

Statutory Licensing Sub-Committee

26 September 2013

Consideration of a Temporary Event Notice



Report of Terry Collins, Corporate Director, Neighbourhood Services

Name of Premises User: Miss Clair Rachael Maskery

1. Summary

The Sub-Committee is asked to consider an objection notice served by Durham Constabulary, in response to a Temporary Event Notice (TEN) given under Part 5 of the Licensing Act 2003 relating to:

Decades
Old Post Office Buildings
Front Street
Consett, Co Durham. DH8 5AB

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

Officers are unable to determine this matter due to an objection notice being received from Durham Constabulary on the basis that the event will undermine the licensing objective, the Prevention of Crime and Disorder.

2. Details of the Notice

On 12th September 2013, the premises user, Clair Maskery served on the licensing authority a Temporary Event Notice for Decades, Front Street, Consett. A copy of the notice is attached as Appendix 2.

The licensable activity that the premises user intends to carry out under the TEN is set out in the table below:

Licensable Activities (Indoors)	Date and Time
Sale by Retail of Alcohol (extension of hours) Event: Special Event – “Candy”	03:00 hrs to 04:30 hrs. on Sunday, 29th September 2013

Decades public house currently holds a premises licence issued under the Licensing Act 2003. A copy of this premises licence is attached at Appendix 3 for Members' information.

3. The Objection

On 16th September 2013, the Licensing Authority received an objection notice from Durham Constabulary on the grounds of the Prevention of Crime and Disorder.

Durham Constabulary consider it appropriate that all conditions currently attached to Decades' premises licence are also attached to the TEN, for the promotion of the licensing objectives. A copy of the objection is attached as Appendix 4.

4. Mediation

During the consultation period, the premises user confirmed her agreement to the conditions from the premises licence being attached to the TEN.

A copy of the signed mediation document confirming this is attached at Appendix 5.

5. Durham County Council Statement of Licensing Policy

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

- 5.0 - The Prevention of Crime and Disorder

Relevant information is attached at Appendix 6.

6. Section 182 Guidance

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

- 2.1 Licensing objectives – Crime and Disorder
- 7.0 Temporary Event Notices

7. For Decision

Members are asked to consider Durham Constabulary's objection to the TEN, in the light of the mediation with the premises user and allow the event to proceed, with the premises licence conditions being imposed for the duration of the event.

Background Papers:

- Durham County Council's Statement of Licensing Policy
- Guidance issued under section 182 of the Licensing Act 2003 (as amended June 2013)

