

# Statutory Licensing Sub-Committee

8th October 2013

Application for the grant of a Premises Licence



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

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**Name and Address of Premises:** Bar 1898, The Old Bank, Newmarket Street, Consett, Co Durham DH8 5LQ

### 1. Summary

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

Directors of 1898 Leisure Limited  
The Old Bank  
Newmarket Street  
Consett  
Co Durham DH8 5LQ

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

A plan showing the layout of the premises is available to view. The plans are too large to attach to the report.

### 2. Details of the Application

An application for the grant of a premises licence was received by the Licensing Authority on 15th August 2013. A copy of the application is attached as Appendix 2.

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 - Thurs 1030 – 0000 hrs Fri – Sat 1030 – 0300 hrs Sun 1030 – 0000 hrs

Live Music (Indoors only)	Mon - Sun 1930 – 2230 hrs
Recorded Music (Indoors only)	Mon - Thurs 1030 – 0000 hrs Fri – Sat 1030 – 0300 hrs Sun 1030 – 0000 hrs Xmas Eve 1030 – 0100 New Year's Eve 1030 - 0300
Performance of Dance	Mon - Thurs 1030 – 0000 hrs Fri – Sat 1030 – 0300 hrs Sun 1030 – 0000 hrs Xmas Eve 1030 – 0100 hrs New Year's Eve 1030 – 0300 hrs
Opening hours of the Premises	Mon - Thurs 1030 – 0000 hrs Fri – Sat 1030 – 0300 hrs Sun 1030 – 0000 hrs Xmas Eve 1030 – 0100 hrs New Year's Eve 1030 – 0300 hrs

### 3. Mediation

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

- **Sale of Alcohol - 1030 to 2330 hrs Monday to Thursday, Friday and Saturday 1030 – 0130 hrs, Sunday 1030 – 2330 hrs Xmas Eve until 0100 hrs and New Year's Eve until 0300 hrs**
- **Opening hours - 1030 to 0000 hrs Monday to Thursday, Friday and Saturday 1030 – 0200 hrs, Sunday 1030 – 0000 hrs Xmas Eve until 0100 hrs and New Year's Eve until 0300 hrs**
- Replacement sentence within the operating schedule Part A – “*The DPS will be present on Friday and Saturday evenings between 2200 hrs and closing time*”. To be changed to “The DPS will maintain a nominated persons list including the Bar Manager and Deputy Bar Manager) to act on the authority of the DPS when not present. A person on the nominated list will be present on Friday and Saturday evenings between 2200 hrs and closing time”.
- Replacement sentence within the operating schedule Part B – “*Security staff will be employed Friday, Saturday and Sunday evenings from 1930 to closure*”. To be changed to “SIA door supervisors will be employed Friday, Saturday and Sunday evenings from 1930 hours to closure. Two door supervisors will be on duty at the start of the shift and increased at a ratio of 1:100 throughout the evening”.

- An additional sentence to be inserted into the operating schedule Part D – “ The only places smoking will be permitted are in the terraced area to the rear of the premise and under the retractable canopy to the side of the premise”.
- An amended plan has been submitted on 6<sup>th</sup> September 2013.

Further mediation took place with Environmental Health, the applicants have agreed to amend their application as follows:

- An additional sentence will be inserted into the operating schedule Part D – The sliding door will be closed no later than 2000 hrs.
- An additional sentence to be inserted into the operating schedule Part D – “ A noise limiter, when installed, will be used whenever regulated entertainment is taking place, the setting to be approved by an officer of the noise action team”.
- Replacement sentence within the operating schedule Part D – “*A noise assessment will be carried out as part of the planning process*”. To be changed to – “The noise assessment (required by our planning application) will be approved prior to the premises opening. The assessment will cover all aspects of the building’s ventilation and the proposed air conditioning to be installed”.
- Replacement sentence within the operating schedule Part D – “*No bottles or other refuse bins will be filled or emptied outside the building between 2300 hrs and 0700 hours*”. To be changed to – “No bottle bins or other refuse bins will be filled or emptied outside the building between 2100 hrs and 0800 hours”.

#### **4. The Representations**

The Licensing Authority received one representation from an “other person”, Mrs Ward. Mrs Ward has been advised of the mediation and amendments to the application (detailed above). She has stated that she will not be able to attend the hearing and has asked members to consider her letter of objection. (Attached as Appendix 3). No objections were received from the Responsible Authorities.

The representation relate to one of the four licensing objectives, the Prevention of Public Nuisance.

