting not provided as part of an emergency lighting installation.

**Management lighting** - the combination of the emergency lighting and that part of the normal lighting which, in the absence of adequate daylight, is intended to facilitate safe movement about the premises.

**Note:** In closely seated auditoria this would be the usual performance mode.

**Normal lighting** - all permanently installed electric lighting operating from the normal supply, which, in the absence of adequate daylight, is intended for use during the whole time that the premises are occupied.

**Note:** Normal lighting does not include emergency lighting, purely decorative lighting and stage or performance lighting.  
**Local Fire Control Centre** - the address and telephone number, which the Licensee has confirmed with the Fire Authority as appropriate for the Licensee to use in order to make contact with the fire brigade in a non-emergency but immediate manner.

**Log-book** - Any log book required under these Conditions shall be:-

- (i) accurate and up to date
- (ii) bound and consecutively numbered
- (iii) retained in a safe and secure place on the premises for a minimum of 5 years after the date of last entry or for such longer period as required; and
- (iv) readily available for examination by an Authorised Officer.

**Note:** Log-books may be kept in a manual form. The Council will accept records in electronic form provided the Licensee can demonstrate adequate security and integrity of the information. Specimen Fire log-books are provided in Appendix 4.

**Management Lighting** - see under Lighting

**Normal Lighting** - see under Lighting

**Open stage** - see under Stage

**Pop concert** - an event at which live or recorded amplified music is played and which could reasonably be expected to attract an audience of such a nature as could lead to problems with crowd control, over-excitement and/or unruly behaviour.

**Premises** - all parts of the premises as licensed by the Council including the ancillary parts of the building such as offices, changing room, workshops, stores, etc. which are used in connection with the entertainment area.

**Public** - persons, other than staff or performers, who are on the premises, whether or not they are members of the club and irrespective of payment.

**Required** - specified by the Council in writing

**Scenery** - includes cloths, drapes, gauzes, artificial foliage and fabric decorations

**Separated stage** - see under stage

**Special effects** - any device or effect which was not included in the original licensing risk assessment for the premises which, if not properly controlled, may present a hazard. Examples include the use of dry ice machines, cryogenic fogs, smoke machines, fog generators, pyrotechnics and fireworks, real flame, firearms, motor vehicles, strobe lighting and lasers.

**Special risks** - any entertainment which falls outside the normal use of the premises and which, if not properly controlled, may present a hazard. Examples include foam parties, skating to music and performances especially for children.

**Sports entertainment** - contests, exhibitions or displays of any sport where physical skill is the predominant factor (except dancing in any form) held indoors to which the public are invited as spectators.

**Staff** - any person, whether or not employed by the Licensee, concerned in the management, control or supervision of the premises who has been given specific responsibilities by the Licensee or Duty Manager.

**Staff alerting system** - a system (whether electronically operated or otherwise) for immediately alerting staff to take appropriate action in the event of fire or other emergency.

**Stage** - the specific part of an entertainment area on which performers perform which is distinct from the area occupied by the public, often elevated above level of the adjacent floor, includes, where the context permits, platforms dais or rostrum.

**Open stage** - a stage that is not separated from the auditorium by a safety curtain. An open stage should, however, be separated from the rest of the premises, other than the stage fire risk area, by fire-resisting construction.

**Separated stage** - a stage that is separated from the rest of the premises, other than the stage fire risk area, by fire-resisting construction and provided with a safety curtain, which affords smoke separation between the stage and the auditorium. The safety curtain is normally installed to close off a proscenium opening.

**Stage fire risk area** - the stage and the auditorium together with any scene dock, workshop, stage basement, staff or other room associated with the stage. The stage fire risk area is separated from the rest of the premises by fire-resisting construction.

**Trailer** - a film advertising a film exhibition.

**Standard hours of opening - 3** - the premises shall not open to the public before 9.00 am. On Sundays, Good Fridays and Christmas Day the premises shall not open before 2.00 pm for the performance of plays.

**Standard hours of closing - 4** - the premises shall not be kept open after 11.00 pm for music, music and dancing, boxing, wrestling or indoor sports or after midnight for plays and film exhibitions.

**Note:** This is the standard terminal hour, which may be varied in particular cases.

**Licence - 5 - (a)** The relevant licence or a clear copy of it shall be prominently exhibited in a position where the public can easily read it. For the purpose of this Condition the licence shall be interpreted to mean the licence document containing conditions specific to the premises, including any accommodation limits.