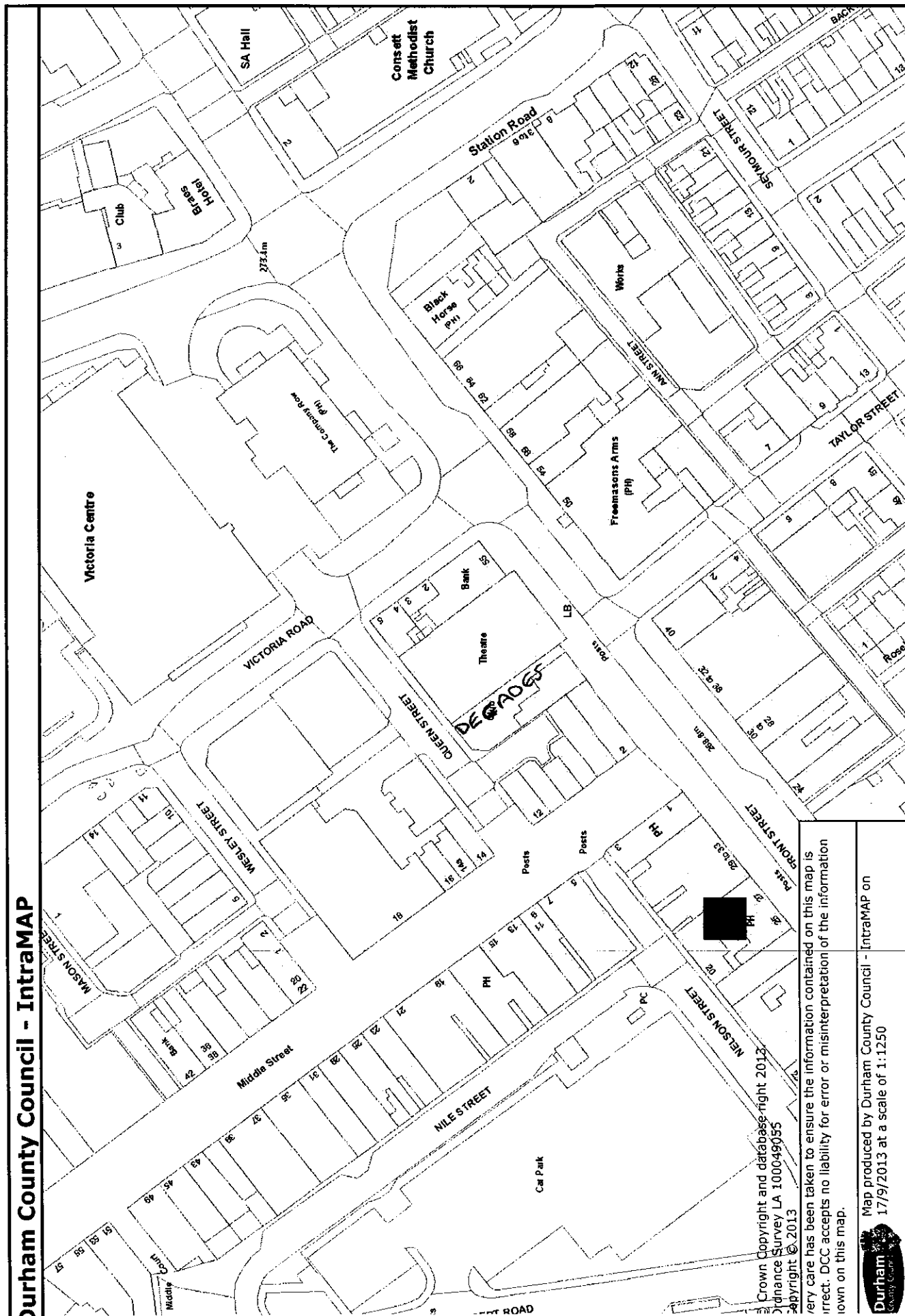
Contact: Yvonne Raine

Tel: 03000 265256

Email: yvonne.raine@durham.gov.uk

APPENDIX 1 – LOCATION PLAN

Durham County Council - IntraMAP



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 Ordnance Survey LA 100049055
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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
 17/9/2013 at a scale of 1:1250



APPENDIX 2 - TEMPORARY EVENT NOTICE

02900

DCCTGN 81825

221

WSCO
00196014

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

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	MASKERY		
Forenames	CLAIR RACHAEL		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day	Month	Year
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
[Redacted]			
[Redacted]			
Post town	[Redacted]		
Postcode	[Redacted]		
7. Other contact details			
Telephone numbers Daytime	[Redacted]		
Evening (optional)	[Redacted]		
Mobile (optional)	[Redacted]		
Fax number (optional)	[Redacted]		
E-Mail address (if available)	[Redacted]		

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
DECADES OLD POST OFFICE BUILDINGS FRONT STREET CONSETT, DM8 5AB	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	DWTS PRO 069
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
NIGHTCLUB	
Please describe the nature of the event below. (Please read note 5)	
EXTENDED HOURS - SPECIAL EVENT "Candy"	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input type="checkbox"/>	
The provision of late night refreshment	<input type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input checked="" type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
29 th September 2013		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
03:00 - 04:30		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)		
499		
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

4. Personal licence holders (Please read note 12)			
Do you currently hold a valid personal licence? (Please tick)		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.			
Issuing licensing authority			
Licence number			
Date of issue			
Date of expiry			
Any further relevant details			


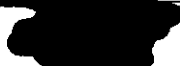
5. Previous temporary event notices you have given (Please read note 13 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	3	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No, <input type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

7. Checklist (Please read note 15)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 16)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	9/9/13 

Name of Person signing	CLAIR RACHAEL MASKERY
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For completion by the licensing authority

10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

APPENDIX 3 – DECADES' PREMISES LICENCE



LICENSING ACT 2003 PREMISES LICENCE

Premises Licence Number
Granted
Issued

DWTSPR0069
24 November 2005
28 June 2013

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description	Issuing Authority
<p>DECADES POST OFFICE BUILDINGS FRONT STREET CONSETT DH8 5AB</p>	<p>DURHAM COUNTY COUNCIL EHCP LICENSING SERVICES PO BOX 617 DURHAM DH1 9HZ</p>
<p>Telephone number: 01207 505015</p>	

<p>Where the licence is time limited the dates N/A</p>
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<p>Licensable activities authorised by this licence</p> <ul style="list-style-type: none"> Plays Films Indoor Sporting Events Boxing or Wrestling Entertainment Live Music Recorded Music Performances of Dance Anything similar to live music, recorded music or performance of dance Provision of Facilities for Making Music Provision of Facilities for Dancing Entertainment of a similar description to making music or dance Late Night Refreshment Sale by Retail of Alcohol
--