#### **5. The Parties**

The Parties to the hearing will be:

- Dr David Johnson & Dr Cameron Dacre Latimer
- Mrs Ward (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 7 – The Prevention of Public Nuisance

Relevant information is attached at Appendix 4.

## **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 2.18 – Licensing objectives – Public Nuisance

Relevant information is attached at Appendix 5.

## **8. For Decision**

The Sub-Committee is asked to determine the application in the light of the application, the representation received and the mediation between the applicants and Durham Constabulary and Environmental Health.

### **Background Papers:**

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

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**Contact: Karen Monaghan**

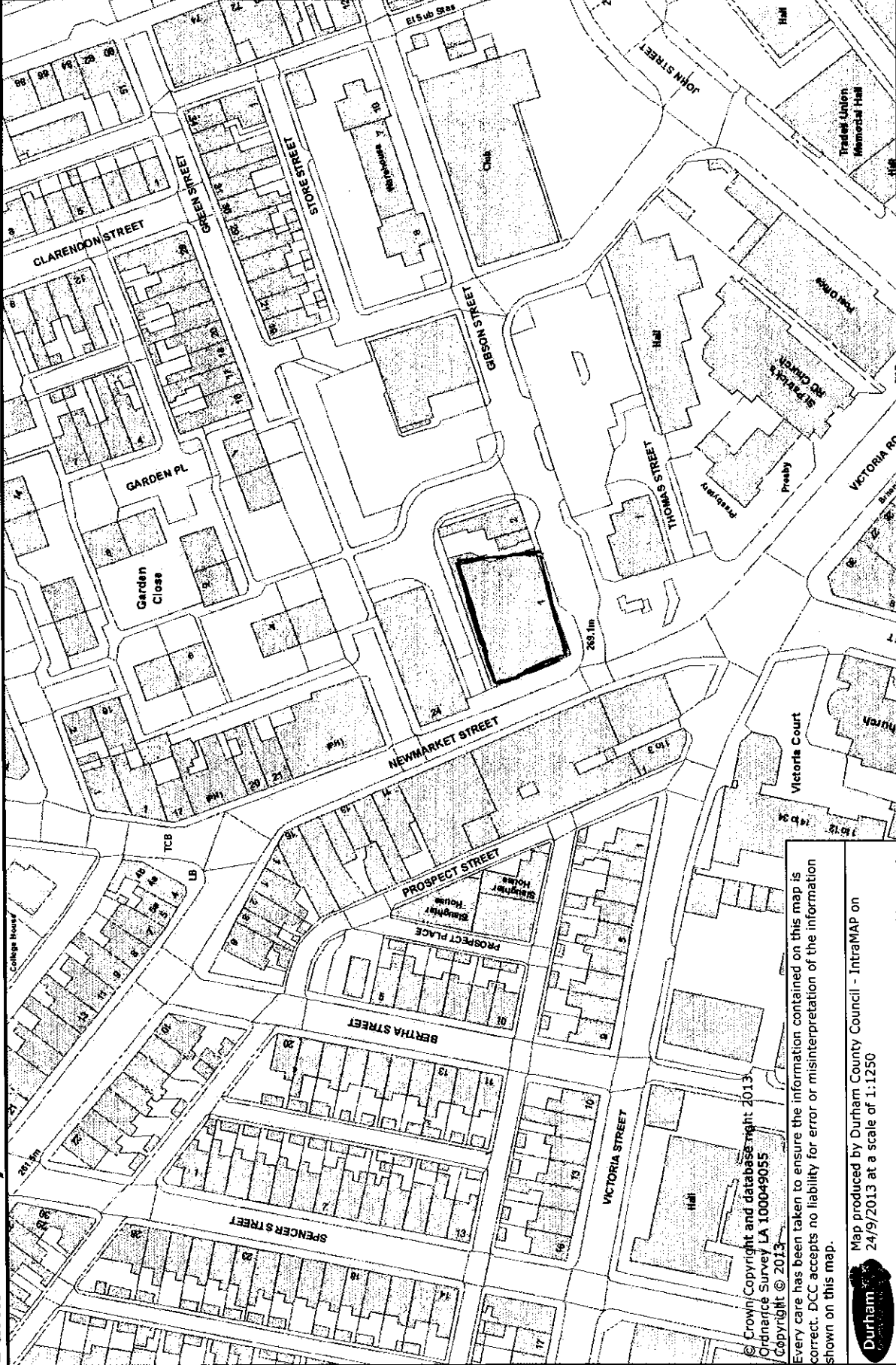
**Tel: 03000 265104**

**Email: [karen.monaghan@durham.gov.uk](mailto:karen.monaghan@durham.gov.uk)**

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## **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.