**Note:** Appendix 2 illustrates an example of the licence, which should be displayed. This normally consists of one or two pages.

**(b)** A copy of any Standard Conditions shall be readily available to the Duty Manager.

**Note:** This will include any Additional Conditions attached to the licence

**(c)** The premises shall not be used for any purpose for which a licence is required unless specifically licensed for that purpose.

**Note:** If the premises are licensed for several types of entertainment but are regularly used for one type of entertainment, the Council should be informed of any change to a different type of entertainment.

**Admission of Authorised Officers** - Authorised Officers who carry written authorisations and proof of identity, which they will produce on request, shall be admitted immediately to all parts of the premises at all reasonable times.

**Note:** (1) Authorised Officers examining entertainment areas whilst a performance is in progress should take care not to interrupt the performance and to respect privacy.

(2) The Licensee should ensure that reasonable assistance is given to Authorised Officers to enable them to discharge their functions.

## **PART II ACTIVITIES FOR WHICH A SPECIFIC CONSENT OR WAIVER IS REQUIRED**

**Hypnotism - 7 - (a)** The Licensee shall not permit any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. This Condition does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

**Note:** Any waiver of this Condition by the Council will be subject to Additional Conditions H. The procedure for application to waive this Condition is set out in Appendix H1, which will be sent to the Licensee on request.

**Entertainment involving special risks - 8 - (a)** - The licensee shall not permit an entertainment that involves special risks except with consent. Any approved performances especially for children shall comply with Additional Conditions K.

**(b)** - The Licensee shall not permit explosives or highly flammable substances to be brought onto the premises except with consent. Any storage of explosives or highly flammable substances shall comply with Additional Condition FX10.

**Entertainment using special effects - 9 - (a)** - The licensee shall not permit the use of special effects, except with consent. Any approved use of special effects shall comply with Additional Conditions FX.

**(b)** - The Licensee shall give the Council at least 10 days notice in writing of any proposal to use special effects. The notice shall include, save in exceptional circumstances, exact details of the proposal including the date and time when the special effects can be demonstrated.

**Compressed Gases - 10** - Compressed or liquefied gases shall not be used except with consent. At least 10 days' notice in writing shall be given to the Council of any proposal to bring storage cylinders into the premises.

**Note:** This Condition does not normally apply to gas cylinders used in connection with the dispensing of beverages.

## **PART III PARTICULAR RESPONSIBILITIES OF THE LICENSEE**

**Overall responsibility of Licensee - 11 - (a)** The Licensee shall ensure that the premises continue to comply with the Technical Regulations as set out in Appendix 1. No alterations shall be made to the approved arrangements except with consent.

**(b)** The Licensee shall, except with consent, retain control over all parts of the premises.

**(c)** Either the Licensee or the Duty Manager shall be in charge of and within the premises whenever the public are present. However the Licensee remains responsible for the observance of all licensing conditions.

**Duty Manager - 12** - The Licensee may authorise in writing a Duty Manager, who shall be at least 18 years old, to deputise for him. This written authorisation shall be kept on the premises and be readily available for examination by any Authorised Officer. The Licensee must be satisfied that anyone appointed, as a Duty Manager understands the need to comply with the Conditions of the licence and is competent to perform the function of Duty Manager.

Note: (1) Hereafter in these Conditions the term Licensee/Duty Manager will mean the Licensee or the Duty Manager as appropriate

(2) The Licensee may appoint a hirer or the premises to be Duty Manager if appropriate.

Qualifications of Licensee and Duty Manager - 13 - The Licensee (if an individual) and any Duty Manager shall:

(i) have undertaken an approved training course leading to the possession of the BIIAB Level 2 National Certificate for Entertainment Licensees; or

(ii) possess an equivalent qualification, for example for concert halls, the National Vocational Qualification in Cultural Venue Administration (Level 3); or

(iii) be able to demonstrate to the satisfaction of the Council that he possesses all relevant knowledge and experience.

Note: (1) This condition does not apply to theatres or cinemas

(2) This condition does not apply to the Duty Managers of village halls or similar premises, or to other premises where the Council considers the requirement to be unnecessary.

Staff - 14 - (a) The Licensee/Duty Manager shall ensure that he has sufficient trained staff on duty to ensure the safe evacuation of the premises in the event of an emergency. Such staff shall have been specifically instructed on their duties in the event of any emergency by the Licensee or by a person nominated by him. The instruction given to staff shall include training on the safe and efficient running of the premises and the safe evacuation of the premises.

