



Statutory Licensing Sub-Committee

Date Tuesday 5 June 2018
Time 10.00 am
Venue Committee Room 2 - County Hall, Durham

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest (if any)
4. Minutes of the Meeting held on 24 April 2018 (Pages 3 - 16)
5. Application for the Grant of a Premises Licence - Somma Pizza, Unit 1 Hobsons Buildings, Annfield Plain, Stanley (Pages 17 - 60)
6. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Helen Lynch

Head of Legal and Democratic Services

County Hall
Durham
25 May 2018

To: **The Members of the Statutory Licensing Sub-Committee**

Councillors P Atkinson, J Blakey, D Brown, C Carr and C Hampson

Contact: Jill Errington

Tel: 03000 269703

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DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Council Chamber - County Hall, Durham on **Tuesday 24 April 2018 at 10.00 am**

Present:

Councillor C Carr (Chair)

Members of the Committee:

Councillors L Brown, C Hampson and M Wilson

Also Present:

K Robson – Senior Licensing Officer

K Coulson-Patel – Solicitor, DCC

J & L News

Miss H Pallister

The Impeccable Pig

Mr T Hamer – Applicant's Agent

Mr J Adamson – Applicant

Mr M Carr – other person

Mrs G Wills – Sedgefield Town Council, other person

Mr Williams – other person

Mrs Williams – other person

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitute Members.

3 Declarations of Interest

There were no declarations of interest.

4 Minutes

The Minutes of the meetings held on 5 and 19 December 2017, and 9 January 2018 were agreed as a correct record and were signed by the Chairman.

With the agreement of all parties the order of business was amended to consider the application regarding J & L News first.

6 Application for the Grant of a Premises Licence - J & L News, 23 Willowtree Avenue, Gilesgate

Members: Councillor C Carr (Chairman), D Hicks and M Wilson

The Committee considered a report of the Senior Licensing Officer regarding an application for the grant of a Premises Licence in respect of J & L News, 23 Willowtree Avenue, Gilesgate (for copy see file of Minutes).

The application and supporting information had been circulated to Members, together with additional information provided by the Applicant. Members were informed that other persons Mr and Mrs Ramshaw, and Mr Cornforth and Ms Elliott had advised that they were unable to attend the hearing but had confirmed that the application be heard based upon their written representations. Members were advised that a further statement had been submitted by Mr and Mrs Ramshaw that they were still concerned about the surrounding area especially the play park as this would attract more unsocial behaviour. Also the length of opening hours until 10.00pm in a residential estate was far too late for the sale of alcohol and they believed it should be no later than 7.00pm. They were still far from happy that alcohol was being sold from premises in a quiet residential estate especially as they understood that another premises not too far away was also going to sell alcohol.

Following a request for clarification from K Coulson-Patel, Solicitor, the Senior Licensing Officer confirmed that the application was for the sale of alcohol off the premises between 09.00 to 22.00 hours Monday to Sunday and the opening hours were 06.00 to 22.00 hours.

Miss Pallister, the Applicant was invited to address the Sub-Committee and advised that she did not take her duties and responsibilities lightly and had received training. She had received a lot of positive feedback from residents and the application was much anticipated.

The Applicant submitted a staff training document 'Safe and Legal Training' and following a question from Councillor Carr confirmed that an incident book was already in use and she had brought the register for the Members to consider if required.

Councillor Hicks asked what other products were sold from the premises and was informed that the business sold newspapers, groceries, greetings cards and confectionary.

The Applicant and Senior Licensing Officer were invited to make any closing submissions but advised that they had nothing further to add.

The Sub-Committee **Resolved** to retire to deliberate the application in private at 10.15am.

After re-convening at 10.25am, the Chairman delivered the Sub-Committee's decision. In reaching their decision the Sub-Committee had considered the Senior Licensing Officer's report together with additional information from the Applicant and mediation with Durham Constabulary, the written representations of other persons and the written and verbal representations of the Applicant. Members had also taken into account Section 182 Guidance issued by the Secretary of State and the Council's Statement of Licensing Policy.

RESOLVED:

That the application be granted as follows:-

Activities	Days and Hours Requested
Sale of alcohol (off the premises)	Monday to Sunday: 09:00 – 22:00hrs
Opening Hours	Monday to Sunday: 06:00 – 22:00hrs

The additional conditions added by the Applicant following mediation with Durham Constabulary be imposed upon the Premises Licence:

General

- i. Written protocols will be in place detailing Policies, Procedures, Roles and Responsibilities in the effective implementation and management of the licensing objectives. This documentation will be held 'on-site' and made available to Responsible Authorities on request.
- ii. All spirits sold at the premise will be kept behind the counter and accessible to staff only.
- iii. Alcohol will not be merchandised within close proximity to confectionary or other products that are attractive to children.
- iv. The premise shall not place any more than three alcohol related posters externally, this will include no window advertising and/or window displays. The premise will ensure internally that any alcohol related marketing will be kept within the designated licensable area of the premise and will be kept to product shelves only.
- v. Authorised staff employed by Durham Police shall have free access to all parts of the licensed premises, at all reasonable times, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.