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24/9/2013 at a scale of 1:1250



## **APPENDIX 2 – APPLICATION FORM**

To commence 29/11/13

690.00  
LSC000187954

REF: 025164

63/12/

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

DURHAM COUNTY

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

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 Mr. David Johnson and Dr. Cameron Dacre Latimer being Directors of 1898 Leisure 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 <b>Bar 1898 The Old Bank Newmarket Street CONSETT Co. Durham DH8 5LQ</b>			
Post town	CONSETT	Postcode	DH8 5LQ

Telephone number at premises (if any)	01207 588360 (Telephone Number of 360 Healthcare Limited (other tenant of building))
Non-domestic rateable value of premises	£11,000 (for whole building) Band B (application Fee £190.00) ✓

### 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 <b>1898 Leisure Limited</b>
Address <b>The Old Bank The Newmarket Street CONSETT Co. Durham DH8 5LQ</b>
Registered number (where applicable) <b>[REDACTED]</b>
Description of applicant (for example, partnership, company, unincorporated association etc.) <b>Private Limited Company</b>
Telephone number (if any) <b>[REDACTED]</b>
E-mail address (optional) <b>[REDACTED]</b>

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
29	11	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)

Upon approval of a premises license and all necessary planning consents, Bar 1898 is to be constructed on part of the Ground Floor and Basement (additional toilets located on First Floor) of The Old Bank Building in Newmarket Street, Consett, Co, Durham. The footprint of the proposed area for which a license to sell alcohol is being sought is shown in 'Red' on Figure 5. The development, although not exclusive, will be designed to appeal to the over 30 age group. The location of The Old Bank building is shown on Figure: 1 which forms an attachment to this application. The Old Bank building was constructed for the Consett Cooperative Store and Society from 1898 to 1899 and the exterior remains largely unchanged from this time. As part of the proposed development the windows and doors along the frontage of the building on both Newmarket Street and Gibson Street are to be replaced; the replacement windows are to be in keeping with the building. Planning permission for these alterations is currently being sought. A visualisation of the proposed altered frontage of the building is enclosed as Figure 8. Existing and proposed elevations of the building are also enclosed with this application as Figures 2 and 3 respectively. All architectural plans and elevations are shown at 1:100 scale; visualisations of the finished project are not to scale.

The Main Bar with associated Lounge, Dining Area and toilets are to be located on the Ground Floor in the western and southern section of the building (see Figure 1). The proposed bar will have street access (with associated signage/branding) from both Newmarket Street and Gibson Street; the Main Bar occupying the plot on the junction of these two streets. The Ground Floor entrances and exits (including those to be used in an emergency) are shown on Figure 5. Along the Gibson Street frontage it is proposed to replace part of the current windows with a set of toughened glass folding doors which would allow, during good weather, open access to Gibson Street. If a pavement permission is granted we would intend to place a limited number of tables and chairs on the pavement immediately in front of these folding doors during daylight hours, where weather permits. The Ground Floor Bar, Lounge and Dining Area are to have a contemporary wine bar/bistro feel, but preserving the original features of the Victorian building. Figure 6 (enclosed) shows a conceptual model of how the Main Bar is likely to be laid out and decorated. The areas of the building earmarked for this development are currently unoccupied, but were previously used for retail and stock storage purposes. Figures 4 and 5 (enclosed) show the existing and proposed internal layout of the area that will form the new Main Bar, Lounge, Cellar Bar and Dining Area.

It is planned that the Main Bar will play recorded music consistent with the target demographic. We would also like to include a limited number of Fruit (gaming) machines and Quiz machines in the Main Bar area. Ladies, Gents and Disabled toilets are to be constructed on the Ground Floor, although additional Ladies Toilets are also to be located on the First Floor as shown on Figure 5.

It is proposed to employ a phased approach to the development with the Main Bar, Lounge and Ground Floor toilets to be open first on the 29<sup>th</sup> November 2013, followed by the Cellar Bar and then Dining Area. Initially the only food served would be snacks in the Main Bar until the Dining Area and Kitchen are completed. After completion of the Dining Area and Kitchen a hot food service would be offered from 11:00am to 11:00 pm Monday to Sunday either in the Main Bar (and Lounge) or Dining Area, or both.