Note: It is important that the evacuation procedures are fully understood by all staff, especially where a two-stage fire alarm warning system is operated during performances.

(b) A nominated member of staff in addition to the Duty Manager shall have responsibility for fire prevention measures and for ensuring that all escape routes including exit doors are fully available.

Note: This person should be the Duty Fire Officer where one is employed.

(c) No Door Supervisor shall be employed at premises outside London except with consent. Any employment shall be in accordance with Additional Conditions D.

(d) Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role as set out in Appendix 3. The Licensee/Duty Manager shall, once he is satisfied as to the competence of each member of staff, record this in the Fire logbook.

Fire logbook - 15 - (a) The licensee shall cause a Fire log-book to be kept which shall comply with Appendix 4.

Note: Licensees are advised that it is good practice to keep a general incident logbook, in which are recorded details of each day's events. This may be combined with the Fire logbook. Appendix 4 includes an example of this approach.

(b) Any Authorised Officer shall be entitled to obtain a photocopy of any page(s) of any logbook.

Staff register - 16 - The Licensee/Duty Manager shall maintain a register indicating the numbers of staff, including any Door Supervisors and all performers, who are present when the public are present. This register shall be produced immediately on the request of an Authorised Officer. This Condition does not apply to any premises that are being used for a closely seated audience.

Note: (1) A sample register is set out in Appendix 5.

(2) As accommodation limits exclude staff and performers, this register may be used by Authorised Officers to assist in deciding how many staff and performers are present in the premises at a given time. The register will also be used in the event of an emergency evacuation of the premises. It is essential, therefore, that the register is properly maintained and that it is readily available.

Dancing - 17 - Dancing shall be restricted to the areas designated by the Council.

Prevention of Nuisance - 18 - (a) The Licensee/Duty Manager shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.

(b) If required, clearly legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

#### PART IV CONDITIONS RELATING TO SAFETY INCLUDING FIRE SAFETY

Approved arrangements - 19 - (a) The approved arrangements shall be maintained in good condition and full working order. Fire-fighting equipment, the fire alarm warning system and any smoke ventilators shall be maintained in accordance with Appendix 6.

(b) No alterations (including temporary alterations) shall be made except with consent.

Minimising danger - 20 - The Licensee shall ensure that all performances or activities minimise any danger to the public.

Disabled people - 21 - The Licensee/Duty Manager shall ensure that, whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency and that they are made aware of these arrangements.

Note: Licensees are advised to obtain details of and seek to address any special needs when approached by organisers of parties of disabled people.

Safety checks - 22 - The Licensee/Duty Manager shall ensure that all necessary safety checks have been carried out before the admission of the public. Details of the checks shall be entered in the Fire logbook; this may be by use of a separate checklist.

Note: A specimen checklist is provided in Appendix 7.

Escape routes - 23 - (a) All escape routes and exits including external exits shall be maintained unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified in accordance with the approved arrangements.

Note: In restaurants and other premises where chairs and tables are provided care should be taken that clear gangways are maintained.

(b) All exit doors shall be available and easily openable without the use of a key, card, code or similar means. Only approved fastenings shall be used.

Note: Doors that are not in regular use should be opened in order to ensure they function satisfactorily.

(c) Any removable security fastenings shall be removed from the doors prior to opening the premises to the public. All such fastenings shall be kept in the approved position(s).

(d) If required, exit doors shall be secured in the fully open position when the public are present.

(e) All fire doors shall be maintained effectively self-closing and shall not be held open other than by approved devices.

(f) Fire-resisting doors to ducts, service shafts and cupboards shall be kept locked shut.

(g) The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

Curtains, hangings, decorations, upholstery - 24 - (a) Hangings, curtains and temporary decorations shall be maintained flame-retarded.

(b) Any upholstered seating shall continue to meet the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of BS 5852:1990.

Scenery - (c) Any scenery shall be maintained flame-retardant in accordance with Additional Condition S.

(e) Temporary decorations shall not be provided except with consent. When seeking consent for temporary decorations the Licensee shall advise the Council of the period for which it is desired to retain them.

(f) Curtains, hangings and temporary decorations shall be arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment.

