

Statutory Licensing Sub-Committee

1st October 2013

Application for the grant of a Premises Licence



Report of Terry Collins, Corporate Director, Neighbourhood Services

Name and Address of Premises: Nadon Thai Restaurant, 69-70 Crossgate, Durham. DH1 4PR

1. Summary

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

Nadon 55 Limited
c/o KC Engineering Ltd.
Hownsgill Drive
Delves Lane Industrial Estate
Consett. DH8 9HU

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

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

2. Details of the Application

An application for the grant of a premises licence was received by the Licensing Authority on 9th August 2013. A copy of the application is attached as Appendix 3.

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

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

Activity	Days & Hours requested
Sale of Alcohol for consumption on the premises	Mon - Sun 1100 – 2400 hrs New Years Eve until 0100 hrs
Live Music (Indoors only)	Mon - Sun 1700 – 2400 hrs
Recorded Music (Indoors only)	Mon - Sun 1100 – 2400 hrs New Years Eve until 0100 hrs

Late Night Refreshment (Indoors only)	Mon - Sun 2300 – 2400 hrs New Years Eve until 0100 hrs
Opening hours of the Premises	Mon - Sun 1100 – 2400 hrs New Years Eve 1100 - 0100 hrs

3. Mediation

Following successful mediation with Durham Constabulary, the applicant has agreed to amend their application as follows:

- **The licence to be for the duration of no more than 12 months**
- **Sale of Alcohol - 11:00 to 22:30 hrs Monday to Sunday, 11:00 hrs on New Years Eve until 01:00 hrs on New Years Day**
- **Alcohol only to be served incidental to a seated substantial table meal**
- **Opening Hours – 11:00 to 23:30 hrs Monday to Sunday, 11:00 hrs on New Years Eve until 02:00 hrs on New Years Day**
- **Removal of the provision of Live Music as a licensable activity**

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 application and to add additional conditions is attached at Appendix 4.

4. The Representations

The Licensing Authority received five representations from local residents and one from Durham Constabulary.

Following mediation and the applicants' amendments to the application, Durham Constabulary and three of the residents have now withdrawn their representations.

Copies of the remaining two relevant representations are attached at Appendix 5.

The representations relate to two licensing objectives, the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

5. The Parties

The Parties to the hearing will be:

- Nadon 55 Ltd (The applicants)
- Mrs Gillian Conway (other person)
- Professor David Wood, Chairman of [REDACTED] (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 representations received and the mediation between the applicant and Durham Constabulary.

Background Papers:

