

# Statutory Licensing Sub-Committee

16<sup>th</sup> August 2016

## Application for the Grant of a Premises Licence



---

### Report of Oliver Sherratt, Interim Corporate Director, Neighbourhood Services

---

**Name and Address of Premises:** Cineworld, Dalton Park Outlet Shopping Centre, Murton, Co Durham SR7 9HU

#### 1. Summary

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

Cineworld Cinemas Ltd  
Power Road Studios  
114 Power Road  
Chiswick  
W4 5PY

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

#### 2. Details of the Application

An application for the grant of a premises licence was received by the Licensing Authority on 22<sup>nd</sup> June 2016. A copy of the application is attached as Appendix 2.

The application is deemed by the Licensing Authority to be correctly served.

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

<b>Activities</b>	<b>Days &amp; Hours Requested</b>
Sale of Alcohol (on and off sales)	10:00 – 03:00 hrs Monday to Sunday
Provision of Plays (indoors only)	00:00 – 24:00 hrs Monday to Sunday
Provision of Films (indoors only)	00:00 – 24:00 hrs Monday to Sunday
Provision of Live Music (indoors only)	00:00 – 24:00 hrs Monday to Sunday

Provision of Recorded Music (indoors only)	00:00 – 24:00 hrs Monday to Sunday
Provision of Performances of Dance (indoors only)	00:00 – 24:00 hrs Monday to Sunday
Late Night Refreshment (Indoors only)	23:00 – 05:00 hrs Monday to Sunday
Opening Hours	00:00 – 24:00 hrs Monday to Sunday

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

The applicant's agent negotiated additional conditions with one of the Responsible Authorities within the consultation period, namely Local Safeguarding Children's Board and these are attached as Appendix 3.

### **3. The Representation**

The Licensing Authority received one letter of representation from Durham Constabulary.

The representation relates to the following licensing objective:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

A copy of the representation is attached as Appendix 4.

### **4. Parties**

The Parties to the hearing will be:

- Mr Richard Taylor - Gosschalks Solicitors (Applicant's agent)
- Durham Constabulary

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

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

- 7.0 The Prevention of Crime and Disorder
- 8.0 Public Safety

- 9.0 Prevention of Public Nuisance
- 10. The Protection of Children from Harm
- Appendix B - Framework Licensing Hours

Relevant information is attached as Appendix 5.

## **6. Section 182 Guidance**

The Sub-Committee's attention is drawn to the relevant parts of the Guidance issued under section 182 of the Licensing Act 2003 as follows:

- 2.1 – 2.5 Prevention of Crime and Disorder
- 2.6 - 2.13 Public Safety
- 2.14 - 2.20 Public Nuisance
- 2.25 – 2.35 Protection of Children from Harm

Relevant information is attached as Appendix 6.

## **7. For Decision**

The Sub-Committee is asked to determine the application in light of the representation received.

### **Background Papers:**

- Durham County Council's Statement of Licensing Policy
- Guidance issued under section 182 of the Licensing Act 2003 (as amended March 2015)