Accommodation limits - 25 - The licensee/Duty Manager shall ensure that the accommodation limit(s) specified on the licence are not exceeded and shall be aware of the number of the public on the premises. This information shall be provided to any Authorised Officer immediately on request.

Note: Where there is an unusually large number of performers the Council should be consulted.

Fire action notices - 26 - Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade can be summoned, shall be prominently displayed and shall be protected from damage or deterioration.

Outbreaks of fire - 27 - The fire brigade shall be called at once to any outbreak or suspected outbreak of fire, however slight, and the details recorded in the Fire logbook.

Loss of water - 28 - The Licensee/Duty Manager shall have readily available the telephone number of the local Fire Control Centre. The Licensee/Duty Manager shall notify the local Fire Control Centre as soon as possible if he is aware that the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.

Refuse - 29 - Refuse receptacles shall be emptied regularly.

Access for emergency vehicles - 30 - Access for emergency vehicles shall be kept clear and free from obstruction.

First aid - 31 - (a) The Licensee/Duty Manager shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the premises.

(b) If required, at least one suitably trained first-aider shall be on duty when the public are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified.

#### PART V SANITARY ARRANGEMENTS, HEATING, LIGHTING AND VENTILATION

Toilet Accommodation - 32 - (a) Toilet accommodation shall be provided free of charge and be kept clean and in proper working order.

(b) An adequate supply of hot and cold (or warm) water, toilet paper in holders or dispensers, soap and suitable hand and face drying facilities shall be provided in toilet accommodation.

Drinking water - 33 - Where free drinking water is provided for the public, it shall, except with consent only be provided in a supervised area.

Heating and cooking - 34 - (a) Heating apparatus shall be maintained in a safe and functioning condition.

(b) Portable heating or cooking appliances shall not be used except with consent.

Charge of electrical installation - 35 - If required, a competent person shall be in charge of the electrical and other installation.

Managing Lighting - 36 - (a) - In the absence of adequate daylight the management lighting in any area accessible to the public shall be fully in operation whilst the public are present.

(b) Except as permitted under (d) below there shall be adequate illumination to enable people to see their way out of the premises.

(c) Fire safety signs shall be adequately illuminated except as permitted in (d) below.

(d) If essential to the entertainment and subject to consent, the management lighting in the entertainment area may be reduced or extinguished provided:

- (i) the lighting be controlled from a position with a clear view of the entertainment area; and
- (ii) an operator remain by the controls whilst the lighting is reduced or extinguished; and
- (iii) the operator restore the management lighting at once in the event of any emergency; and
- (iv) the escape route signs remain adequately illuminated.

Note: Licensees are advised to limit any periods during which lighting levels are reduced to the minimum possible consistent with the needs of the entertainment.

Emergency lighting - 37 - (a) The emergency lighting installation shall not be altered in any way except with consent.

(b) The emergency lighting battery shall be fully charged before the admission of the public.

(c) In the event of failure of the normal lighting:

- (i) if the emergency lighting battery has a one hour capacity the public shall leave the premises within 20 minutes unless within that time the normal lighting has been restored and the battery is being re-charged; or
- (ii) if the emergency lighting battery has a 3 hours capacity the public shall leave the premises within one hour unless within that time the normal lighting has been restored and the battery is being re-charged.



(d) The public shall not be re-admitted to the premises until the normal lighting has been fully restored and the battery fully charged except

(i) where the emergency lighting battery has a one hour capacity and if the failure of the normal lighting was fully rectified within 20 minutes of failure and the battery is being re-charged; or

(ii) where the emergency lighting battery has a 3 hours capacity and if the failure of the normal lighting was fully rectified within one hour of failure and the battery is being re-charged.

Temporary electrical installations - 38 - (a) Temporary electrical wiring and distribution systems shall not be provided without notification being given to the Council at least 10 days before the commencement of the work

Note: This condition does not normally apply to electrical equipment on a stage provided with permanently installed distribution facilities.

(b) Temporary electrical wiring and distribution systems shall comply with recommendations of BS 7671 or where applicable BS7909.

(c) Temporary electrical wiring and distribution systems shall be inspected and certified by a competent person before they are put into use. A copy of the certificate shall be sent to the Council as soon as possible.

(d) Temporary electrical wiring and distribution systems shall be provided only for a period of up to 3 months. This period may be extended subject to a satisfactory electrical test and inspection report being submitted to the Council at the end of each 3-month period.