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

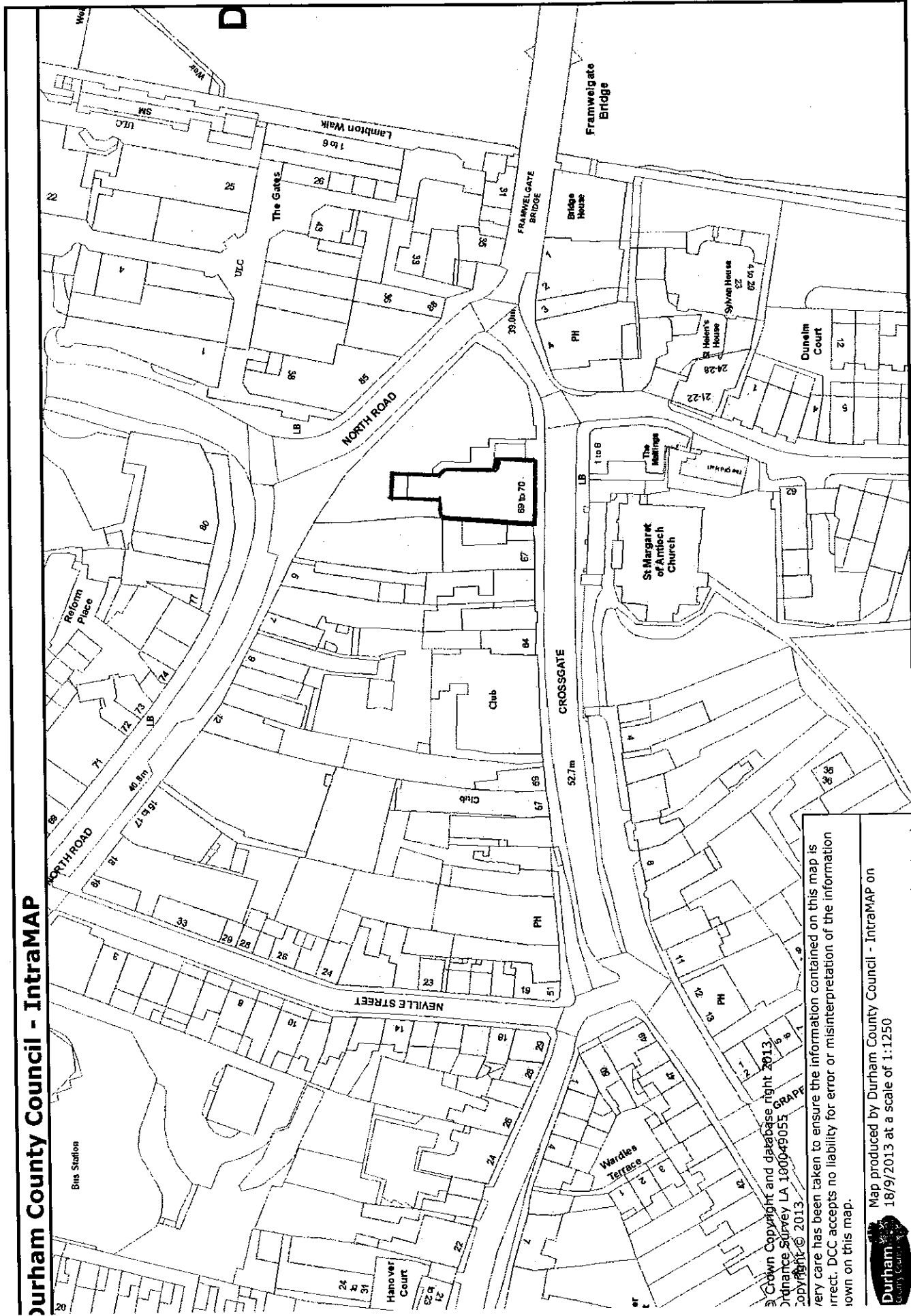
Contact: Yvonne Raine

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
 18/9/2013 at a scale of 1:1250



APPENDIX 2 – LAYOUT PLAN

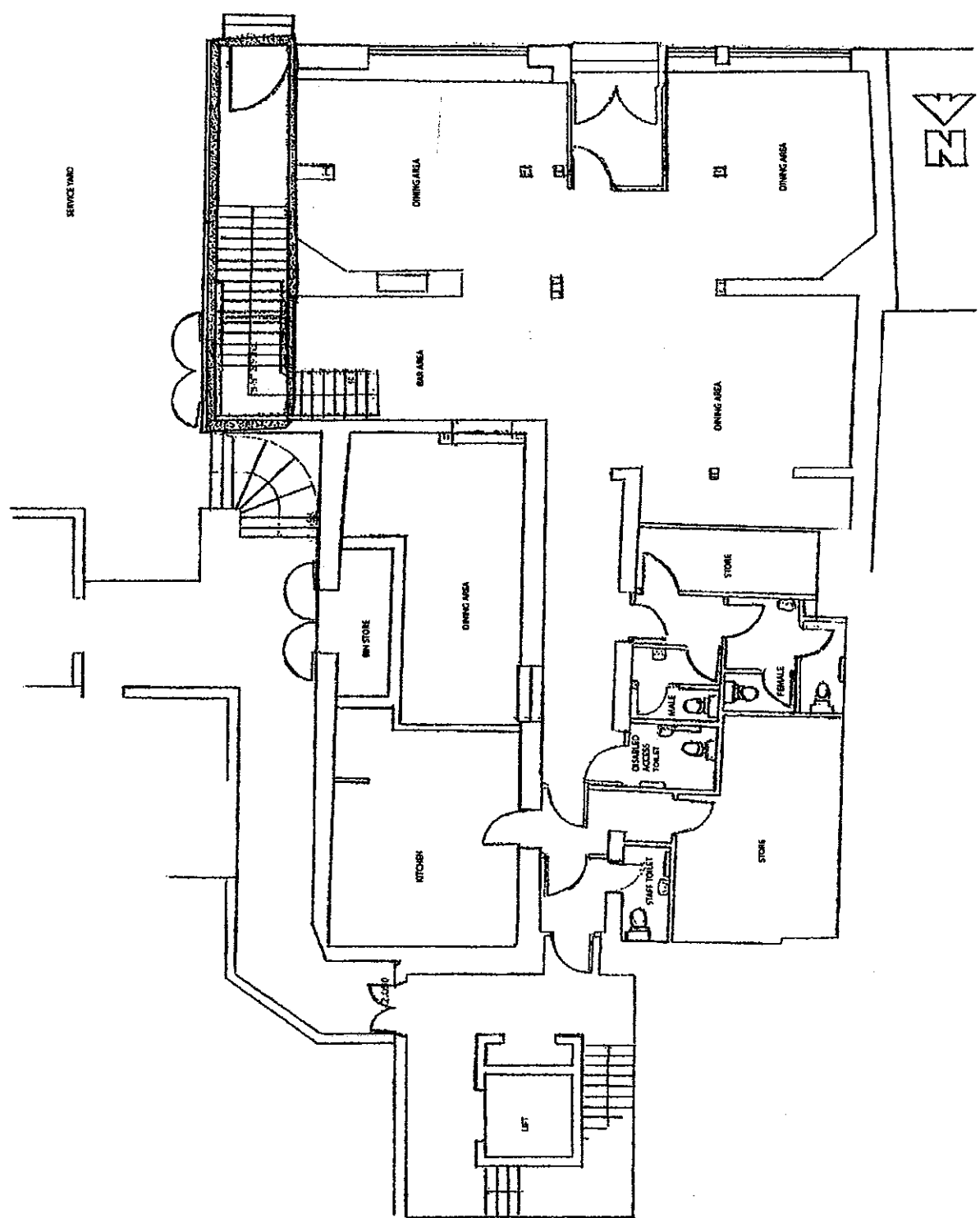
[Handwritten Signature]