---

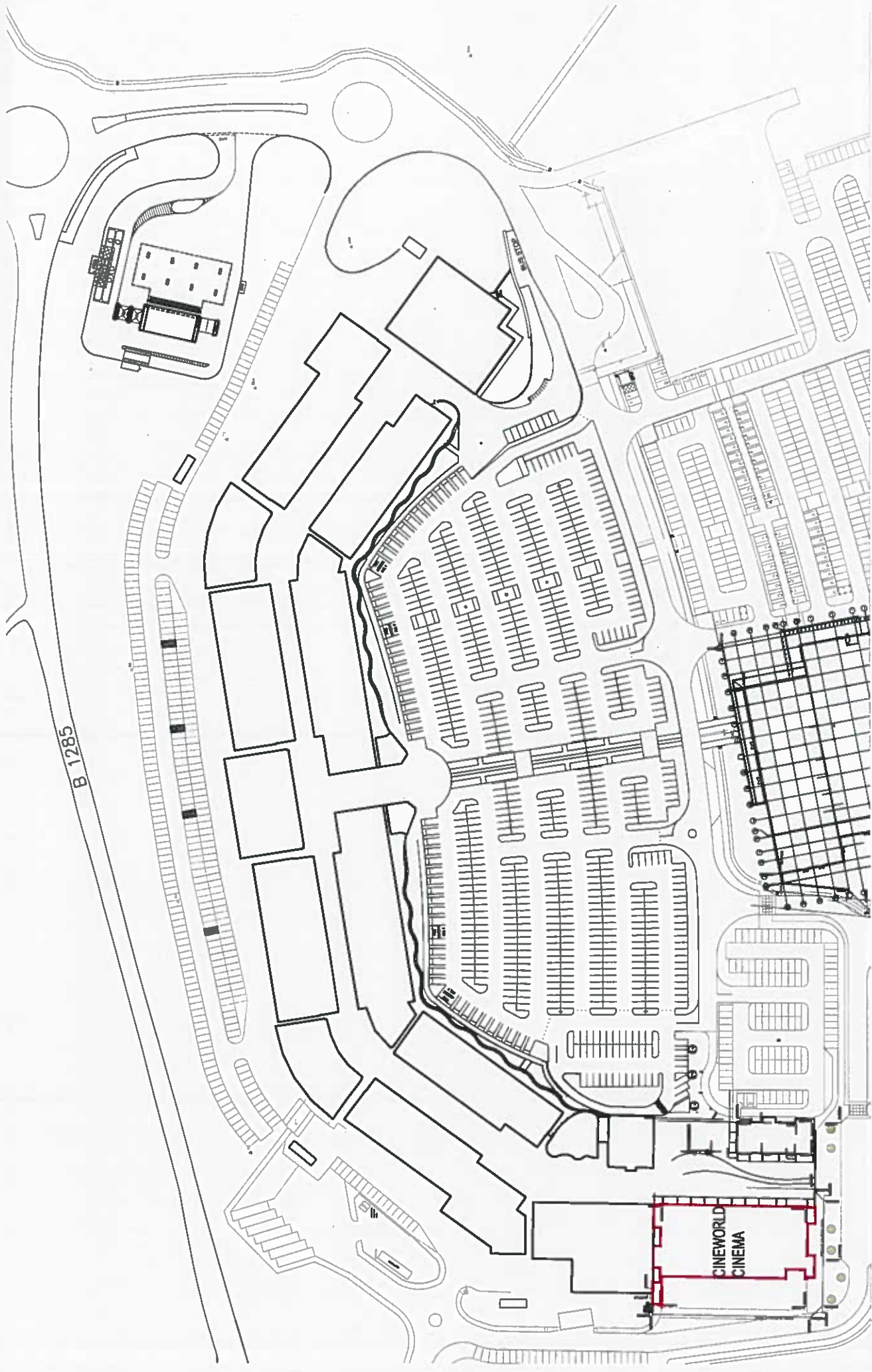
**Contact: Karen Robson**

**Tel: 03000 265104**

**Email: karen.robson2@durham.gov.uk**

---

## APPENDIX 1 – LOCATION PLAN



B.1285

CINEMORLD  
CINEMA

Date: 14.03.16  
 Author: 1:1250@e3

1470DA-001

LOCATION PLAN  
 1:1250



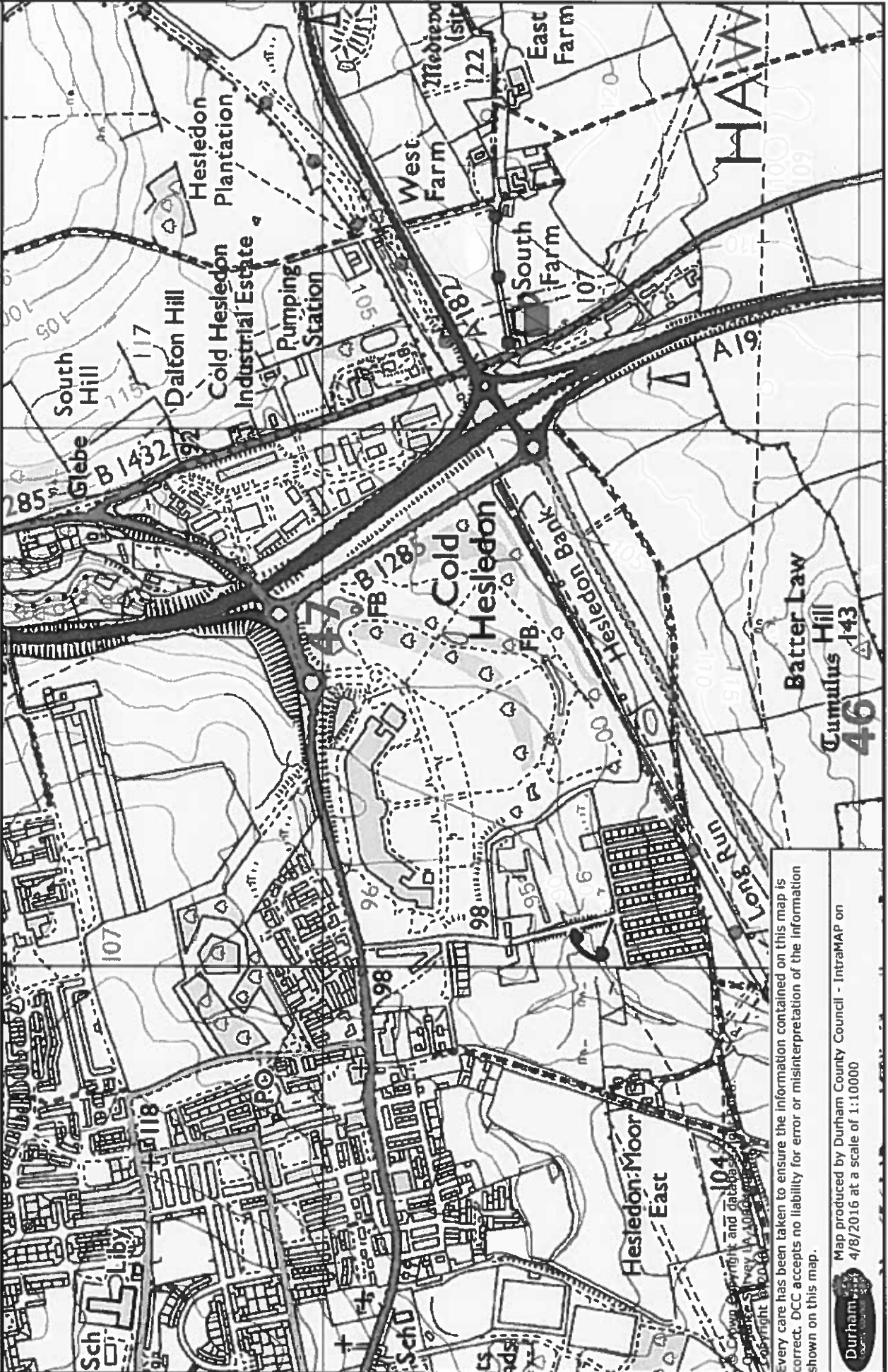
DALTON

NBDA

Not to be used for any other purpose without the written consent of the author.

The drawing is for information only and should not be used for any other purpose without the written consent of the author.

# Durham County Council - IntraMAP



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 4/8/2016 at a scale of 1:10000



HAW

A19

Long Run

Hesledon Moor East

Cold Hesledon

Hesledon Plantation

Cold Hesledon Industrial Estate

South Hill

Dalton Hill

West Farm

East Farm

South Farm

South Glebe

Sch

Sch

Hesledon Moor East

Batter Law Tumulus Hill 46

Hesledon Moor East

Hesledon Moor East

Hesledon Moor East

**APPENDIX 2 – APPLICATION FORM**



\* required information

### Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

MCJ/MJM/86310.270

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

CINEWORLD CINEMAS LIMITED

\* Family name

CINEWORLD CINEMAS LIMITED

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

\* Is the applicant's business registered in the UK with Companies House?

Yes  No

\* Registration number

01915767

\* Business name

CINEWORLD CINEMAS LIMITED

If the applicant's business is registered, use its registered name.

\* VAT number

GB 606197048

Put "none" if the applicant is not registered for VAT.

\* Legal status

Private Limited Company



Continued from previous page...

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

**Agent Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Is your business registered outside the UK?  Yes  No

\* Business name

If your business is registered, use its registered name.

\* VAT number

Put "none" if you are not registered for VAT.

\* Legal status

**Section 3 of 19****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 19****NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

COMPANY

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

PURPOSE BUILT CINEMA

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

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes  No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

Indoors  Outdoors  Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not  
exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

State any seasonal variations for performing plays

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the exhibition of films take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes       No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes       No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

Will you be providing live music?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors  Outdoors  Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.



Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

Yes       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the performance of dance take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

Will this entertainment take place indoors or outdoors or both?

Indoors  Outdoors  Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Continued from previous page...

FRIDAY

Start 23:00

End 05:00

Start

End

SATURDAY

Start 23:00

End 05:00

Start

End

SUNDAY

Start 23:00

End 05:00

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes       No

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start 10:00

End 03:00

Start

End

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.