Note: The Council will normally require temporary electrical wiring and distribution systems to be removed at the end of the 3-month period or to be made permanent during that period.

Ventilation - 39 - (a) The premises shall be effectively ventilated.

(b) Where the ventilation system is designed to maintain a positive air pressure within part of the premises, that pressure shall be maintained whenever the public are present in that part of the premises.

Note: This Condition applies mainly to closely seated auditoria

Cleansing ventilation ducting and filters - 40 - (a) Ventilation ducting and other shafts shall be kept clean.

(b) Any air filters shall be periodically cleaned or replaced so as to maintain a satisfactory air supply.

(c) All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned as frequently as necessary to prevent the accumulation of grease and fat at least once per year.

(d) Grease filters in extract ventilation hoods in kitchens and serveries shall be cleaned weekly or at other intervals as required.

Certificates - 41 - Certificates shall be submitted to the Council as specified in Appendix 8.

## **Annex 2 – Conditions consistent with the premises Operating Schedule**

### **General**

The Leisure Centre has strict guidance and policies which cover Health and Safety, child protection, and public safety.

### **Crime and Disorder**

As above

### **Public Safety**

Operating within Durham County Council's health and safety guidelines.

### **Prevention of Public Nuisance**

As above

### **Protection of Children from Harm**

Operating within Durham County Council's child protection policy.

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

None

## **Annex 4 – Plans attached**

Attached



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

# APPENDIX 3 – APPLICATION

D 635 000  
£635.00

[Insert name and address of relevant licensing authority and its reference number (optional)]

### Application to vary a premises licence under the Licensing Act 2003

by 16/15

#### 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.

**FERRYHILL COMMUNITY HUB**  
We .....being the premises licence holder, apply to vary a  
(Insert name(s) of applicant)  
premises licence under section 34 of the Licensing Act 2003 for the premises  
described in Part 1 below

Premises licence number

SRCDL16PRM0178

#### Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference, or description	
Ferryhill Community Hub Lambton Road Ferryhill Co Durham DL17 0AW	
Post town	Post code
Ferryhill	DL17 8TB DL17 0AW

Telephone number at premises (if any) 084004981

Non-domestic rateable value of premises £ 179,000 £

#### Part 2 - Applicant details

Daytime contact telephone number 0840049817

E-mail address (optional)

Current postal address if different from premises address

Post Town Postcode



**Part 3 - Variation**

Do you want the proposed variation to have effect as soon as possible?

Please tick Yes

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To Bring Alcohol In Line With Entertainment Unhll at 30am

## 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.

Please tick  yes

### Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H)

### Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)  
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

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

In all cases complete boxes N, O and P

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both		
Tue						
Wed				<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur						
Fri				<b>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</b> (please read guidance note 5)		
Sat						
Sun						

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both		
Tue						
Wed				<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur						
Fri				<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat						
Sun						

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			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 (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Fri					
Sat					
			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 (please read guidance note 5)		



Sun			
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**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for playing recorded music</b> (please read guidance note 4)		
Thur					

Fri			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>
Sat			
Sun			

### G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>	Indoors																								
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td></td> <td></td> </tr> <tr> <td>Tue</td> <td></td> <td></td> </tr> <tr> <td>Wed</td> <td></td> <td></td> </tr> <tr> <td>Thur</td> <td></td> <td></td> </tr> <tr> <td>Fri</td> <td></td> <td></td> </tr> <tr> <td>Sat</td> <td></td> <td></td> </tr> <tr> <td>Sun</td> <td></td> <td></td> </tr> </tbody> </table>				Day	Start	Finish	Mon			Tue			Wed			Thur			Fri			Sat			Sun			Outdoors
Day	Start	Finish																										
Mon																												
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Sat																												
Sun																												
			Both																									
			<b>Please give further details here (please read guidance note 3)</b>																									
			<b>State any seasonal variations for the performance of dance (please read guidance note 4)</b>																									
			<b>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>																									

### H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>								
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td></td> <td></td> </tr> </tbody> </table>			Day	Start	Finish	Mon			<b>Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>	Indoor	
Day	Start	Finish									
Mon											
			Outdoor								
			Both								

Tue			<b>Please give further details here</b> (please read guidance note 3)
Wed			
Thur			
Fri			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Sun			

