

Statutory Licensing Sub-Committee

5th August 2013

Application for the grant of a Premises Licence



Report of Terry Collins, Corporate Director, Neighbourhood Services

Name and Address of Premises: Land to the south west of Hardwick Hall Hotel, Sedgefield, Stockton on Tees, TS21 2EH

1. Summary

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

Ramside Estates Limited
Ramside Hall Hotel
Carrville
Durham DH1 1TD

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

2. Details of the Application

An application for the grant of a premises licence was received by the Licensing Authority on 17th June 2012. A copy of the application is attached as Appendix 2.

The details of the application are as follows:

Opening hours of the premises	Friday, Saturday & Sunday 10.00 until 00.00
Supply of Alcohol (on the premises)	Friday, Saturday & Sunday 10.00 until 23.00
Live music	Friday, Saturday & Sunday 10.00 until 23.00
Recorded music	Friday, Saturday & Sunday 10.00 until 23.00
Performance of dance	Friday, Saturday & Sunday 10.00 until 23.00
Anything of a similar description	Friday, Saturday & Sunday 10.00 until 23.00
Provision of late night refreshment	Friday, Saturday & Sunday 23.00 until 00.00

The applicant has proposed steps which they intend to take in order to promote the four licensing objectives, which are outlined within the application form.

The application has been advertised in accordance with regulations.

3. Amendments and additional conditions to the application

The applicant has amended the operating schedule to reduce the events to 'one day only' events. Specific wording for this has been detailed as "The premises licence is only in place for Hardwick Live or such other name it may take, which will take place once per year on one of the days Friday to Sunday only. All responsible authorities will be informed in writing prior to the event taking place".

A meeting has taken place between Ramside Estates, Kirsty Wilkinson from Durham County Council – Children and Adult Services, Susan Gallimore from Durham County Council – Public Protection, PSCO Samantha Level from Durham Constabulary and following this further additional conditions were added by the applicant to the operating schedule, as attached in Appendix 3.

A mediation agreement has also been drawn by Richard Wormald from Durham County Council Nuisance Action Team and the applicant's solicitor with further detailed conditions to be included in the operating schedule. This is attached as Appendix 4.

4. Representations

The Licensing Authority received two representations from other persons, namely Mrs & Dr Jones and Sedgefield Village Residents Forum.

The representations relate to one of the four licensing objectives, namely:

- The Prevention of Public Nuisance

A copy of the representations are attached as Appendix 5.

5. Parties

The Parties to the hearing will be:

- Mr Stephen Robinson (Applicant's Solicitor)
- Mrs & Dr Jones (other person)
- Representative from Sedgefield Village Residents Forum

6. Durham County Council Statement of Licensing Policy

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

- 7.0 – Prevention of Public Nuisance - Attached as 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

- 2.18 – 2.24 Public Nuisance - Attached as Appendix 7.

8. For Decision

The Sub-Committee is asked to determine the application in light of the above having regard to the application 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 June 2013)

Contact: Karen Monaghan

Tel: 03000 265104

Email: karen.monaghan@durham.gov.uk

APPENDIX 1 – LOCATION PLANS



Extended licence area

Image © 2012 Getmapping plc
© 2012 Google

Imagery Date: 2/6/2008 1945

54°39'28.32" N 1°28'06.42" W elev 98 m

Google earth

Eye alt 442m

APPENDIX 2 – APPLICATION FORM

REF: 024463

~~307776~~

by 15/7

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

DURHAM COUNTY

**Application for a premises licence to be granted
under the Licensing Act 2003**

17.5.17
LICENSING

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Ramside Estates Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Land to the south west of Hardwick Hall Hotel Sedgefield			
Post town	Stockton on Tees	Postcode	TS21 2EH

Telephone number at premises (if any)	None
Non-domestic rateable value of premises	£NIL

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name RAMSIDE ESTATES LIMITED
Address RAMSIDE HALL HOTEL CARRVILLE DURHAM DH1 1TD
Registered number (where applicable) 00769845
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any) 0191 386 5282
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	2	09 2013

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The premises is a grassed area to the south west of Hardwick Hall Hotel, upon which a stage, concessions and toilets will be erected to accommodate guests to Hardwick Live (or such other name it may take) which takes place once a year and is a family-friendly event.

The applicant is restricting itself to the following condition which is to be included within the premises licence:-

“The premises licence is only in place for Hardwick Live or such other name it may take, which will take place once per year. All responsible authorities will be informed in writing prior to the event taking place.”