TUESDAY

Start 10:00

End 03:00

Start

End

WEDNESDAY

Start 10:00

End 03:00

Start

End

THURSDAY

Start 10:00

End 03:00

Start

End

FRIDAY

Start 10:00

End 03:00

Start

End

SATURDAY

Start 10:00

End 03:00

Start

End

SUNDAY

Start 10:00

End 03:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises.     Both

If the sale of alcohol is for consumption on  
the premises select on, if the sale of alcohol  
is for consumption away from the premises  
select off. If the sale of alcohol is for  
consumption on the premises and away  
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

AGE RESTRICTED FILMS

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

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.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

--

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

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**



Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 19**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

CONSUMPTION OF ALCOHOL IN THE AUDITORIA WILL ONLY BE PERMITTED FROM PLASTIC DRINKING VESSELS.

b) The prevention of crime and disorder

THE PREMISES WILL OPERATE A CHALLENGE 21 POLICY IN RELATION TO THE SALE OF ALCOHOL AND SIGNAGE TO THIS EFFECT WILL BE DISPLAYED.

A COLOUR DIGITAL CCTV SYSTEM WILL BE INSTALLED AND MAINTAINED AND IMAGES PROVIDED AND MAINTAINED FOR A PERIOD OF 28 DAYS. THESE WILL BE MADE AVAILABLE TO THE POLICE AND/OR LOCAL AUTHORITY ON REQUEST.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

THE PREMISES WILL OPERATE A CHALLENGE 21 POLICY IN RELATION TO THE SALE OF ALCOHOL AND SIGNAGE TO THIS EFFECT WILL BE DISPLAYED.

Continued from previous page...

Section 19 of 19

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Premises licence fees can be calculated by visiting the Department for Culture Media and Sport website at [http://www.culture.gov.uk/what\\_we\\_do/alcohol\\_and\\_entertainment/3193.aspx](http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/3193.aspx)

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time.

Details of these additional fees can be found on the website [http://www.culture.gov.uk/what\\_we\\_do/alcohol\\_and\\_entertainment/4040.aspx](http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4040.aspx)

\* Fee amount (£)

315.00

**DECLARATION**

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

GOSSCHALKS SOLICITORS

\* Capacity

SOLICITORS FOR THE APPLICANT

\* Date

21 / 06 / 2016  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/county-durham/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**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**

See drawing for details of fire alarm system. All fire alarm systems shall be installed in accordance with the requirements of the National Fire Alarm and Signaling Code, NFPA 72, and all applicable local codes.

Item No.	Description	Quantity	Unit	Notes
1	Fire Alarm Control Panel	1	Panel	See drawing for details
2	Smoke Detector	10	Detector	See drawing for details
3	Heat Detector	5	Detector	See drawing for details
4	Manual Pull Station	2	Station	See drawing for details
5	Fire Alarm System	1	System	See drawing for details

**FIRE STRATEGY & MEANS OF ESCAPE**  
The roof has been designed to comply with Approved Document B (2019) (Fire Safety) and has been calculated on this basis. Refer to the relevant sections of the Building Regulations for further details.

**FIRE ALARMS**  
Fire alarm systems shall be installed in accordance with Approved Document B (2019) (Fire Safety) and shall comply with the requirements of BS 5839-1:2002 (Fire detection systems) and BS 5839-6:2002 (Fire detection systems for open areas).

**FIRE STRATEGY & MEANS OF ESCAPE**  
The roof has been designed to comply with Approved Document B (2019) (Fire Safety) and has been calculated on this basis. Refer to the relevant sections of the Building Regulations for further details.

**COMPARTMENTATION**  
All buildings, lower and upper levels, shall be separated by compartment walls, all junctions to be protected by compartment walls. All junctions to be protected by compartment walls. All junctions to be protected by compartment walls. All junctions to be protected by compartment walls.

**SPREAD OF FIRE**  
Wall and ceiling heights in escape route, circulation areas and auditoria to be Class 0 (subject to BS2769) or Class 1 (subject to BS2769). Fire coverings to be Class 0 (subject to BS2769) or Class 1 (subject to BS2769). Fire coverings to be Class 0 (subject to BS2769) or Class 1 (subject to BS2769).