The Prevention of Crime and Disorder

- i. Visual inspection and personal interaction with customers, will enable staff to determine if a customer is fit to be sold alcohol. If staff believe a person to be intoxicated with drink or drugs they will be refused.
- ii. The premise will liaise with the local Neighbourhood Beat Officers to ensure that the cameras are positioned to maximise coverage within all internal areas of the premise.
- iii. Notices will be clearly displayed at the entrance and around the premise stating CCTV is in operation.
- iv. Persons known to be, or suspected of buying alcohol on behalf of children will be refused and reported to the Police.

Public Safety

- i. The premise will maintain an incident book, and record and report all instances of disorder both inside and directly outside the premise.

The Prevention of Public Nuisance

- i. The Designated Premise Supervisor (DPS) will be responsible for ensuring that groups of young people are discouraged from congregating outside the premise. The DPS will actively work with the local Beat Officers/PCSO's in the reporting of any ASB connected to the premise.

The Protection of Children from Harm

- i. The premise will display posters regarding Challenge 25, Proxy Sale and Operation Aries (tackling underage drinking in County Durham).

The following conditions suggested by the Applicant within the Operating Schedule be imposed upon the Premises Licence:-

General

- i. All staff will be trained to understand their responsibilities with regard to the retail sale of alcohol. Records of all staff training will be maintained and updated accordingly every 12 months.

The Prevention of Crime and Disorder

- i. A 4 camera CCTV system is in place covering all licensed areas including a single camera focussing on the public entry and exit point. This will enable good facial recognition of people entering and exiting the premises.
- ii. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times customers remain on the premises. All recordings shall be stored for a minimum of 31 days and can be accessed on site. Viewings of any recordings shall be made available immediately upon the request of police or any authorised officer.
- iii. The premises licence holder will undertake to ensure the system is maintained at regular intervals to ensure the system is working correctly.
- iv. The supply of alcohol at the premises shall only be for off sales and no alcohol will be consumed on the premises. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of any refusals, detailing the member of staff who refused the sale. This would be made available to the police or an authorised officer of the Council at all times when the premises are open.

Public Safety

- i. The premises will be maintained in a safe manner at all times.
- ii. All exits will be clear of hazards.
- iii. All staff will be trained in emergency procedures and records maintained.

The Prevention of Public Nuisance

- i. All refuse will be disposed of in an appropriate manner. Staff will be instructed to maintain all external areas in a clean and presentable manner at all times.

The Protection of Children from Harm

- i. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving license, passport, forces ID cards or any proof of age card that carries the PASS logo.

- ii. Staff will be trained in the understanding of this policy and training records maintained for inspection if requested by the police or any other responsible authority.
- iii. Fully trained staff who will promote measures to support all licensing objectives.
- iv. Policies and procedures in place to ensure safety of all patrons and interested parties.
- v. Maintain property, inside and out, including relevant signage and litter bins to promote all licensing objectives.
- vi. Applicant to co-operate with all interested parties to promote licensing objectives.

5 Application for the Grant of a Premises Licence - The Impeccable Pig, Front Street, Sedgefield

Members: C Carr (Chairman), D Hicks and C Hampson.

The Committee considered a report of the Senior Licensing Officer regarding an application for the grant of a Premises Licence in respect of The Impeccable Pig, Front Street, Sedgefield (for copy see file of Minutes).

A copy of the application and supporting information had been circulated together with additional information from the Applicant and Mr Williams on behalf of Mrs Williams, other person.

At this point it was confirmed by Councillor C Carr and Mr M Carr, other person that they were not related and therefore there was no conflict of interest which would prevent the Councillor from determining the application.

Mr Carr asked the Sub-Committee to consider a location plan which he wished to refer to. Mr Hamer, the Applicant's Agent objected to the late submission which he considered would be unfair to his client as he had not been given an opportunity to consider the new information.

The Sub-Committee decided that the plan submitted by Mr Carr should not be taken into account but noted that it was already included in the Bundle and could be referred to in Mr Carr's own submissions.

Mr Hamer advised that his client wished to reduce the hours for licensable activities from 1.00am until 12 midnight on Fridays.

Mr Carr was invited to address the Sub-Committee. He began by stating that the building was in a conservation area which he believed contributed to the attraction of the premises, and in an area that was now over-commercialised. Mr Hamer had said that he had stated that there were 'no hours attached' but he had not; he had

meant that a closing time of 12 midnight and 1.00am did not mean that customers would leave at that time as there was no drinking up time specified. The size of the building had increased considerably and there were 96 residential properties around the site. The Applicant's statement that eating hours were changing was not reflected in other local hotels and restaurants. Mr Carr provide examples of the closing hours of other venues in the area.

The premises may have 10 rooms but the main area was a brasserie capable of hosting 200 people and Mr Carr was therefore of the view that it was not primarily a hotel.