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

Less than 5,000

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

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

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur								
Fri								
Sat						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 (please read guidance note 5)		
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Live music to be played as part of Hardwick Live/whichever name it shall take which takes place once a year and the Applicant agrees to a condition being imposed upon the Premises Licence to this effect. The Applicant will also comply with the mandatory conditions as prescribed by the Local Authority. State any seasonal variations for the performance of live music (please read guidance note 4) None		
Mon					
Tue					
Wed					
Thur					
Fri	10.00	23.00			
Sat	10.00	23.00			
Sun	10.00	23.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) None		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded music to be played as part of Hardwick Live/whichever name it shall take which takes place once a year and the Applicant agrees to a condition being imposed upon the Premises Licence to this effect. The Applicant will also comply with the mandatory conditions as prescribed by the Local Authority.		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4) None		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) None		
Fri	10.00	23.00			
Sat	10.00	23.00			
Sun	10.00	23.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3) Performances of dance, both modern and traditional, as part of Hardwick Live or whichever name it shall take which takes place once a year and the Applicant agrees to a condition being imposed upon the Premises Licence to this effect. The Applicant will also comply with the mandatory conditions as prescribed by the Local Authority.		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4) None		
Thur					
Fri	10.00	23.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) None		
Sat	10.00	23.00			
Sun	10.00	23.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing Entertainment similar to Live Music, Recorded Music and Performances of Dance.		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue			Please give further details here (please read guidance note 3) Entertainment similar to Live Music, Recorded Music and Performances of Dance, as part of Hardwick Live or whichever name it shall take which takes place once a year and the Applicant agrees to a condition being imposed upon the Premises Licence to this effect. The Applicant will also comply with the mandatory conditions as prescribed by the Local Authority.		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) None		
Fri	10.00	23.00			
Sat	10.00	23.00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5) None		
Sun	10.00	23.00			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p><u>Please give further details here</u> (please read guidance note 3) Late Night Refreshment, as part of Hardwick Live or whichever name it shall take which takes place once a year and the Applicant agrees to a condition being imposed upon the Premises Licence to this effect. The Applicant will also comply with the mandatory conditions as prescribed by the Local Authority. The purpose of this Late Night Refreshment provision is for guests to obtain food once Hardwick Live (or whichever name it shall take) ends which would allow for a gradual dispersing of guests and therefore assist in traffic management and safety management.</p> <p><u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) None</p> <p><u>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</u> (please read guidance note 5) None</p>		
Mon					
Tue					
Wed					
Thur					
Fri	23.00	00.00			
Sat	23.00	00.00			
Sun	23.00	00.00			

J

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	State any seasonal variations for the supply of alcohol (please read guidance note 4) None		
Mon					
Tue					
Wed					
Thur					
Fri	10.00	23.00			
Sat	10.00	23.00			
Sun	10.00	23.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) None		

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

Name Dawn Coates

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
 This section is not applicable as there will be no adult entertainment, nudity or films for restricted age groups. The purpose of this application is to allow the hosting of a family-appropriate festival.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) None
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri	10.00	00.00	
Sat	10.00	00.00	
Sun	10.00	00.00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The applicant is restricting itself to the following condition which is to be included within the premises licence:-

“The premises licence is only in place for Hardwick Live or such other name it may take, which will take place once per year. All responsible authorities will be informed in writing prior to the event taking place.”

The premises will be controlled and used to the highest possible standards to take into account the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm and SIA Registered Personnel will be used to ensure compliance of the above.

The Applicant will liaise with all responsible authorities prior to the event.

The Applicant is mindful of the residents in the local area and will meet with the residents when reasonably requested. At the time of preparing this application, the Applicant has already met with the residents in the local area. Attached to this application is a Noise Management Plan. The Applicant has substantial experience in managing large scale events.

b) The prevention of crime and disorder

In addition to that set out in (a) above, all staff will be given training in appropriate requirements of the Licensing Act 2003 when they are recruited and given training in drug and alcohol awareness as part of their induction. SIA Registered Personnel will be used to ensure prevention of crime and disorder. Full and immediate co-operation will be given to the Police and any reasonable requests therefrom.

Please also refer to the attached Noise Management Plan.

c) Public safety

In addition to that set out in (a) above, the Applicant will comply with all health, safety and fire precautions, relevant risk assessment, preventative and control measures, which shall be in place to ensure the safety of all those attending and employed on the premises. Fire Action notices and all such similar notices in relation to health and safety will be in place and emergency escape routes will be clearly signposted.