**AREA OF BUILDING UNPAVED**  
The area of building unpaved shall be paved with permeable paving.

**ZONE A (Public Access)**  
Zone A (Public Access) shall be paved with permeable paving.

**ZONE B (Office)**  
Zone B (Office) shall be paved with permeable paving.

**ZONE C (Storage, Wash & Bathroom)**  
Zone C (Storage, Wash & Bathroom) shall be paved with permeable paving.

**ZONE D1 (Industrial Zone 1)**  
Zone D1 (Industrial Zone 1) shall be paved with permeable paving.

**ZONE D2 (Industrial Zone 2)**  
Zone D2 (Industrial Zone 2) shall be paved with permeable paving.

**ZONE E (Plant)**  
Zone E (Plant) shall be paved with permeable paving.

**ZONE F (Laboratories & WC)**  
Zone F (Laboratories & WC) shall be paved with permeable paving.

**ZONE G (Road Pavement & Footway)**  
Zone G (Road Pavement & Footway) shall be paved with permeable paving.

**LEGEND**

**PORTABLE FIRE FIGHTING EQUIPMENT**

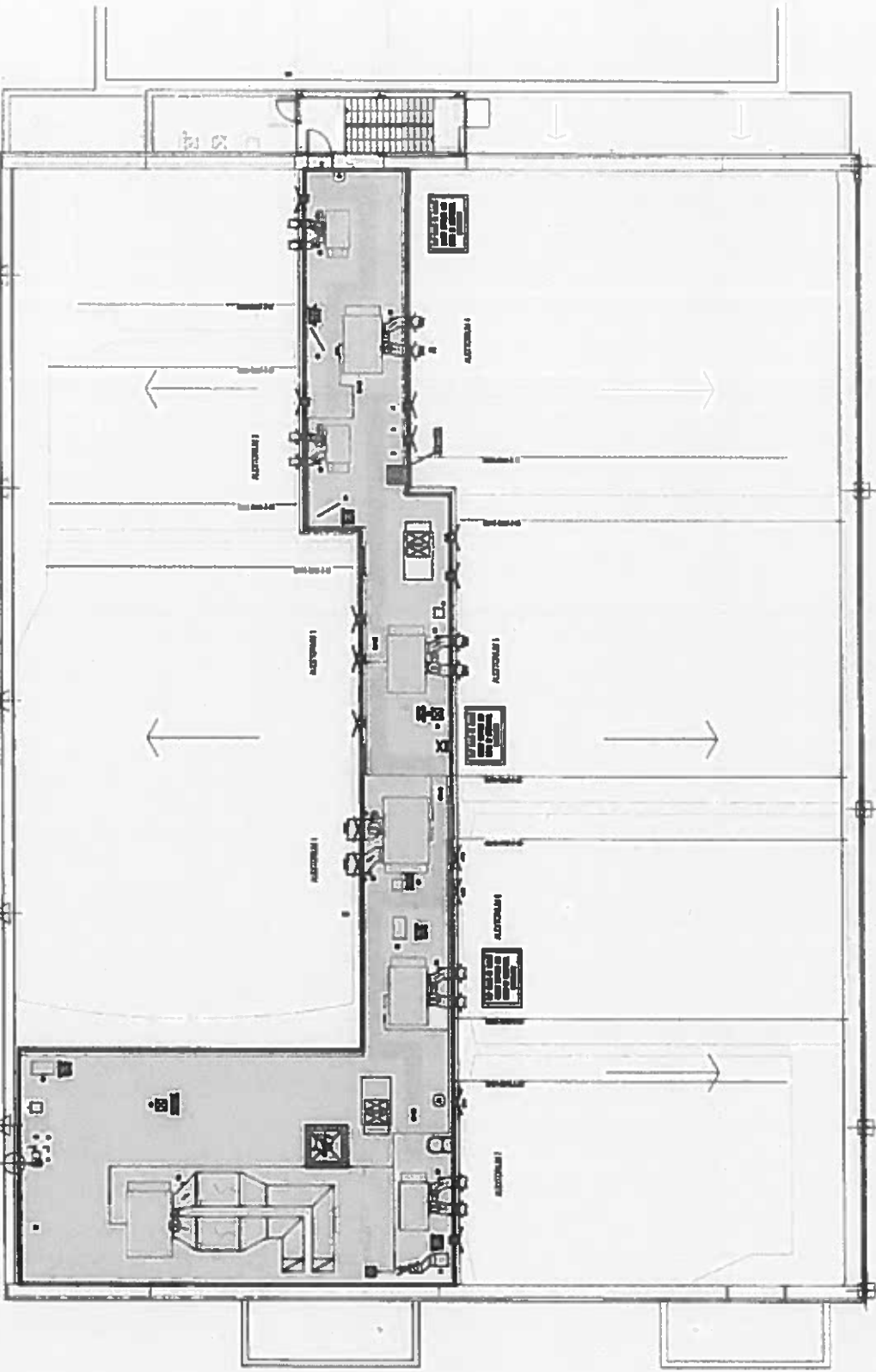
- 1. Fire extinguisher (Class 1)
- 2. Fire extinguisher (Class 2)
- 3. Fire extinguisher (Class 3)
- 4. Fire extinguisher (Class 4)
- 5. Fire extinguisher (Class 5)
- 6. Fire extinguisher (Class 6)
- 7. Fire extinguisher (Class 7)
- 8. Fire extinguisher (Class 8)
- 9. Fire extinguisher (Class 9)
- 10. Fire extinguisher (Class 10)

**INITIATING EQUIPMENT**

- 11. Fire alarm control panel
- 12. Fire alarm control panel
- 13. Fire alarm control panel
- 14. Fire alarm control panel
- 15. Fire alarm control panel
- 16. Fire alarm control panel
- 17. Fire alarm control panel
- 18. Fire alarm control panel
- 19. Fire alarm control panel
- 20. Fire alarm control panel

**OTHER**

- 21. Fire alarm control panel
- 22. Fire alarm control panel
- 23. Fire alarm control panel
- 24. Fire alarm control panel
- 25. Fire alarm control panel
- 26. Fire alarm control panel
- 27. Fire alarm control panel
- 28. Fire alarm control panel
- 29. Fire alarm control panel
- 30. Fire alarm control panel



**DALTON**

**PROPOSED ROOF AND PLANT FIRE STRATEGY PLAN**

147000A-008

147000A-008

**LEGEND**

**PORTABLE FIRE FIGHTING EQUIPMENT**

- 1. Fire extinguisher (Class 1)
- 2. Fire extinguisher (Class 2)
- 3. Fire extinguisher (Class 3)
- 4. Fire extinguisher (Class 4)
- 5. Fire extinguisher (Class 5)
- 6. Fire extinguisher (Class 6)
- 7. Fire extinguisher (Class 7)
- 8. Fire extinguisher (Class 8)
- 9. Fire extinguisher (Class 9)
- 10. Fire extinguisher (Class 10)

**INITIATING EQUIPMENT**

- 11. Fire alarm control panel
- 12. Fire alarm control panel
- 13. Fire alarm control panel
- 14. Fire alarm control panel
- 15. Fire alarm control panel
- 16. Fire alarm control panel
- 17. Fire alarm control panel
- 18. Fire alarm control panel
- 19. Fire alarm control panel
- 20. Fire alarm control panel

**OTHER**

- 21. Fire alarm control panel
- 22. Fire alarm control panel
- 23. Fire alarm control panel
- 24. Fire alarm control panel
- 25. Fire alarm control panel
- 26. Fire alarm control panel
- 27. Fire alarm control panel
- 28. Fire alarm control panel
- 29. Fire alarm control panel
- 30. Fire alarm control panel

**AREA OF BUILDING UNPAVED**  
The area of building unpaved shall be paved with permeable paving.

**ZONE A (Public Access)**  
Zone A (Public Access) shall be paved with permeable paving.

**ZONE B (Office)**  
Zone B (Office) shall be paved with permeable paving.

**ZONE C (Storage, Wash & Bathroom)**  
Zone C (Storage, Wash & Bathroom) shall be paved with permeable paving.

**ZONE D1 (Industrial Zone 1)**  
Zone D1 (Industrial Zone 1) shall be paved with permeable paving.

**ZONE D2 (Industrial Zone 2)**  
Zone D2 (Industrial Zone 2) shall be paved with permeable paving.

**ZONE E (Plant)**  
Zone E (Plant) shall be paved with permeable paving.

**ZONE F (Laboratories & WC)**  
Zone F (Laboratories & WC) shall be paved with permeable paving.

**ZONE G (Road Pavement & Footway)**  
Zone G (Road Pavement & Footway) shall be paved with permeable paving.

**LEGEND**

**PORTABLE FIRE FIGHTING EQUIPMENT**

- 1. Fire extinguisher (Class 1)
- 2. Fire extinguisher (Class 2)
- 3. Fire extinguisher (Class 3)
- 4. Fire extinguisher (Class 4)
- 5. Fire extinguisher (Class 5)
- 6. Fire extinguisher (Class 6)
- 7. Fire extinguisher (Class 7)
- 8. Fire extinguisher (Class 8)
- 9. Fire extinguisher (Class 9)
- 10. Fire extinguisher (Class 10)