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the facilities for making music you will be providing</b>		
			<b>Will the facilities for making music be indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the provision of facilities for making music</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)</b>	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give a description of the facilities for dancing you will be providing</b>		
Mon			<b>Please give further details here (please read guidance note 3)</b>		
Tue					
Wed			<b>State any seasonal variations for providing dancing facilities (please read guidance note 4)</b>		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sat					
Sun					

## K

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment facility you will be providing</b>		
Day	Start	Finish	<b>Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>	Indoor	
				Outdoor	
Mon				Both	

Tue			<b>Please give further details here (please read guidance note 3)</b>
Wed			
Thur			<b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)</b>
Fri			
Sat			<b>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)</b>
Sun			

**L**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</b>		
Thur					
Fri			<b>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 5)</b>		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10-00	23-30	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  All Bank Holidays And New Years Eve Until 01-30		
	10				
Tue	10-00	23-30			
Wed	10-00	23-30			
Thur	10-00	23-30	<b>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</b> (please read guidance note 5)		
Fri	10-00	01-30			
Sat	10-00	01-30			
Sun	12-00	23-30			

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N-A

0

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) All Bank Holidays And New Years Eve Until 02-00
Day	Start	Finish	<b>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</b> (please read guidance note 5)
Mon	09 00	01 00	
Tue	09 00	01 00	
Wed	09 00	01 00	
Thur	09 00	01 00	
Fri	09 00	02 00	
Sat	09 00	02 00	
Sun	10 00	00 00	

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.

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.



**P**

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,e) (please read guidance note 9)

b) The prevention of crime and disorder

CCTV  
~~Proof of Age Challenge 21~~

c) Public safety

No Alcohol Sold To Anyone Who Appears Drunk

d) The prevention of public nuisance

Join Pubwatch  
No Drinks To Be Taken Outside

e) The protection of children from harm

Proof Of Age Challenge 21


Please tick ✓ yes

- I have made or enclosed payment of the fee
- 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 CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 5 – Signatures** (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature   
Date 20-09-12

Capacity Bar Manager

Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> 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 13)	
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.**

## Notes for Guidance

1. 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.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

## **APPENDIX 4 – REPRESENTATIONS**

**From:** Tim Robson [mailto: [REDACTED]]  
**Sent:** 31 October 2012 10:34  
**To:** Helen Johnson - Licensing Team Leader (N'hoods); Yvonne Raine  
**Cc:** [REDACTED]  
**Subject:** Variation of a premises licence Ferryhill Community Hub [NOT PROTECTIVELY MARKED]

**NOT PROTECTIVELY MARKED**

Helen Yvonne

Following consideration of the below mentioned application the police wish to formally register an objection to this variation on the grounds that it would undermine the licensing objectives namely

- Prevention of Crime and Disorder
- Prevention of Public Nuisance.

This objection will be outlined in detail later but in brief this variation will impact detrimentally on Ferryhill. This premise has already had incidents of disorder associated with its immediate vicinity and is a congregating point for young persons.

Regards  
Tim

**Variation of a premises licence**

To bring alcohol sales in line with regulated entertainment times

Ferryhill      Ferryhill  
Community    Community  
Hub            Hub  
Eldon Arms   Lambton  
Eldon Terrace Road  
Ferryhill      Ferryhill  
County        County  
Durham       Durham  
DL17 OAW    DL17 OAW

Sale of alcohol (on the premises) - Monday to Thursday 10.00am to 11.30pm, Friday & Saturday 10.00am to 1.30am, Sunday 12.00pm to 11.30pm Bank holidays and New Years Eve until 1.30am

16  
November  
2012

Opening hours Monday to Thursday 9.00am to 1.00am, Friday & Saturday 9.00am to 2.00am, Sunday 10.00am to midnight Bank holidays and New Years Eve until 2.00am

Sgt 1590 Tim Robson  
Alcohol Harm Reduction Unit  
Annand House  
John Street North

Meadowfield

Durham

DH7 8RS

Tel 0191 3754980

~~Mr 001 1000~~

████████████████████

████████████████████

██████████

Representation: Cllr B. Avery

13 Firwood Tree  
Ferryhill Str.  
Co. Durham  
DH17 0DG.  
28/10/2012.

Dear Sir

I would like to object to the proposed licensing extensions at the Ferryhill Community Hub at Lambton Rd, Ferryhill. My main objection is on Friday & Saturday nights where the proposed extension to 1.30am with 1/2 hour drinking up time could mean customers leaving the building every Friday & Saturday nights at 2.0am +.