The second phase of the proposed development, after completion of the Main Bar and Lounge, will be the Cellar Bar (Basement Club), See Figure 5. Access for the public to the Cellar Bar will be from an upgraded existing staircase located in the centre of the building. An emergency exit is to be constructed to the rear of the building. Staff access will be from a new staircase constructed adjacent to the Main Bar

area. The Cellar Bar is to have retro feel, with accents of a pre-World War II Jazz Club; again the target users are assumed to be 30 years of age plus. A visualisation of how this area will look is shown in Figure 7. Within the Cellar Bar will be a small stage for the performance of live music, consistent with the surroundings and age group likely to be present. The main beer cellar and alcohol store is also to be located within the Basement.

Although the Main Bar (and Lounge) will be open (upon approval) for the hours detailed within Section L, public access to the Dining Area and Cellar Bar may be restricted if these areas have been reserved for private functions.

A summary of the public areas forming the Main Bar (and Lounge), Cellar Bar and Dining Area with an estimation of potential capacity is as follows:

- Basement club: 100m<sup>2</sup>; Capacity, 100 persons (60 seated)
- Ground floor Main Bar and Lounge: 150m<sup>2</sup>; Capacity 300 persons (75 seated)
- Ground floor dining area: 70m<sup>2</sup>; Capacity 70 persons (all seated)

Total Floor Area = 320 m<sup>2</sup>; Capacity 470 persons (205 seated)

Most of the time that the Bar (including Lounge, Dining Room and Cellar) are in operation, the majority of the customers will be seated. The Main Bar area would be a predominantly vertical drinking establishment for short periods only.

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 checked="" 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"/>            |
| <b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)                           | <input type="checkbox"/>            |
| <b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)   | <input checked="" type="checkbox"/> |

**In all cases complete boxes K, L and M**

**A**

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

**B**

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

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) It is intended that Live Music will be played in the Cellar Bar only which is located underground. The music will be amplified. The style of music played will be consistent with the target demographic (30+). Consett already has venues that play Rock music and popular music for the younger age group and it would be our intention not to play these styles of music.  <b>State any seasonal variations for the performance of live music</b> (please read guidance note 4) None  <b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5) None		
Mon	19:30	22:30			
Tue	19:30	22:30			
Wed	19:30	22:30			
Thur	19:30	22:30			
Fri	19:30	22:30			
Sat	19:30	22:30			
Sun	19:30	22:30			



**D**

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

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<p><b>Please give further details here</b> (please read guidance note 3) It is intended to play recorded music in all areas of the bar (Main Bar, Lounge, Dining Area and Cellar Bar). Although the music will be amplified it will be at a low background level before 19:30 every day. The style of music played will be consistent with the target demographic (30+). Consett already has venues that play Rock music and popular music for the younger age group and it would be our intention not to play these styles of music.</p> <p><b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4) None</p> <p><b>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</b> (please read guidance note 5) We would like to be able to continue playing recorded music until 01:00 on Christmas Eve and 03:00 on New Year's Eve.</p>		
Mon	10:30	00:00			
Tue	10:30	00:00			
Wed	10:30	00:00			
Thur	10:30	00:00			
Fri	10:30	03:00			
Sat	10:30	03:00			
Sun	10:30	00:00			

**G**

Performances of dance Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:30	00:00	<b><u>Please give further details here</u></b> (please read guidance note 3) The Cellar Bar has a performance area and the option of creating a dance-floor. It is likely that those dancing will be the customers of the premises, although the option of professional dancers is included.		
Tue	10:30	00:00			
Wed	10:30	00:00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4) None		
Thur	10:30	00:00			
Fri	10:30	03:00	<b><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></b> (please read guidance note 5) We would like to be able to continue having the option of dancing until 01:00 on Christmas Eve and 03:00 on New Year's Eve.		
Sat	10:30	03:00			
Sun	10:30	00:00			

# H

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

**I**

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) None		
Mon	10:30	00:00			
Tue	10:30	00:00			
Wed	10:30	00:00			
Thur	10:30	00:00			
Fri	10:30	03:00			
Sat	10:30	03:00			
Sun	10:30	00:00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5) We would like to be able to continue service alcohol on the premises until 01:00 on Christmas Eve and 03:00 on New Year's Eve.		

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

<b>Name</b> Mr David Johnson	
<b>Address</b> [REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal licence number (if known)</b> [REDACTED]	
<b>Issuing licensing authority (if known)</b> Durham County Council Licensing Authority	

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).**

We would like to include a limited number of Fruit (gaming) machines and Quiz machines in the main bar area.