**INITIATING EQUIPMENT**

- 11. Fire alarm control panel
- 12. Fire alarm control panel
- 13. Fire alarm control panel
- 14. Fire alarm control panel
- 15. Fire alarm control panel
- 16. Fire alarm control panel
- 17. Fire alarm control panel
- 18. Fire alarm control panel
- 19. Fire alarm control panel
- 20. Fire alarm control panel

**OTHER**

- 21. Fire alarm control panel
- 22. Fire alarm control panel
- 23. Fire alarm control panel
- 24. Fire alarm control panel
- 25. Fire alarm control panel
- 26. Fire alarm control panel
- 27. Fire alarm control panel
- 28. Fire alarm control panel
- 29. Fire alarm control panel
- 30. Fire alarm control panel

**AREA OF BUILDING UNPAVED**  
The area of building unpaved shall be paved with permeable paving.

**ZONE A (Public Access)**  
Zone A (Public Access) shall be paved with permeable paving.

**ZONE B (Office)**  
Zone B (Office) shall be paved with permeable paving.

**ZONE C (Storage, Wash & Bathroom)**  
Zone C (Storage, Wash & Bathroom) shall be paved with permeable paving.

**ZONE D1 (Industrial Zone 1)**  
Zone D1 (Industrial Zone 1) shall be paved with permeable paving.

**ZONE D2 (Industrial Zone 2)**  
Zone D2 (Industrial Zone 2) shall be paved with permeable paving.

**ZONE E (Plant)**  
Zone E (Plant) shall be paved with permeable paving.

**ZONE F (Laboratories & WC)**  
Zone F (Laboratories & WC) shall be paved with permeable paving.

**ZONE G (Road Pavement & Footway)**  
Zone G (Road Pavement & Footway) shall be paved with permeable paving.

**LEGEND**

**PORTABLE FIRE FIGHTING EQUIPMENT**

- 1. Fire extinguisher (Class 1)
- 2. Fire extinguisher (Class 2)
- 3. Fire extinguisher (Class 3)
- 4. Fire extinguisher (Class 4)
- 5. Fire extinguisher (Class 5)
- 6. Fire extinguisher (Class 6)
- 7. Fire extinguisher (Class 7)
- 8. Fire extinguisher (Class 8)
- 9. Fire extinguisher (Class 9)
- 10. Fire extinguisher (Class 10)

**INITIATING EQUIPMENT**

- 11. Fire alarm control panel
- 12. Fire alarm control panel
- 13. Fire alarm control panel
- 14. Fire alarm control panel
- 15. Fire alarm control panel
- 16. Fire alarm control panel
- 17. Fire alarm control panel
- 18. Fire alarm control panel
- 19. Fire alarm control panel
- 20. Fire alarm control panel

**OTHER**

- 21. Fire alarm control panel
- 22. Fire alarm control panel
- 23. Fire alarm control panel
- 24. Fire alarm control panel
- 25. Fire alarm control panel
- 26. Fire alarm control panel
- 27. Fire alarm control panel
- 28. Fire alarm control panel
- 29. Fire alarm control panel
- 30. Fire alarm control panel

**AREA OF BUILDING UNPAVED**  
The area of building unpaved shall be paved with permeable paving.

**ZONE A (Public Access)**  
Zone A (Public Access) shall be paved with permeable paving.

**ZONE B (Office)**  
Zone B (Office) shall be paved with permeable paving.

**ZONE C (Storage, Wash & Bathroom)**  
Zone C (Storage, Wash & Bathroom) shall be paved with permeable paving.

**ZONE D1 (Industrial Zone 1)**  
Zone D1 (Industrial Zone 1) shall be paved with permeable paving.

**ZONE D2 (Industrial Zone 2)**  
Zone D2 (Industrial Zone 2) shall be paved with permeable paving.

**ZONE E (Plant)**  
Zone E (Plant) shall be paved with permeable paving.

**ZONE F (Laboratories & WC)**  
Zone F (Laboratories & WC) shall be paved with permeable paving.

**ZONE G (Road Pavement & Footway)**  
Zone G (Road Pavement & Footway) shall be paved with permeable paving.

**FIRE STRATEGY & MEANS OF ESCAPE**  
 This plan has been reviewed for compliance with the Fire Protection Code of Ontario (FPCO) and the Fire Protection Act. The fire strategy and means of escape have been reviewed and approved by the Fire Department. The fire strategy and means of escape have been reviewed and approved by the Fire Department. The fire strategy and means of escape have been reviewed and approved by the Fire Department.

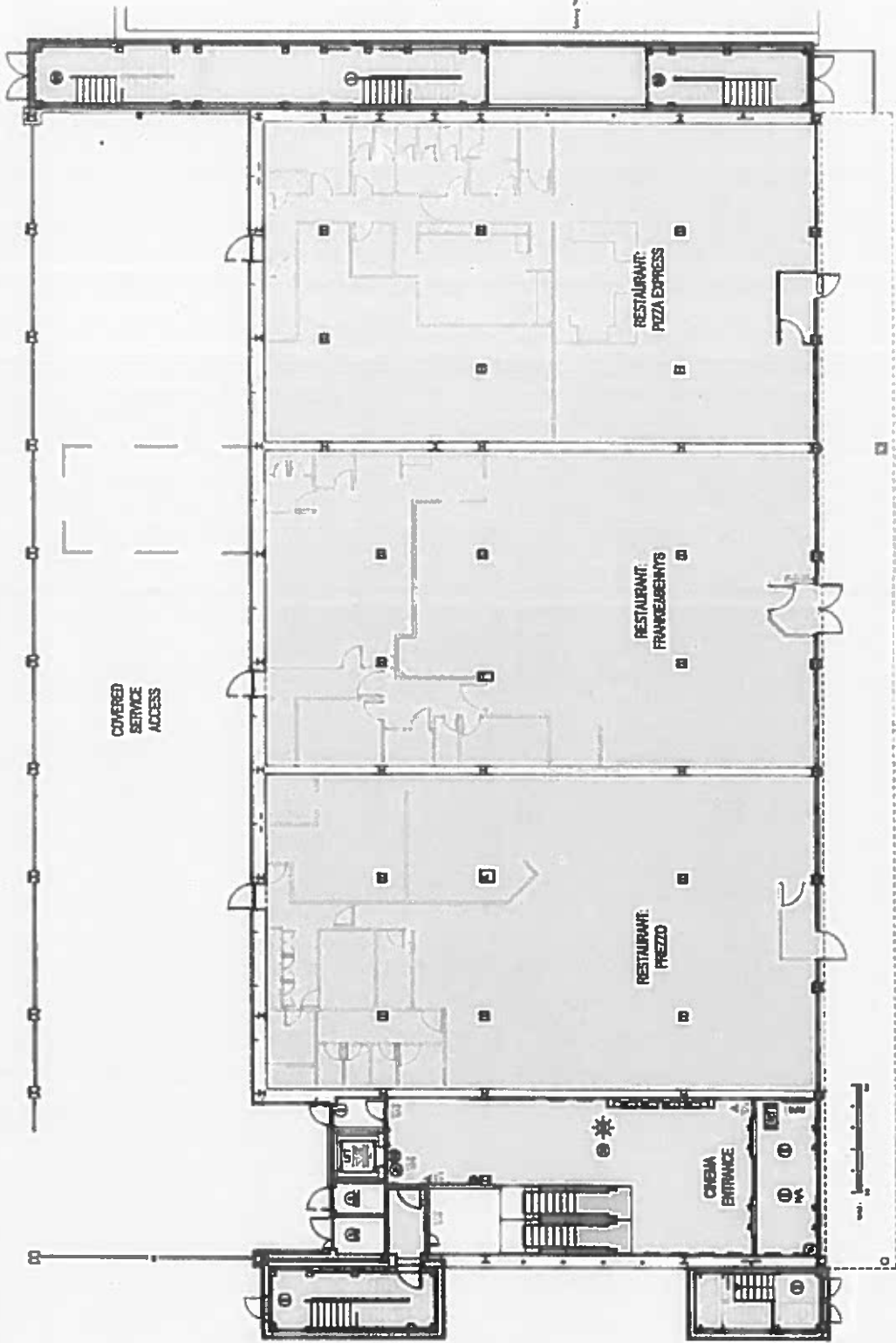
**CARMA COMPLIES FIRE ZONES**  
 Ground Floor  
 All areas within the Fire Zones are protected by fire-rated walls and doors. The fire zones are protected by fire-rated walls and doors. The fire zones are protected by fire-rated walls and doors. The fire zones are protected by fire-rated walls and doors.