For use only in connection with the
 drawings and specifications
 herein.

[Handwritten Signature]

For use only in connection with the
 drawings and specifications
 herein.

AREA
 TOTAL FLOOR AREA = 2675 sq ft



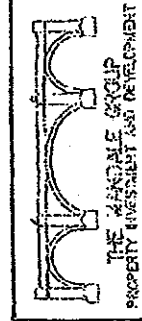
SCALE: 1/8" = 1'-0"
 PROJECT CONTROL
 DATE: 10/26/2015
 DRAWING NO.
 2015/301

Elder Lester Gardard McGregor
 Registered Architect
 6000 S.W. 11th Ave. Room 3010
 Fort Lauderdale, FL 33315
 Tel: 954-582-1521 Fax: 954-582-1522
 Email: ecm@lmcggregor.com

DRAWING:
 GROUND FLOOR PLAN

PROJECT
 ALTERATIONS
 69-70 CROSSGATE
 DURHAM CITY

REVISION	DATE
1	10/26/2015
2	10/26/2015
3	10/26/2015



APPENDIX 3 – APPLICATION

License to start
01/10/13
by 6/9

REF: 024915

DURHAM COUNTY COUNCIL, Licensing Services, PO Box 617, Durham, DH1 9HZ

DURHAM COUNTY
LICENSING

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

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 Nadon 55 LTD

(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 69-70 crossgate			
Post town	Durham city	Postcode	DH1 4PR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£38,750 ✓

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 Nadon 55 LTD
Address Nadon 55 Ltd c/o K C Engineering Ltd Hownsgill Drive Delves Lane Industrial Estate Consett Co. Durham DH8 9HU
Registered number (where applicable) 08317502
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	10	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)
 A3 Retail use as defined by the town and country planning (Use Classes) Order 1987
 Thai Restaurant situated on ground floor with seating for roughly 70 covers.
 The selling of alcoholic beverages and hot food in restaurant.
 Selling of hot food for take away.
 Comprised of main seating area, bar, kitchen, toilets, store room.
 Upper 3 floors residential accessed through separate door on exterior of building.
 Building is semi-detached
 Surrounding properties mix of residential and commercial
 Just off main street lined with commercial properties
 No outside area available for drinking or eating

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

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play 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			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films 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			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
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)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 3)	
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			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)		
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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Amplified live music		
Mon	1700	2400			
Tue	1700	2400			
Wed	1700	2400	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	1700	2400			
Fri	1700	2400	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)		
Sat	1700	2400			
Sun	1700	2400			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	1100	2400	Please give further details here (please read guidance note 3)		
Tue	1100	2400			
Wed	1100	2400	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	1100	2400			
Fri	1100	2400	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) New years eve: 1100 - 0100		
Sat	1100	2400			
Sun	1100	2400			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance 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					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Tue					
			<u>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</u> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>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</u> (please read guidance note 5)</p>		
Sun					