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) None           <b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) We would like to be able to remain open to the public until 01:00 on Christmas Eve and 03:00 on New Year's Eve.
Day	Start	Finish	
Mon	10:30	00:00	
Tue	10:30	00:00	
Wed	10:30	00:00	
Thur	10:30	00:00	
Fri	10:30	03:00	
Sat	10:30	03:00	
Sun	10:30	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)**

We have read the Durham County Council Statement of Licensing Policy and, as an applicant for a Premises License, we understand our duty to promote the four Licensing Objectives as determined in the Licensing Act, 2003. We understand The Licensing Authority will work in partnership with others parties, including ourselves in promoting these objectives. Furthermore we realise that the Authority's Licensing Policy is also designed to encourage good premises management as well as upholding the objectives. We understand that our Operating Schedule must take a holistic approach to minimise the impact of crime, disorder and anti-social behaviour by our potential patrons both on, and within the vicinity of our premises. In accordance with the Authority's recommendations we will join the Best Bar None scheme and associated awards.

We will adhere to the Portman Group Code of Practice on the naming, packing and promotion of alcoholic drinks. We understand our legal duty with regard to reckless drinks promotions that may encourage excessive alcohol consumption.

DPS (Mr David Johnson) will remain responsible for the premises at all times. We agree with the Licensing Authority that it is good practice for the DPS to be present on the premises during periods of high customer numbers or when the bar will be open late. The DPS will be present on Friday and Saturday evening between 22:00 and closing time.

**b) The prevention of crime and disorder**

Bar 1898 will undertake the following actions:

1. We will install at the premises a digital CCTV system fully compliant with the CCTV Code of Practice. The system will record images which will be stored digitally for a minimum of one month. Bar 1898 will cooperate with the Police and Licensing Authority in the viewing the images. The cameras will be:
  - Installed internally in the Main Bar, Lounge, Dining Room and Cellar bar;
  - Fully maintained; and.
  - Cover all access points;
2. All access points (including windows) will be alarmed when the building is not open to the public. All doors will have secure locks and the toilets areas will also be locked when not in use;
3. All excess stock will be stored in a separate locked section of the cellar with restricted access;
4. All drinks will be served in toughen glass. All wall mounted objects will be securely fixed.
5. Fruit and Quiz Machines will be in a prominent place in the Main Bar; the cash will be removed every night and placed in the building's safe.
6. Cash Registers will be behind the bars with no access to the public. All cash will be removed at night and the register left open. The building has a large walk-in safe (former bank) for the temporary storage of money.
7. We will employ door staff registered with the Security Industry Authority (SIA). Security staff will be employed Friday, Saturday and Sunday evenings from 19:30 to closure. Security staff will also be employed on Bank Holidays and during other major events. The number of door staff will be proportional to the number of access points and the capacity of the bar areas. The security staff will be tasked:



- To monitor and to restrict access to the premises and circulate inside the premises, dealing with troublemakers and escorting them from the premises;
  - To carry out random drug and weapon searches of customers;
  - To monitor the flow of customers to prevent overcrowding.
8. We will maintain an Incident Book on the premises. This book will record all incidents (including crimes or customer complaints) occurring on, and in the vicinity of, the premises which could be used as evidence at a later date. The Incident Book will also include records of any weapons found on the premises. The Book will record:
    - The date, time and description of the incident;
    - The names, or description of, those involved; and,
    - The member of staff dealing with the incident.
  9. All bar staff will complete the Responsible Alcohol Retailing Course (BIAB Level 1) and records of this training will be maintained on site. Staff will also receive formal training in Moving and Handling, First Aid and Drugs Awareness.
  10. Bar 1898 will have a zero tolerance of the sale and use of illegal drugs. We will have a formal Drugs Prevention Policy which will include, as a minimum, the following preventive measures:
    - The regular swabbing of toilets and other public areas;
    - Our bar staff will be familiar with the Home Office Drug Strategy booklet on Safer Clubbing;
    - The installations of toilets that reduce drug use;
    - Allow free access of drug dogs to the premises;
    - Display drug awareness posters; and,
    - Undertaking drug awareness training with staff.
  11. Bar 1898 will join the Pubwatch scheme and cooperate with other local Licensees on a barring list. We will also cooperate with other businesses via membership of the Consett Traders Association.