**COMPARTMENTATION**  
 All walls, doors and partitions are constructed in accordance with the Fire Protection Code of Ontario (FPCO) and the Fire Protection Act. The walls, doors and partitions are constructed in accordance with the Fire Protection Code of Ontario (FPCO) and the Fire Protection Act. The walls, doors and partitions are constructed in accordance with the Fire Protection Code of Ontario (FPCO) and the Fire Protection Act.

**SPREAD OF FIRE**  
 The spread of fire is limited by fire-rated walls and doors. The spread of fire is limited by fire-rated walls and doors. The spread of fire is limited by fire-rated walls and doors. The spread of fire is limited by fire-rated walls and doors. The spread of fire is limited by fire-rated walls and doors.

**FIRE PROTECTION FOR STRUCTURE**  
 All fire protection is in accordance with the Fire Protection Code of Ontario (FPCO) and the Fire Protection Act. The fire protection is in accordance with the Fire Protection Code of Ontario (FPCO) and the Fire Protection Act. The fire protection is in accordance with the Fire Protection Code of Ontario (FPCO) and the Fire Protection Act.

Item	Description	Quantity	Unit	Notes
1	Fire Protection for Structure	1	Area	See notes
2	Fire Protection for Structure	1	Area	See notes
3	Fire Protection for Structure	1	Area	See notes
4	Fire Protection for Structure	1	Area	See notes
5	Fire Protection for Structure	1	Area	See notes



**PROPOSED GROUND FLOOR PLAN - FIRE PRECAUTIONS**

**DALTON**

14700A-057 - C

**LEGEND**

**PORTABLE FIRE FIGHTING EQUIPMENT**

- VP - Fire Extinguisher (Classified Type)
- IF - Fire Extinguisher (Classified Type)
- IF - Fire Extinguisher (Classified Type)

**INITIATING EQUIPMENT**

- EVAC - Fire Alarm
- EVAC - Fire Alarm
- EVAC - Fire Alarm

**WARNING EQUIPMENT**

- W - Fire Alarm
- W - Fire Alarm
- W - Fire Alarm

**FIRE DOOR RATING**

- 1/2 - Fire Door Rating
- 1/2 - Fire Door Rating
- 1/2 - Fire Door Rating

**OTHER**

- EVAC - Fire Alarm
- EVAC - Fire Alarm
- EVAC - Fire Alarm

**Public areas where all licensable activities are permitted**

GROUND FLOOR PLAN - CREMA ENTRANCE AND RESTAURANTS



**APPENDIX 3 – MEDIATION WITH LOCAL SAFEGUARDING  
CHILDREN BOARD**

**From:** Sean Barry [<mailto:Sean.Barry@durham.gov.uk>]

**Sent:** 04 July 2016 09:59

**To:** Mandy Mighty

**Cc:** Neighbourhood Services Licensing

**Subject:** New Premises application - Cineworld, Dalton Park Outlet Shopping Centre, Murton, SR7 9HU

Good Morning

I represent the Durham Local Safeguarding Children Board (LSCB) which is a responsible authority under the licensing act. I have received a copy of your application for a premises licence for your premises at Cineworld, Dalton Park Outlet Shopping Centre, Murton, SR7 9HU

I welcome your proposal for age verification however, having considered the steps you have recorded to promote the licensing objectives, in particular the protection of children, I consider that the steps require more clarity and there are some matters which I consider are absent and should be addressed.

The steps I consider should be included are identified in the proposed wording below:

- Maintain a refusals register – where a sale of alcohol is refused if a person appears intoxicated or appears to be under 18, a refusal register to be updated. The register to be made available to the police on request.
- Training of staff – all staff responsible for selling age restricted goods to be trained to implement the age verification policy. Staff training to include the risk from proxy sales. Training records for staff to be maintained and refresher training to be provided annually.

The purpose of this email is to make the LSCB representations to you and for you to consider these suggestions.

**Next Steps** – You need to consider the representations I have made.

If you are happy for the recommendations to be included in your application please confirm so by replying to me and the Licensing Section [Licensing@durham.gov.uk](mailto:Licensing@durham.gov.uk)

These recommendations will then be included in your application, the matter is deemed resolved and your application would progress.

The Durham Local Safeguarding Children Board are concerned about the availability of alcohol to children and encourage licensees to work with us in introducing steps, like those above in an attempt to safeguard children. I consider these steps are proportionate and have proven to be successful when implemented in similar applications.

Please don't hesitate to contact me if you require further information.