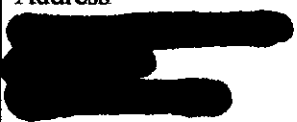

I

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	2300	2400	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	2300	2400			
Wed	2300	2400	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	2300	2400			
Fri	2300	2400	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) New years eve: 2300 - 0100		
Sat	2300	2400			
Sun	2300	2400			

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)		
Mon	1100	2400			
Tue	1100	2400			
Wed	1100	2400			
Thur	1100	2400			
Fri	1100	2400			
Sat	1100	2400			
Sun	1100	2400	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) New years eve 1100 - 0100		

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

Name	Geoff Whitehead
Address	
Postcode	
Personal licence number (if known)	NPL/1141
Issuing licensing authority (if known)	Northumberland county council

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).

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)
Day	Start	Finish	
Mon	1100	2400	<p>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 (please read guidance note 5)</p> <p>New years eve 1100 - 0100</p>
Tue	1100	2400	
Wed	1100	2400	
Thur	1100	2400	
Fri	1100	2400	
Sat	1100	2400	
Sun	1100	2400	

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)

- A1. Clear display of opening hours under the terms of the premises license
- A2. Maximum occupancy not to exceed: 100 customers seated in dining area (seated) / 25 in bar-waiting area
- A3. Keeping points of entry to minimum - One entrance to premises for customers – greeted by staff / number of customers in waiting area to be monitored by management.
- A4. All members of staff will wear staff uniform whilst working
- A5. Volume of all music or entertainment will be regulated under normal (background) levels to enable customers and employees to communicate easily.
- A6. Careful consideration will be given to any drinks promotions to ensure they don't promote irresponsible/binge drinking.
- A7 Cooperation will be given in regards to any posters or material promoting safe drink and drive practises.
- A8. Customers showing anti-social behaviour will be warned then asked to leave premises by management if behaviour continues.
- A9. Repeat offences of anti-social behaviour will result in a ban from the premises.

b) The prevention of crime and disorder

- B1 CCTV – coverage of Entrance / exit / seating area / bar area and kitchen
- B2 CCTV footage will be retained on system for police use for a minimum of 14 days.
- B3 Table service will prevent queues at bar /Regular glass and bottle collection throughout premises.
- B4 In-house training for staff to ensure sale of alcohol to under 18's is in accordance with the law.
- B5 Sale of alcohol policy
- B6 Customers will not be allowed to leave the premises with any glass or bottles which belong to the premises.
- B7 Training will be given to make staff aware of drunkenness and when to refuse selling of alcohol.

c) Public safety

- C1 Fully stocked first aid kits available for staff and customers. Situated in restaurant and kitchen area.
- C2 Designated waiting area: Customers waiting will not exceed 20 persons and not obstruct exit.
- C3 Regular PAT testing will ensure safety of electrical appliances
- C4 Customers will either be standing or seated in the "bar area" OR seated in the "dining area" to ensure no obstruction to exits present and control over number of customers maintained.
- C5 The seating will be at all times ensure free unobstructed access to all exit doors.
- C6 All parts of the premises will be adequately illuminated / all routes of escape for performers, staff and customers shall be provided with adequate means of illumination.
- C7 Smoking is prohibited in all areas of the premises and notices displayed to this affect

d) The prevention of public nuisance

- D1. Before 11pm noise emanating from the premises will not be clearly distinguishable above other noise
D2. After 11pm noise emanating from the premises will not be distinguishable above background levels of noise.
D3. The volume of amplified sound used in connection with the entertainment shall at all times be under control of the management and the controlling mechanism shall be operated from a part of the premises not accessible to the public
D4. Notices at the exits of the premises will be displayed prominently to request customers to leave the premises quietly and respect the needs of local residents.
D5. Disposal of bottles and refuse will take place before 11pm to prevent nuisance to nearby residents
D6. Deliveries of kegs, bottles and other food or materials will take place at a time to prevent nuisance to nearby residents.
D7. The licensee will ensure that the staff leaving late at night when the business has ceased trading will conduct themselves in such a manner to avoid causing disturbance to nearby residents.
D8. Doors and windows will be kept closed during entertainment to prevent noise breakout.
D9. Patrons will be asked to not hang around the street outside; and be asked to leave quickly and quietly to minimise disruption.
D10. All the rubbish produced by premises will be stored in a bin with a tight fitting lid in a secure designated area.

e) The protection of children from harm

- E1. Sale of Alcohol Policy.