<p>The opening hours of the premises (all times in 24hr format)</p>		
Monday	10:00 - 03:30	<p>Non standard/seasonal timings:</p> <p>This activity may continue from the finish time on New Years Eve to start time on New Years Day</p>
Tuesday	10:00 - 03:30	
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	
Friday	10:00 - 03:30	
Saturday	10:00 - 03:30	
Sunday	10:00 - 03:30	

<p>Where the licence authorises the sale by retail of alcohol whether these are on and/or off sales ON AND OFF ALCOHOL SALES</p>

The times the licence authorises the carrying out of licensable activities (all in 24hr format)

Performance of plays

Indoors only

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to
Saturday	10:00 - 03:30	start time on New Years Day
Sunday	10:00 - 03:30	

Films

Indoors only

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to
Saturday	10:00 - 03:30	start time on New Years Day
Sunday	10:00 - 03:30	

Indoor sporting events

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to
Saturday	10:00 - 03:30	start time on New Years Day
Sunday	10:00 - 03:30	

Boxing or wrestling entertainments

Indoors only

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to
Saturday	10:00 - 03:30	start time on New Years Day
Sunday	10:00 - 03:30	

Live music

Indoors only

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to
Saturday	10:00 - 03:30	start time on New Years Day
Sunday	10:00 - 03:30	

Recorded music

Indoors only

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to
Saturday	10:00 - 03:30	start time on New Years Day
Sunday	10:00 - 03:30	

Performances of dance

Indoors only

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to
Saturday	10:00 - 03:30	start time on New Years Day
Sunday	10:00 - 03:30	

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

Indoors only

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to
Saturday	10:00 - 03:30	start time on New Years Day
Sunday	10:00 - 03:30	

Provision of facilities for making music

Indoors only

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to
Saturday	10:00 - 03:30	start time on New Years Day
Sunday	10:00 - 03:30	

Provision of facilities for dancing

Indoors only

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to
Saturday	10:00 - 03:30	start time on New Years Day
Sunday	10:00 - 03:30	

Provision of facilities for entertainment similar to making music or dancing

Indoors only

Monday	10:00 - 03:30	Further details
Tuesday	10:00 - 03:30	N/A
Wednesday	10:00 - 03:30	
Thursday	10:00 - 03:30	Non standard/seasonal timings:
Friday	10:00 - 03:30	This activity may continue from the finish time on New Years Eve to start time on New Years Day
Saturday	10:00 - 03:30	
Sunday	10:00 - 03:30	

Late night refreshment

Indoors only

Monday	23:00 - 03:30	Further details
Tuesday	23:00 - 03:30	N/A
Wednesday	23:00 - 03:30	
Thursday	23:00 - 03:30	Non standard/seasonal timings:
Friday	23:00 - 03:30	This activity may continue from the finish time on New Years Eve to start time on New Years Day
Saturday	23:00 - 03:30	
Sunday	23:00 - 03:30	

Sale by retail of alcohol

On and Off Sales

Monday	10:00 - 03:00	Further details
Tuesday	10:00 - 03:00	N/A
Wednesday	10:00 - 03:00	
Thursday	10:00 - 03:00	Non standard/seasonal timings:
Friday	10:00 - 03:00	This activity may continue from the finish time on New Years Eve to start time on New Years Day
Saturday	10:00 - 03:00	
Sunday	10:00 - 03:00	

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

NK CONSETT LTD
76 FRONT STREET
PRUDHOE
NORTHUMBERLAND
NE42 5PU

Registered number of holder, for example company number, charity number (where applicable)

Company no:	08549173
Charity no:	N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the sale by retail of alcohol

MR SUKHDEV SINGH GILL
C/O G GILL LEISURE LTD

97 MERESYDE ESTATE
GATESHEAD
TYNE & WEAR
NE10 8UN

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

CMBC/PERS0195
NORTHUMBERLAND COUNTY 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: exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where- (a) the film classification body is not specified in the licence, or (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section- "children" means persons aged under 18; and "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

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.

Annex 2 – Conditions consistent with the premises Operating Schedule

The staff at the premises will be well trained

Prevention of Crime and Disorder

Notices must be displayed at the premises which state that ID checks and searches are made. All door staff must be SIA registered and on the payroll of the business. Door staff are required to wear their badges at all times.

"Drug Safes" must remain installed at the premises (locked metal containers fitted to the wall) in order for customers to surrender such items and for depositing such items in the event that drugs are confiscated as a result of a search.