My Ref: SB/2016/066

Regards  
Sean

Sean Barry  
Strategy and Development Officer  
Local Safeguarding Children Board

**From:** Clare Johnson

**Sent:** 06 July 2016 11:32

**To:** Sean Barry

**Cc:** Neighbourhood Services Licensing

**Subject:** New Premises application - Cineworld, Dalton Park Outlet Shopping Centre, Murton, SR7 9HU

**GTE:**00942841

Dear Sean

Further to your email of the 4<sup>th</sup> July I can confirm that Cineworld would be agreeable to the following conditions being attached to the premises licence in the event that it is granted:-

1. Maintain a refusals register – where a sale of alcohol is refused if a person appears intoxicated or appears to be under 18, a refusal register to be updated. The register to be made available to the police on request.
2. Training of staff – all staff responsible for selling age restricted goods to be trained to implement the age verification policy. Staff training to include the risk from proxy sales. Training records for staff to be maintained and refresher training to be provided annually.

I am copying this in to the Licensing Authority so that they can be included in the licence if granted.

Kind regards

CLARE



**APPENDIX 4 – REPRESENTATION FROM  
DURHAM CONSTABULARY**

## Karen Robson

---

**From:** Martin Haigh  
**Sent:** 19 July 2016 14:44  
**To:** Karen Robson  
**Cc:** Michael Urwin; Rachel Stockdale  
**Subject:** Re: Cineworld Cinemas Ltd, Dalton Park

Dear Karen

Durham Constabulary would like to formally object to the Premises Licence application submitted for Cineworld Cinemas Ltd, Dalton Park, Seaham due to concerns regarding one or more of the licensing objectives namely The Prevention of Crime & Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm.

Durham Constabulary has concerns regarding staff training, capacity levels, Challenge 25, the consumption of alcohol within auditoriums and other issues. Durham Constabulary has submitted a mediation document to the applicants but this has so far not been accepted.

Kind Regards

PCSO 7486 Martin Haigh  
Harm Reduction Unit  
Annand House  
Johns Street North  
Meadowfield  
Durham  
DH7 8RS

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

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

This email carries a disclaimer, a copy of which may be read at <https://www.durham.police.uk/Pages/E-Mail%20and%20SMS%20Text%20Disclaimer.aspx>

## **APPENDIX 5 – STATEMENT OF LICENSING POLICY**

## **DURHAM COUNTY COUNCIL STATEMENT OF LICENSING POLICY**

### **7.0 The Prevention of Crime and Disorder**

7.1 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.

7.2 As a matter of policy, the Licensing Authority will require every holder of a premises licence, club premises certificate or temporary event notice to be responsible for minimising the impact of crime, disorder and anti-social behaviour by their patrons both on and within the immediate vicinity of their premises, including for example on the pavement, in a beer garden or in a smoking shelter.

7.3 The Licensing Authority recommends that all 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 14 television in certain premises should be considered by applicants, licencees and event organisers when addressing this issue.

7.4 The Licensing Authority encourages Personal Licence holders to 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. Such schemes have been very successful in reducing the negative impact of alcohol across a range of circumstances.

7.5 The Licensing Authority recognises and promotes effective and responsible management of all licensed and authorised premises through competent and efficient and regular instruction, recorded training, supervision of staff and the adoption of good practice, such as 'Challenge 25'. These are considered 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.

7.6 The application for premises licence 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.

7.7 Someone should always be present on premises or at an event during times when licensable activities are taking place who can discuss any problems or

issues arising from the licensable activities offered on the premises with officers from Licensing Authority and Police. 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.

7.8 The Licensing Authority will only impose a maximum number of people that can attend 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.

7.9 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.

7.10 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.

7.11 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 do to prevent crime and disorder in its area and to consider crime and disorder in its decision making process.

**7.12 Toughened/Safety Glass Policy:** Licensed venues that provide the sale or supply of alcohol for consumption on the premises should consider the introduction of toughened/safety glass. This policy expectation applies to those premises that would be considered as carrying a higher risk for potential crime and disorder. In particular it is expected in premises considered to be high volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues (but not premises in those areas that are viewed as low risk in this context).

**7.13 Drugs/Knives/Weapons:** The Licensing Authority will expect licensees to take all reasonable steps to prevent the presence of drugs on licensed premises and to take appropriate steps to prevent drugs changing hands within the

premises in order to prevent tragedies as a result of drug misuse. The Licensing Authority will expect licensees to be familiar with the Home Office Drug Strategy booklet entitled Safer Clubbing (ISBN 1840827807) or other subsequent editions. The Licensing Authority also expects that licence holders will also take steps to prevent the presence of knives and other weapons on their premises and that a log be kept of all drug, knife and weapon incidents. Licence holders should also consider arranging training for their staff on drugs, knives and weapons and to have policies for dealing with the possession of drugs, knives and weapons and the supply of drugs.

## **8.0 Public Safety**

8.2 Applicants are advised to seek advice on such matters from the Council's Occupational Safety and Health team, Health and safety Executive, Durham Constabulary and the Durham and Darlington Fire and Rescue Service, and incorporate any recommendations in their Operating Schedule before submitting their applications.

- First Aid
- Public security
- Event control
- Polycarbonate Glass
- Fire Safety
- Electrical safety
- Building safety
- Transport
- Drink driving issues
- Occupancy levels

## **9.0 Prevention of Public Nuisance**

9.1 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.

9.2 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, location and characteristics of the premises and events.

9.3 If an external structure or area is to be used by customers, whether for consumption of alcohol or for 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.

9.4 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 often be required. Enquiries for such consents should be made to the Council's Highway's Section of the Regeneration and Economic Development Department. In predominantly commercial areas such as shopping centres the Licensing Authority, the use of tables and chairs outside may be allowed however, the Council will normally expect them to be removed before the premises close, and any resulting litter/debris cleared away.

9.5 Applicants should give consideration to reducing potential noise nuisance by, for example (this list is not exhaustive):

- 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, double doors / lobbies to entrances, windows used for ventilation).
- 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.

9.6 The extent to which the above matters will need to be addressed will be dependent 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.

9.7 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.

**9.8 Takeaways and fast-food outlets:** The Licensing Authority expects takeaways and late night refreshment premises to take reasonable steps in clearing litter from outside their premises and along the pavement in either direction as necessary, whilst the premises are open and at the end of the working day. These premises should maintain clean, dirt or grease free frontages. Such premises should also provide notices displayed advising customers of the location of bins and patrons should use the bins any provided.

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

10.1 While the Act does not prohibit children from having free access to any licensed premises, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from physical, moral or psychological harm and the effects of alcohol on parenting.

10.2 The Act makes it an offence for any child under the age of 16 who is not

accompanied by an adult from being present:

- At any time on pub premises, or other premises being used exclusively or primarily for the supply of alcohol for consumption on those premises; or
- Between the hours of midnight and 05:00 hours on restaurant premises or other premises that supply alcohol for consumption on the premises
- The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to Individual premises where it is necessary to prevent physical, moral or psychological harm.