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.

Part 4 – Signatures (please read guidance note 10)



**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.**

Signature	 (SUCHITRA NADON)
Date	07/08/2013
Capacity	COMPANY DIRECTOR



For joint applications, signature of 2nd applicant or 2nd 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 postal address for correspondence associated with this application (please read guidance note 13)			
Nadon Thai Restaurant 12a newgate street			
Post town	Morpeth	Postcode	NE611DS
Telephone number (if any) 			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) 			

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 the 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 the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. 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 or 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, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



Nadon
Thai

Nadon Thai Restaurant
Nadon 55 Ltd
69-70 Crossgate
Durham City
DH1 4PR

Premises Age Verification Policy

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

Name and address of premises: **Nadon Thai Restaurant, 69-70 Crossgate, Durham City, DH1 4PR**

Before serving alcohol from these premises the responsible member of staff must ask all customers who appear to be under the age of 18 for a suitable means of identification bearing their name, date of birth and a holographic mark. This is achieved through the use of a "challenge 21" policy.

For the purposes of this policy the responsible person will be one of the following:

- The Premises Licence Holder
- The Designated Premises Supervisor (DPS)
- A staff member aged 18 or over
- A staff member aged 18 or over who is authorised to allow the sale or supply of alcohol by a staff member under the age of 18
- A member or officer of a private members club

Examples of appropriate identification include:

- A photo card driving licence
- A passport
- A proof of age card bearing the PASS hologram

The adoption of an Age Verification Policy is a legal requirement under the above named legislation and applies in relation to the sale and supply of alcohol from these premises.

Failure to adopt such a policy is a criminal offence with a maximum fine of £20,000 and/or six months imprisonment. A copy of this document must be made available when requested by authorised officers of the Local Authority (Durham Council) or a Police Licensing Officer.

The Premises Licence Holder will ensure that all staff are made aware of and understand the requirements of this policy.

Name of Premises Licence Holder: SUCHITRA NADON

Signature:

Date: 12/2/08/2013

Name of Designated Premises Supervisor (DPS): GEOFF WHITEHEAD

Signature:

Date: 07/08/2013

Nadon 55 Ltd, Registered in England and Wales

Registration Number: 08317502

Registered Address: c/o K C Engineering Ltd, Hownsgill Drive, Delves Lane Industrial Estate, Consett, Co. Durham, DH8 9HU, UK

APPENDIX 4 – MEDIATION DOCUMENT

To: Licensing Services, Durham County Council

Application for a Premises Licence – 69-70 Crossgate, Durham. DH1 4PR
Application Dated: 7th August 2013

I, Suchittra Nadon of Nadon 55 Ltd., hereby wish to amend my premises licence application in relation to the above premises, to include the following conditions/provisos:

1. I hereby request that should this application be granted by the licensing authority, the licence will have a time duration/limit of operation of no more than 12 months.
2. I wish to amend the hours for the sale of alcohol as follows:
Monday to Sunday: 11:00 hrs to 22:30hrs,
New Years Eve: 11:00 hrs on New Years Eve until 01:00 hrs on New Years Day
3. I wish to amend the opening hours of the premises as follows:
Monday to Sunday: 11:00 hrs to 23:30 hrs,
New Years Eve: 11:00 hrs on New Years Eve until 02:00 hrs on New Years Day
4. I wish to remove the provision of live music as a licensable activity from my application.
5. Alcohol will only be served incidental to a seated substantial table meal.
6. There will be no consumption of alcohol by persons whilst standing within the premise.
7. There will be no provision of takeaway meals from the premise at any time after 23:00 hrs.
8. Challenge 25 will be operated
9. CCTV will be installed both inside and out of the premises covering access and egress and all public areas. The system will be to a high standard will record for 28 days and will be accessible upon request by the Responsible Authorities. Staff will be trained in its operation and there will always be an operator present whilst licensable activities are offered.

Memorandum of Understanding

The Premise licence holder will enter into a memorandum of understanding with the Responsible Authorities such that if there are any changes proposed to the operation, style, or conditions of the licence then due advance notification will be given.

Please amend my application accordingly.