The Hub is situated in a densely residential area with a high proportion of elderly persons, pensioners. The entrance & exit from the Hub car park is only about 15m from Skipton Close. Noise at the early hours would be unbearable for the residents some of which are in their 80's & 90's years. Another worry is the anti social behaviour when the public leave the building and head over to the Cleaves X area.

Everyone wants the Hub to be successful but I do think due care and consideration should have been shown by the applicant to the elderly residents of the area before applying for such an application.

Yours sincerely  
Coun. [Redacted]

Representation: Cllr C Magee

A Priors Path  
Ferryhill  
Co Durham  
DH17 8UA

30/10/12

Dear Sir/Madam

I have received numerous enquiries from residents about the proposed granting of an extension to opening hours at Ferryhill Community Hub.

People are very concerned about the proposed extension and state their concerns as follows.

- Increase in traffic and noise/light pollution from taxis, buses and cars.
- Late night/early morning drunken and disorderly behaviour in a highly populated residential area.
- Elderly people opposite the Hub and surrounding areas don't want a night club on their doorstep.
- Fear of increased crime levels as people make their way home in the early hours.

The residents of the area totally object to the extension of licensing hours at the Hub.

I fully support the residents and their objections to the proposals for a change



in licensing laws. Many of the residents  
in this area are elderly and some of  
them in their nineties.

This is a quite residential area and people  
don't want a night club on their doorstep.

Yours sincerely



Representation: Mrs E. Whitefield

We the undersigned seriously object to the application by Tranyhill Community Hub to extend the licencing hours to 01.30 Friday & Saturday and 12pm every other day. We are all pensioners in Skipton Close some of us are in our 80's & 90's. The car park entrance & exit is only 15yds from our bungalows and the noise when customs come out will be unbearable. The directors and applicant have never considered our feelings or position. We ask the council to show some compassion and give some consideration to us the elderly of Tranyhill.

- ██████████ 6, SKIPTON CLOSE Tranyhill
- ██████████ 7 SKIPTON CLOSE
- ██████████ 9. SKIPTON CLOSE
- ██████████ 5 Skipton close
- ██████████ 4 " "
- ██████████ 75 Skipton Close
- ██████████ 75 Skipton Close
- ██████████ 72 SKIPTON CLOSE
- ██████████ 71 " "
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We the undersigned seriously object to the extended licensing hours at the Ferryhill Community Hub, especially the 0.30 HRS on Friday and Saturday. This would be unbearable for us elderly residents ~~for us~~ in Skipton close as we are only 15 yards from the entrance & exit of the car park. The directors applicant has certainly NOT considered us when applying for this extension.

[REDACTED]

P

AGAINST h.c. open  
with 2 PM

[REDACTED]	SKIPTON Chase Hill
[REDACTED]	SKIPTON CLOSE
[REDACTED]	SKIPTON CLOSE
[REDACTED]	SKIPTON CLOSE
[REDACTED]	SKIPTON CLOSE
[REDACTED]	ALNIER CLOSE
[REDACTED]	24 Stambrope Close
[REDACTED]	" " "
[REDACTED]	H SKIPTON CLOSE
[REDACTED]	" " "
[REDACTED]	" " "
[REDACTED]	9. CHESTNUT AVE
[REDACTED]	18 WICKWORTH CL
[REDACTED]	19 Hackworth Rd
[REDACTED]	9. Wood Lane
[REDACTED]	Waring Lane
[REDACTED]	Wray Geryhell
[REDACTED]	PT. 0

## **APPENDIX 5 – MEDIATION WITH DURHAM CONSTABULARY**

**LICENSING ACT 2003**

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

**Application for Review of a Premises Licence**

**Premises:** *Ferryhill, Community Hub (Leisure Centre), Ferryhill*

**Applicant:** **David Athey**

**Interested parties:** *Police*

**Date of application:**

**We** Interested Party/Parties 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:

**The licensable hours for the sale by retail of alcohol to be consumed 'ON' and 'OFF' premise will be increased to 00.00hrs with a stipulation that no alcohol will be consumed ON premise after 00:30hrs. The licensable hours for all remaining licensable activities will remain at 01:00hrs**