The Applicant will undertake regular risk assessments to identify any potential risk and will work with any departments of the Local Authority in order to keep risk to a minimum.

d) The prevention of public nuisance

In addition to that set out in (a) above, the Applicant will fully cooperate with the relevant authorities in any issues of public nuisance. The Applicant will provide its full and immediate cooperation with the Police and Local Authority.

The proposed licensable hours are limited until 00.00 with the live music and/or recorded music and/or performances of dance and/or anything similar thereto ending at 23.00. The Applicant is mindful of the residents in the local area and will meet with the residents when reasonably requested to in order to minimise the risk of public nuisance and discuss any reasonable concerns.

Please also refer to the attached Noise Management Plan.

e) The protection of children from harm

No unusual risks of harm to children have been identified.

Proof of age will be required to be shown by anyone seeking to purchase alcohol who appears to be under the age of 25.

The Challenge 25 policy will be adopted.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Hardwick Hall Hotel, Sedgefield

Noise Management Plan Hardwick Live Event

1. Introduction

- 1.1 This Noise management Plan has been produced to ensure that the open air music event - Hardwick Live (the event) – taking place in the grounds of Hardwick Hall Hotel, Sedgefield (the Hotel) organised by Ramside Estates Ltd (the organiser) involving amplified live music runs smoothly for the benefit of those attending whilst preventing off site noise being a public nuisance.
- 1.2 This plan contains a strategy that will be adopted by the organisers, to control noise likely to arise from the event. These measures are discussed in the light of the likely noise conditions to be imposed on a premises license for the event based on the existing premises licence in place for other open air events and events taking place in marquees at the Hotel. (Premises Licence number SBCDL16PRM02049). The comprehensive noise control programme recommended is based on experience from previous events at the Hotel.

2. Site, Environs and Details of the Event

- 2.1 Hardwick Hall Hotel is situated in County Durham approximately 1.2km to the West of the largest nearby settlement and town of Sedgefield.
- 2.2 The character of the area is predominately rural with agricultural lands, with large wooded areas to the west, east and south of the site punctuated by scattered farms and individual houses. The adjoining land to the south boundary is the recently restored Hardwick Park and lake. The dominant noise source in the area is considered to be road traffic on the A689 and A177 and various minor roads in the area.
- 2.3 The event will be held on the grass land extending some 300 metres to the west of the Hotel. The area is indicated on the attached plan and outlined in red. Parking will primarily be on the “East park” area of Hardwick Park.
- 2.4 The site will be laid out with the main stage located at the west side of the site facing to the east and an additional small stage will be located adjacent to the west side of the Hotel this stage facing south.

2.5 The event will feature a mix of live bands on the main stage and DJs on the small stage. In addition to the bands on the stage there will be music brass bands.

2.6 The main stage programme will commence at 1400hrs and be completed by 2300hrs. All open air music will be completed by 2300hrs.

Fairground Rides

2.7 There will be fairground rides provided as part of the event. They will not be using any sound systems during the event as this may interfere with the sound from the main stage and may have an impact on off site noise levels.

Fireworks

2.8 As part of the finale of the main stage a firework display will take place, and will conclude by 2300hrs. The fireworks will be launched from a position behind the main stage. Although the noise from the fireworks cannot be controlled the display will be limited to a duration of maximum 10 minutes, and will be concluded by 2300hrs.

3 Noise Control Procedure

3.1 In order to ensure that stated noise levels are achieved and that any noise levels set as part of the premises licence are not exceeded, all the steps of the noise control programme outlined below will be adopted by the organiser.

3.2 The organiser will engage the services of noise consultant to work at the event from 1200hrs – 2300hrs who will monitor and record sound levels on site and at up to 4 agreed points off site. The noise consultant will also carry out a background noise survey monitoring sound levels adjacent to sensitive premises on an occasion when no event is taking place. The monitoring will take place over a directly comparable period of time and time of year to the event. The results of the survey will be recorded and forwarded to the Local Authority upon request.

3.3 The organiser agrees that the noise consultant will have control over all sound levels at the event. Thus all other parties, including artists, production managers, and sound engineers will be instructed not to increase any sound level of any music PA system unless specifically agreed with the noise consultant.

Good communication and liaison between all interested parties is key to a successful event. The organiser will take steps prior to the start of the event to ensure that all sound engineers and DJs are aware of the constraints within which they will be operating.