Name: Suchittra Nadon Signed: _____

Date: 27/08/2013

APPENDIX 5 – REPRESENTATIONS

Objection to application: Nandon Thai Restaurant 69-70 Crossgate Durham

Dear Sir,

As a resident of [REDACTED] I wish to object to the application submitted to the council dated 7th August 2013, regarding 69-70 Crossgate Durham by Mr Suchitra Nadon for use of premises for 'Nandon Thai Restaurant'. I object to permission being granted to the applicant to provide the following activities:

*The use of premises for licensed activities**To provide live music.**To provide recorded music**To supply late night food**To Supply of alcohol**To the management i.e. 'Premises supervisor' whose address is given as Morpeth who would therefore not be available to deal with issues on site.*

[REDACTED] stands at the lower end of [REDACTED] and I live at the lower end of [REDACTED]. My home is already close to one business which causes a public nuisance to residents, namely the Fighting Cocks. As residents already have to tolerate noisy behaviour as well as litter and unacceptable behaviour of people who have consumed too much alcohol. Already people urinate in and around the buildings in the area, behind dustbins, up against any available wall including my own front porch! Add to this, couples using any small corner available to perform indecent acts. I wonder how much indecent unacceptable behaviour we as residents are expected to endure.

I would ask you to consider the following concerns I have which will affect the life of me and my family:

- 1) That patrons of the business will collect on the pavement under the influence of drink after leaving late at night.
- 2) I am concerned that the type of business suggested brings with it not only the possibility of drunkenness and noise but a large amount of litter which in turn increases the risk of rats.
- 3) There is a strong possibility that people will congregate outside the building smoking on the footpath as they do outside the Fighting Cocks. Smokers have on many occasions barred my way on the pavement when walking to my home, forcing both me and my child to pass by walking on the 'road'
- 4) If the business provides a 'take away' service the packaging of which will be littered on the streets around my home
- 5) I may have to walk to and from my home with my small son passing any of the above mentioned issues especially on Bank Holidays, gala's / regatta etc when premises such as these have extensions on liquor licences and the appetite of some people for alcohol knows no bounds.
- 6) There is a danger that like the previous business on this site, Nandon Thai may cause householder's in the area distress as well as costing the local authority money to police the bad behaviour from the clientele.
- 7) Finally I wish to object to this application on the grounds that it proposes to open licensed premises directly opposite a place of worship. I have already witnessed people under the influence trespassing on the church grounds, smoking questionable substances and urinating in the church yard.

There is a sinister element in society today which threatens the peace of decent people's lives. I ask you; please do not allow any further decline in the standard of business and undesirable clientele to invade the streets of our beautiful historic city and the area immediately around my home.

Yours Faithfully

[REDACTED]
Mrs Gillian Conway . BDS. MFDS

Karen Monaghan

From: WOOD D. [REDACTED]
Sent: 08 September 2013 23:30
To: Neighbourhood Services Licensing
Subject: licensing application - 69-70 Crossgate, Durham

Dear Sir/Madam,

I am writing to express an objection to the above licensing application by Nadon 55 Ltd. I write on my own behalf as well as being the chairman of [REDACTED], a group representing the residents of 17 houses in Durham that are nearby to the location above.

The objections are on the two grounds of

The prevention of Crime and Disorder (namely alcohol fuelled disorder, drunkenness in the street, foul and abusive language to passers by)

The prevention of Public Nuisance (noise from music, on street smoking and obstruction of passers by, disturbance to the flats above other local residents, and disruption to the attendees of the church across the road).

My concerns are raised by the following weaknesses in the application, which would suggest the intention to be a vertical drinking establishment if the restaurant venture fails.

1. 11.00 pm alcohol sales end
2. A bar for customers
3. A seated waiting area
4. Queues possible outside, with associated smoking
5. The serving of alcohol prior to being seated at the table
7. The takeaway service
8. Alcohol on sales only
9. The 'Regulated Entertainment', background music only
10. The same opening hours on Sunday as any other day

Other genuine restaurants in Durham do all the above, and others, to show that they mean the establishment to be based around food. There is nothing in this application to convince me that this is the case here. And this address started as a restaurant, which eventually failed. Because of the current licensing laws, it was able to be taken over by a group totally unsuited to running a drinking establishment, which led to the licence being withdrawn. The council must take all steps necessary to ensure this can never happen again. The application should be refused, and only considered when the above concerns are met.

Yours Faithfully,

Professor David Wood,
[REDACTED]

**APPENDIX 6 – STATEMENT OF
LICENSING POLICY**

Durham County Council 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.