**The Prevention of Crime and Disorder**

- Challenge 25 will ensure only persons of lawful age will be able to purchase alcohol from our premise. Photo ID only (PASS logo card / photo driving licence / passport)
- 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 will be installed and fitted to home office standards within the bar area and function room. A minimum of two cameras will be installed in each room. Recordings will be stored for a minimum of one month
- 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 entrance and around the club stating CCTV is in operation

## **PROTECT**

- Persons known to be, or suspected of buying on behalf of children will be refused and reported to the Police.
- External lighting that has already been installed will be in full working order, including all lights within the main car park area

### **Public Safety**

- Designated smoking areas
- Good housekeeping procedures in place
- The club will be an active member of Pubwatch, where we will attend meetings, and join activities
- Maintain an incident book, and record and report all instances of disorder

### **The Prevention of Public Nuisance**

- Customers will not be permitted to take their drinks outside.
- Display signs encouraging customers to leave the premise quietly
- A Written Constitution will be implemented solely for members accessing the bar / function room

### **The Protection of Children from Harm**

- Challenge 25 will be enforced. Refusals will be logged, along with any behavior associated with the refusal
- Children under the age of 11 will be supervised by an adult at all times
- Children under the age of 18 must be accompanied by an adult in the main bar area after 21.00hrs
- All children under the age of 18 must leave the main bar area by 22:00hrs
- Persons known to be, or suspected of buying on behalf of children will be refused and reported to the Police


**PROTECT  
NOT PROTECTIVELY MARKED**




- We will display signs and adhere to the law regarding alcohol and children
- If concerns arise about a child we will contact the Police for advice/assistance and not make our own investigations or conclusions

**Memorandum of Understanding**

- If, at any stage in the future, the Ferryhill Community Hub (Leisure Centre) ceases trading, the Premises Licence will be surrendered to the appropriate licensing authorities.

Signed:  ..... (Applicant)  
Title: Manager .....  
Full Name: David George Alhey .....  
Date: 27-11-12 .....

Signed:  ..... (Responsible Authority)  
Title: PCSO 7486 .....  
Full Name: MARTIN HAIGH .....  
Date: 27/11/2012 .....

FORM NEEDS TO BE SIGNED BY ALL INTERESTED PARTIES AND THE APPLICANT, ONE FORM CAN BE USED FOR ALL OR EACH HAVE INDIVIDUAL ONES.

**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.

## **7.0 Prevention of Public Nuisance**

7.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.

7.2 The concerns relate, amongst other things, to litter, light pollution, noxious odours and noise nuisance resulting from music, human voices, ventilation equipment and vehicles. The Licensing Authority will expect applicants to demonstrate that suitable and sufficient measures have been identified, and will be implemented and maintained, with the intention of preventing public

nuisance relevant to the individual style and characteristics of the premises and events.

7.3 If an external structure or area is to be used by customers, whether for consumption of alcohol or smoking, the applicant will be expected to offer measures designed to minimise its impact on local residents in respect of both public nuisance and crime and disorder. These measures may include a restriction on hours that areas / structures will be used, appropriate signage requesting customers to consider local residents and monitoring of such areas by staff.

7.4 The placement of tables and chairs outside of licensed premises may give rise to public nuisance including noise and litter. When tables and chairs are situated on the public highway relevant consents will be required. Enquiries for consents should be directed to the Council's Licensing Team. In predominantly commercial areas such as shopping centres the Licensing Authority will normally allow the use of tables and chairs outside but will expect them to be removed before the premises close, and any resulting litter/ debris cleared away.

7.5 Applicants should give consideration to reducing potential noise nuisance by, for example:

- Assessment of likely noise levels in the premises.
- Assessment of likely noise levels if outdoor drinking is allowed.
- The sound insulation the building would provide (e.g. double glazing, openable windows, double doors / lobbies to entrances).
- The distance and direction to the nearest noise sensitive premises.
- Likely noise sources outside of the premises (e.g. emptying bottle bins, taxis, unruly customers leaving the premises).
- Dispersal of patrons – where necessary the Licensing Authority will expect a dispersal policy for patrons at the end of the evening. The policy will specify such issues as alterations to the style and volume of music played, public address announcements and use of appropriate signage at exits.
- Ways to limit noise / disorder from patrons leaving the premises.

7.6 The extent to which the above matters will need to be addressed will be dependant on the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided, operational procedures and the needs of the local community.

7.7 Applicants are advised to seek advice from Durham County Councils Environmental Health Team and incorporate any recommendations in their Operating Schedule before submitting their applications.