Noise levels will be monitored continuously when the event is in operation by the noise consultant using Type 1 sound level metre set to record consecutive 1 minute and 15minute L_{AeqS} at the mix positions. Off site and other on site levels will be monitored using a Type 1 sound level metre capable of measuring in octave bands.

If any one-minute level approaches the control limits set, the area that is creating the dominant noise will be identified and the sound engineer will be advised and when necessary instructed to reduce the levels. In addition to the control of the overall sound level, frequency adjustments can also be made to reduce the sound of certain low frequencies, often characterised as a "bass beat".

Special attention will be given to ensure that once sound levels have been reduced the levels stay reduced, notably for the last 15 minutes of the event.

3.4 A manned land line telephone complaints line will be made available for the duration of the event, this number will be publicised to local residents and on the event web site.

Should complaints of noise arise at any time during the event or sound checks, the noise consultant would attend at or close to the address if the address is not given and a measurement of the noise levels will be made. If sound levels are above the limit immediate action would be taken to reduce the level from the event to ensure that the premises licence conditions are not breached. This would be achieved by two-way radio communication with all persons involved with the noise control procedures, thus a quick response to the problem can be achieved. A record of all such actions will be maintained in the event log.

APPENDIX 3 – ADDITIONAL CONDITIONS

Additional Conditions agreed:

Crime and Disorder

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

Public Safety

- The event organisers will consult with the Safety Advisory Group for County Durham before the first event and at least 3 months in advance of any event thereafter.
- There will be an area designated for first aid provision/medical treatment
- There will be a designated safe area for lost children and where children can be reunited with a parent, guardian or responsible adult
- An area should be designated as a safe place where ill or intoxicated persons can be taken to a place of safety for medical treatment

Protection of Children from Harm

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

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

APPENDIX 4 – MEDIATED AGREEMENT

LICENSING ACT 2003 – MEDIATION AGREEMENT

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

Application for the New of a Premises Licence

Premises: Land to the South West of Hardwick Hall Hotel

Applicant: Ramside Estates Ltd.

Interested parties: Environmental, Health and Consumer Protection - Nuisance Action Team

Date of application: 17th June 2013

Conditions

- Durham County Councils - Nuisance Action Team/Noise Enforcement Section shall be notified/consulted annually for each individual event at least six weeks before commencement.
- The applicant shall submit a time tables of operations relevant to the planned event. Information submitted shall include a map of the proposed event; clearly detailing: stage area/s, speakers, noise mixing desk, noise monitoring points and noise sensitive receptors etc
- An annual noise management plan for the event shall be submitted four weeks before the event and shall be agreed with the Nuisance Action Team/Noise Enforcement Section before commencement. The noise management plan shall include a noise monitoring procedure
- Noise levels shall be set prior commencement of the event and shall comply with the Code of Practice on Environmental Noise Control at Concerts. Representative noise levels will also be set inline with recognised bass frequency
- Noise monitoring shall take place inline with the procedure stated in the noise monitoring plan. All noise monitoring shall be undertaken using Class 1 Sound Level Meters; relevant calibration certification shall be submitted to Pollution Control prior to each annual event. Persons responsible for noise monitoring shall be deemed a competent and relevant qualification will be submitted upon request
- Authorisation, which allows reasonable access to the event shall be provided to two officers from Durham County Councils – Nuisance Action Team/Noise Enforcement Section. Reasonable access may be required to full fill statutory duties under section 79, Environmental Protection Act 1990.

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Signed..... **(Applicant)**

Title.....

Full Name.....

Date.....

Signed:..... **(Responsible Authority /
Premises Licence Holder)**

Title.....

Full Name.....

Date.....

APPENDIX 5 – REPRESENTATIONS

BURHAM COUNTY

LICENSING

28th June 2013

RE Licence Application in respect of the premises known as:

Land to the south west of Hardwick Hall Hotel

Sedgefield

Stockton-on-Tees

TS21 2EH

For the purpose of Live Music and sale of alcohol Friday-Sunday 10.00 to 23.00 once a year.

Dear Sir/Madam

We wish to lodge an objection to the above licence application by Ramside Estates Limited. We

base this objection on two points:

Noise Disturbance – Hardwick Hall has recently used outdoor Marques in the above location to host events such as Weddings and Parties. These often use discos which play very loud music with next to no sound proofing. These can clearly be heard in Sedgefield. On one occasion this year the sound was so loud it could be heard through my double glazed windows over the sound of the television. If we had small children they would have been unable to sleep. The sound did not stop until after midnight. Outdoor live music would be even louder and would represent an unacceptable noise intrusion into our home for three days and nights. This land is simply too close to Sedgefield (with a population over 5000) to hold an event of this nature without causing a major nuisance to many people, ourselves included.