#### **e) Public safety**

Bar 1898 will undertake the following actions to maintain public safety:

1. 1898 Leisure Limited will fully comply with all statutory fire safety controls.
2. 1898 Leisure Limited will fully comply with all food safety regulations.
3. There will be a member of staff qualified in emergency First Aid present at all times.
4. The occupancy of the premises will be tightly controlled by door staff to prevent overcrowding.
5. The premises will be air conditioned to prevent over-heating (further details on request);
6. 1898 Leisure Limited will employ a suitably qualified Health and Safety Officer who will produce a detailed Health and Safety Policy with associated risk assessments to mitigate the potential dangers posed to customers, staff members or other parties.
7. 1898 Leisure Limited will produce detailed policies, procedures and working practice to comply with the Disability Discrimination Act. Disabled access will be available to the Main Bar and Dining Room; Disabled Toilets are to be located on the Ground Floor.
8. The outside of the premises on Newmarket Street and Gibson Street will be permanently lit during the hours of darkness.

#### **d) The prevention of public nuisance**

Bar 1898 will undertake the following actions to avoid public nuisance:

1. Noise:

- We will ensure that live entertainment only takes place in the underground Cellar Bar;
- Windows and doors will be kept closed during the playing of live and recorded music (air conditioning is to be installed). We intend installing a long sliding door on the frontage to Gibson Street. This door will only be opened during daylight hours, and in good weather. Only recorded music will be played when the doors are open, at a background level;
- All windows will be double-glazed.
- A noise assessment will be carried out as part of the planning process;
- The main entrance to the bar on Newmarket Street will have a porch;
- Signs will be placed on the Gibson Street exits to remind customers to leave quietly. We will have a Formal Dispersal Policy in place; and,
- No speakers will be placed on the back wall of the building.

2. Litter:

- All refuse bins are to be stored (and retrieved for disposal) at the rear of the Old Bank Building; this area is not open to the public;
- No bottle bins (or other refuse bins) will be filled or emptied outside the building between 23:00 and 07:00 and,
- Wall mounted cigarette bins are to be installed on the outside of the building.

e) The protection of children from harm

Bar 1898 will undertake the following actions to protect children from harm:

1. Bar 1898 will have a Children's Policy. Those under 16 years of age will not be allowed onto the premises except where accompanied by an adult. No one under 16 years of age will be allowed in the Main Bar, Lounge and Cellar Bar after 19:30, excepting those in the Dining Area accompanied by an Adult. The only exception to these rules would be if an area had been booked for a private function. No persons under 16 years of age will be allowed at any of the bars.
2. We will operate a Challenge 25 Scheme and suitably train our staff in its implementation;
3. There will be no entertainment of an adult nature on the premises. A limited number of Fruit and Quiz Machines are intended for the Main Bar area only.
4. We will operate a refusals book recording every incident whereby someone under the age of 18 has been refused alcohol on the premises.

**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	Mr David Johnson 
Date	14 <sup>th</sup> August 2013
Capacity	Managing Director of 1898 Leisure Limited

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Dr Cameron Latimer 
Date	14 <sup>th</sup> August 2013
Capacity	Director of 1989 Leisure Limited

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

**Mr David Johnson  
 1898 Leisure Limited  
 The Old Bank  
 Newmarket Street**

Post town	<b>CONSETT</b>	Postcode	<b>DH8 5LQ</b>
Telephone number (if any)	<b>01207 588360</b>		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
**david@bar1898.com**

**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.

**APPENDIX 3 – LETTER FROM MRS WARD**

[REDACTED]

DEAR SIR:

I AM WRITING IN PROTEST AT  
THE PROPOSED OPENING OF ANOTHER NIGHT CLUB,  
AT THE OLD BANK NEW MARKET STREET,  
CONSETT.

WE ALREADY HAVE A NIGHT CLUB JUST  
ROUND THE CORNER, IN NEWMARKET STREET, WITH  
ITS MUSIC AND PEOPLE SHOUTING AND  
SCREAMING WHEN THEY COME OUT IN THE  
EARLY HOURS OF THE MORNING.

THE PLACE WHERE WE LIVE IS [REDACTED]

[REDACTED]  
[REDACTED] WHICH WE THOUGHT WOULD BE A  
QUITE AND PLEASANT PLACE TO LIVE.

YOURS SINCERELY

[REDACTED]

DUFF

LIVERPOOL

**APPENDIX 4 – DURHAM COUNTY COUNCIL  
STATEMENT OF LICENSING POLICY- PART 7**

## **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. 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.



**APPENDIX 5 – SECTION 182 GUIDANCE - PART 2.18**

# SECTION 182 GUIDANCE

## Licensing Objective

As of October 2012

### 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 low-level 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.