10.3 The Licensing Authority may consider the following when dealing with a licence application where children may have limited access:

- Limitations on the hours when children may be present.
- Limitations on under 18s
- Limitations or exclusion when certain activities are taking place.
- Requirements for an accompanying adult to be present.
- Full exclusion of people under 18 from the premises when certain licensable activities are taking place (e.g. entertainment of a sexual nature).
- Limitations on the parts of premises to which children might be given access.
- Any other limitations appropriate to the application and according with the four licensing objectives.

10.4 The Licensing Authority will work closely with the Police and the Council's Trading Standards service to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children. Alcohol must not be served to persons under the age of 18, except in limited circumstances allowed by the law, and then only after verifying a person's proof of age e.g. 16 and 17 year-olds may drink beer, wine or cider with a table meal in relevant premises, where accompanied by an adult aged 18 years or over. The currently accepted verifications for proof of age are a passport, a photo card driving licence or a proof of age scheme such as Challenge 25.

10.5 The Licensing Authority is aware of young persons' vulnerability to alcohol and events which are aimed at children under the age of 18 years on licensed premises will not be supported by the licensing authority unless the applicant can demonstrate that all safeguards for children have been addressed such as the removal of alcohol advertising.

10.6 The Licensing Authority, Durham Constabulary Alcohol Harm Reduction Unit and the Local Safeguarding Children Board have produced a "good practice guide" for an event catering for under-18's and mixed events of under and over 18's. This guide is highly recommended by the Licensing Authority and should be adhered to by licence holders and event organisers.

10.7 Recorded staff training programmes, the use of a refusals register, in-store signage and limited access to alcoholic drink can all reduce the likelihood of illegal sales and proxy sales and are to be encouraged.

10.8 The Licensing Authority commends the use of the 'Portman Group' Code of Practice on the naming, packaging and the promotion of alcoholic drinks in all licensed premises.



10.9 Access to Cinemas: In the case of premises requiring an licence to show films, applicants should include in the operating schedule arrangements for restricting access only to those children who meet the required age limit, in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Local Authority.

10.10 The Act provides that it is mandatory for Licensing Authorities to include a condition in all premises licences and club certificates authorising the exhibition of film, for the admission of children to the exhibition of any film to be restricted in accordance with the recommendations given to films either by the British Board of Film Classification or by the Licensing Authority itself.

10.11 Should the Licensing Authority need to adopt its own system of film classification the information regarding such classifications will be published on the Local Authority's website.

10.12 Children and Public Entertainment: Many children go to see and / or take part in an entertainment arranged especially for them. For example, children's film shows and dance or drama school productions, and additional arrangements may be required to safeguard them while at the premises.

10.13 Where entertainment requiring a Licence is specifically presented for children, the Licensing Authority will normally expect the presence of at least one member of staff from the Licensed premises for every 50 children present to ensure their safety and protection from harm and to control their access and egress from the premises. The Council will require those caring for or supervising children to have undergone an appropriate Criminal Record check with the Disclosure and Barring Service.

10.14 With regard to this Licensing Objective, the Licensing Authority considers Durham County Council Safeguarding Children Board to be the competent authority for matters relating to the protection of children from harm. A protocol exists between Durham Local Safeguarding Children Board and Durham Constabulary. All safeguarding concerns identified as a result of premises, personal applications and all variations to licences are covered by this protocol.

10.15 Applicants are advised to seek advice from the Local Safeguarding Children Board and incorporate any recommendations in their Operating Schedule before submitting their applications

**Appendix B. Framework Licensing Hours - recommended hours for the operation of licensable activities (the sale of alcohol and the provision of late night refreshment) for categories of licensed premises situated within the County of Durham.**

<b>Category of Premise</b>	<b>Weekdays (Sunday to Thursday)</b>	<b>Weekends (Friday night into Saturday morning and Saturday night into Sunday morning)</b>	<b>Bank Holidays</b>
For premises licences and club premises certificates authorising the sale or supply of alcohol for consumption on or off the premises	07.00 to 00.00	07.00 to 01.00	<p>Good Friday Plus 1 Hour</p> <p>For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday</p> <p>(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).</p>
For licences not including the sale or supply of alcohol	07.00 to 23.30	07.00 to 00.30	<p>Good Friday Plus 1 Hour</p> <p>For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday</p> <p>(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).</p>
For licences not including the sale or supply of alcohol (community centres, village halls)	07.00 to 00.00	07.00 to 01.00	<p>Good Friday Plus 1 Hour</p> <p>For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday</p>

			(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).
For licences authorising late night refreshment as the primary licensable activity (takeaways)	01.00	02.00	<p>Good Friday Plus 1 Hour</p> <p>For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday</p> <p>(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).</p>

## **APPENDIX 6 – SECTION 182 GUIDANCE**

## **S182 GUIDANCE – CRIME AND DISORDER**

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

## **S182 GUIDANCE – PUBLIC NUISANCE**

2.14 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.

2.15 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 may 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.

2.16 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 persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 15). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.17 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.

2.18 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.19 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.

2.20 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, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

## **S182 GUIDANCE – PROTECTION OF CHILDREN FROM HARM**

2.21 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.22 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.23 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

2.24 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.25 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.26 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age



verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.27 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

2.28 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

2.29 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

2.30 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

## Offences relating to the sale and supply of alcohol to children

2.31 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

**Table of relevant offences under the 2003 Act**

<b>Section</b>	<b>Offence</b>	<b>Prosecuting Authority</b>
Section 145	Unaccompanied children prohibited from certain premises	Police and/or Licensing Authority
Section 146	Sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147	Allowing the sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147A	Persistently selling alcohol to children	Police and/or Local Weights and Measures Authority
Section 148 1	Sale of liqueur confectionery to children under 16. (This offence will be repealed by the Deregulation Act 2015 on 26 May 2015).	Police and/or Licensing Authority
Section 149	Purchase of alcohol by or on behalf of children	Police and/or Licensing Authority
Section 150	Consumption of alcohol by children	Police and/or Licensing Authority
Section 151	Delivering alcohol to children	Police and/or Licensing Authority
Section 152	Sending a child to obtain alcohol	Police and/or Licensing Authority
Section 153	Prohibition of unsupervised sales by children	Police and/or Licensing Authority

## **S182 GUIDANCE – PUBLIC SAFETY**

2.6 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation.

Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.7 A number of matters should be considered in relation to public safety. These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.11-2.12, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.8 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.33-8.41), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

### **Ensuring safe departure of those using the premises**

2.9 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

### **Maintenance and repair**

2.10 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for

a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

#### Safe capacities

2.11 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

2.12 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act<sup>1</sup>, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

2.13 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.