Disturbance to wildlife and damage to a Grade 2 listed park – Noise from a live event over such a long period will cause disruption to the neighbouring Hardwick Park, with its lake just a few metres away. This will disturb and disrupt nearby wildlife, including the many water fowl that inhabit the parkland. There is also the question of physical damage to the park with such long periods that alcohol is available to the public. Ramside Estates plan on hosting up to 7000 members of the public to this event. The sheer scale of an event such as this could lead to damage to the Grade 2 listed buildings within the neighbouring park.

We request that the application be turned down. Failing this the licence should at the very least scaled back to a **single day** as a **one off event** in order to assess the environmental impact and the noise disturbance to the park and Sedgefield.

Yours

Mrs Jane F.S. Jones & Dr Anthony G. Jones

SEDGEFIELD VILLAGE RESIDENTS FORUM

c/o Advice & Information Centre, Sedgefield,
Co Durham. TS21 3AT. Tel: 01740 621273.

Please reply to:-

DURHAM COUNTY COUNCIL
LICENSING
13/07/2013



8th July 2013

Licensing Services
Durham County Council
PO Box 616
Durham DH1 9HZ

**Re Premises Licence for Land at Hardwick Hall Hotel
Submitted by Ramside Estates Ltd.**

Dear Sir/Madam

Our village Forum met on July 1st 2013 and discussed the New Premises Lic. Application made by Hardwick Hall Hotel.(HHH)

We feel it important to make it clear that HHH only 'consulted' with four resident representatives at a scheduled meeting held on Feb.11th 2013 to discuss on-going noise issues from the Hall. At that meeting residents were informed that HHH intended to hold a 'one off' prestigious outdoor event for one night only, catering for catering for circa 2 – 2.5K people. The event was being organised in partnership with Durham County Council (DCC) and Hardwick Country Park, car parking would be in East Park.

However, the public notice regarding the event states, live music, recorded music, performance of dance and, very confusingly, **anything similar** to live music, recorded music and performance of dance to take place from 10.00 to 23.00 Friday to Sunday – indicating a 3 night event. At the time of writing we understand that there may have now been a change to this wording but have seen nothing official.

The agreed feeling from the meeting was that residents wish to support all our local business being successful but not at the expense of the peaceful amenity of local residents.

The Forum therefore objects to the application and asks that the following be taken in to consideration.

1. There is on-going noise disturbance from events at HHH. And whilst it is acknowledged that HHH do try to mitigate such disturbance to date it is not been to the satisfaction of residents. The Noise Management Plan states that this event will be continually

monitored and sound levels adjusted if residents complain. Quite frankly this is part of the problem; residents continually have to do this complaining when events are held at HHH, sometimes with difficulty getting a response and the noise levels varying over the time of events.

2. The plan also indicates that the main stage will be located at the west side of the site facing to the east – this would seem to be the direction which would cause most noise disturbance to the village.
3. This is a very large event with a great number of vehicles being parked in East Park (we note that DCC have actioned a further 'agricultural entrance' to be made which will accommodate access to parking – at what cost in these days of financial cuts). These vehicles and the several thousand people plus vehicles and people associated with the running of the event will all need to be marshalled both on and off the venue. Experience from other such events shows this usually takes some considerable time – residents are worried about the logistics of this fearing disturbance could go on for many hours before and after the event.
4. Residents are very worried about the increasing number of events which cause noise disturbance in and around the village. The potential cumulating effect of this could become a huge problem for our community.

With this in mind and acknowledging that the Forum wish to support the success of all our local business we request that any application be granted for one event only – not annually. Further events can then be applied for in future and judged on the results of this event.

Our residents are entitled to enjoy the peace and quiet of their homes and gardens. Currently residents are sometimes having to use earplugs to sleep, can hear noise disturbance above their televisions with windows closed and experience sounds which could result in potential health damage.

We request that you implement our proposal of one-off permissions and closely monitor such events.

Yours sincerely


Julia Bowles
Chair of the Forum

**APPENDIX 6 – DURHAM COUNTY COUNCIL
STATEMENT OF LICENSING POLICY**

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. 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.

APPENDIX 7 – RELEVANT SECTION 182 GUIDANCE

Public nuisance

2.18 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.19 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include lowlevel nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.20 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.21 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.22 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early-morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave.

2.23 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.24 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.