The cellar must be kept locked at all times, except for access and deliveries.

Public Safety

External CCTV, two cameras in working order, will remain installed at the premises.

Emergency lights above doors at the premises are permanently left on.

Annual inspections are made of the electrical installations by an NICEIC qualified electrician.

Prevention of Public Nuisance

Only SIA registered door staff are employed at the premises.

Protection of Children from Harm

Frequent ID checks will be made on the door and at the bar by staff.

Premises Variation 24th July 2009

The Designated Premises Supervisor noted on this licence shall not hold the same position at any other licensed premises operated by the premises licence holder.

The number of SIA registered door supervisors employed at the premises shall be calculated on the basis of 2 for the first 100 persons in attendance at the premises and then an additional 1 for every 100 persons thereafter.

The premises licence holder shall provide a cloakroom at the premises which will be supervised at all times, providing a safe place for patrons to deposit personal belongings.

All drinking vessels in the premises shall either be made of polycarbonate glass or alternatively drinks may be served in glass bottles.

Door supervisors will monitor the vicinity of the premises for 30minutes after the premises end trading

Music played at the premises for the last 30minutes of trading will gradually reduce in volume to create a "wind down period"

No patrons will be permitted access to the premises after 02:30am, unless they are re-entering the premises.

Clear and legible notices will be displayed at exits to the premises asking patrons to leave having regard for local residents.

All members of staff, including door supervisors shall seek credible photographic proof of age from anyone attempting to enter the premises who age is in doubt. Acceptable forms of identification shall be limited to enter a passport or photo-card driving licence.

An agreement shall be entered into between the premises licence holder and a local taxi operator to provide priority taxi for patrons of the premises. In addition, there will also be a free-phone number displayed at the premises for the use of patrons.

There shall be no irresponsible drinks promotions.


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

Licensing Statutory Committee Hearing- 10th November 2008

CCTV to be fitted and maintained in a good and efficient working order and made available to the Police as and when required and to meet Home Office Standards.

Annex 4 – Plans attached

Attached

A handwritten signature in black ink, appearing to read 'A. Waller', written in a cursive style.

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

**APPENDIX 4 – DURHAM CONSTABULARY'S
OBJECTION**

Yvonne Raine

From: Jim Lincoln [REDACTED]
Sent: 16 September 2013 12:35
To: Karen Monaghan; Yvonne Raine
Cc: Michelle Williamson
Subject: FW: Message from KMBT_C451 [NOT PROTECTIVELY MARKED]
Attachments: SSOQ13091611170.pdf

NOT PROTECTIVELY MARKED

Karen / Yvonne,

With reference to the recent TEN application for Decades, Front Street, Consett for 29th September 2013 (0300 – 0430)

Durham Constabulary would **OBJECT** to this application on the grounds of **Prevention of Crime & Disorder**

As in previous TENS we have asked the applicant (Claire Maskery) to sign a document stating that the conditions that exist on their licence be adhered to during the duration of the TEN

A copy of the document is attached and signed by both parties, and we are now in a position agree to this TEN.

*Licence Support Officer - Jim Lincoln
Durham Constabulary
Alcohol Harm Reduction Unit
John Street North
Meadowfield
Co Durham
DH7 8RS*

[REDACTED]
[REDACTED] (internal)
0191 3752351 (external)

From: Meadowfield Section Office C451 1805402538@durham.pnn.police.uk
[\[mailto:Meadowfield Section Office C451 1805402538@durham.pnn.police.uk\]](mailto:Meadowfield Section Office C451 1805402538@durham.pnn.police.uk)
Sent: 16 September 2013 12:17
To: Jim Lincoln
Subject: Message from KMBT_C451

NOT PROTECTIVELY MARKED

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

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

This email carries a disclaimer, a copy of which may be read at <https://www.durham.police.uk/Pages/E-Mail-Disclaimer.aspx>

APPENDIX 5 – MEDIATION DOCUMENT

LICENSING ACT 2003

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

Application for Temporary Event Notice

Premises: Decades Nightclub, Old Post Office Building, Front Street,
Consett. DH8 5AB

Applicant: Clair Maskery

Responsible Authority: Durham Constabulary


Date of application: 12/10/2013

Date of event: 29/10/2013 (0300-0430)

We being the Applicant and Responsible Authority 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:

Additional Conditions agreed:

- 1) All conditions that are present on the current premise licence will apply for the full duration of the TEN. (see attached)

Signed:.....

Full name: CLAIR RACHAEL MASKERY

Signed:.....

Full name: Michelle Williamson

Date: 16/9/13.

**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.