All customers had to enter and exit onto Front Street and the village green. There were issues with another premises in the village including the slamming of taxi doors and the over-ordering of mini-buses. He also felt that customers would not be as thoughtful about reading notices asking them to respect neighbours late at night. The last public transport service left the village at 11.30pm.

Mr Carr concluded by wishing the venture success but hoped that the proposed hours could be reduced.

Councillor Wills addressed the Sub-Committee on behalf of the Town Council and residents of Sedgefield. She advised that there had been an increase in events in and around the village accompanied by live/recorded music, some of which were outdoors. The Town Council had seen a huge number of complaints as a result.

She appreciated that there was now more focus on eating out and the Town Council was not averse to the venture. The Town Council had been tolerant of the issue of parking on the village green by construction vehicles for almost a year.

Councillor Wills referred to the Council's Statement of Licensing Policy and explained that the Town Council's main concerns were in relation to the licensing objective 'prevention of public nuisance'. They accepted that the applicant had removed live/recorded music outdoors but noted that plays and dance, indoors and outdoors, had been retained.

It was clear that the building was not sound-proofed and Councillor Wills asked how noise levels would be controlled to ensure that noise was regulated.

The Applicant had stated that there was parking for 10 vehicles but the registered village green was to the front and could not be used for extended parking.

Members were informed that the Town Council managed the nearby Parish Hall which had been the subject of noise nuisance in the past. The Town Council had mitigated against this and with this in mind, and in light of their own experience, she requested that the hours be restricted to 12 midnight in line with other premises in the locality, and for all activities to be indoors. Councillor Wills asked if the applicant proposed to address the issue of potential noise now as opposed to waiting until noise nuisance occurred.

In response to a question from Councillor Carr, Councillor Wills advised that the Town Council had contacted the Licensing Authority about noise and the Senior Licensing Officer confirmed that letters had been sent to the Town Council and other parties in relation to this. Councillor Wills advised that they may have been received too late for consideration by a Council meeting.

Mr Williams was invited to address the Sub-Committee on behalf of his mother. He explained that his mother's bedroom backed onto the former Hope Inn which was a party wall, and pointed out the position of the room on the location plan in the Bundle. The impact of noise had been felt when the function room of the Hope Inn was used and this room had now been integrated into the building to form one large space. He was concerned that acoustic insulation had been overlooked and did not think this would be difficult to sort now as opposed to finding out that there were problems when the business was operating.

He had contacted the Licensing Authority with regard to payment of the works to reduce noise, and advised that he had not asked the Applicant to pay for insulation of his mother's property, but for noise mitigation in the premises.

At this point the Chairman advised that in view of what had been said to this point an attempt at mediation by the parties prior to the Sub-Committee may have been useful. Therefore the hearing would adjourn to allow all parties to try to reach agreement. In doing so he asked that consideration be given to:-

- Bottles to be emptied before 8pm and not before 8am
- A drinking up time
- The hours for all licensable activities
- Closing windows and doors after a certain hour
- Noise mitigation
- Delivery times
- Parking provision.

Prior to adjourning, Mr Adamson, the Applicant stated that there was no intention for music or entertainment outdoors, there would only be background music indoors and the village green would not be used as a car park. He wanted to work with the Town Council and the residents to reach agreement.

All parties retired at 11.45am.

After re-convening at 12.15pm the Senior Licensing Officer advised of the agreement reached, as follows:-

- All licensable activities to end at midnight
- All outdoor activities removed from the application
- Live music to be restricted to 8 live events per year
- All windows and doors to be closed by 10.00pm
- Bottle emptying and deliveries to take place between the hours of 8.00am and 8.00pm
- Drinking up time to be included in the licensed hours

The Solicitor added that it had also been agreed that sound equipment would be installed in Mrs William's property following completion of the works to the premises, and a time be arranged for testing with the relevant parties present.

At 12.25pm the Sub-Committee **Resolved** to retire to deliberate the application in private. After re-convening at 12.30pm the Chairman delivered the Sub-Committee's decision. In reaching their decision the Sub-Committee had considered the report of the Senior Licensing Officer and additional information provided by the Applicant and Mr Williams, the verbal and written representations of the Applicant's Agent, the Applicant and other persons, and the agreement reached between the parties. The Members had also taken into account Section 182 Guidance issued by the Secretary of State and the Council's Statement of Licensing Policy.

Resolved:

That the application for the grant of a Premises Licence be granted as follows:-

Activities	Days & Hours Requested
Provision of plays (Indoors)	Monday to Sunday: 23:00 – 00:00 hrs
Provision of films (Indoors)	Monday to Sunday: 08:00 – 00:00 hrs
Provision of indoor sporting events	Monday to Sunday: 23:00 – 00:00 hrs
Provision of live music (Indoors) restricted to 8 events per year.	Monday to Sunday: 23:00 – 00:00 hrs
Provision of recorded music (Indoors)	Monday to Sunday 23:00 – 00:00 hrs
Provision of performances of dance (Indoors)	Monday to Sunday 23:00 – 00:00 hrs
Late Night Refreshment (Indoors)	Monday to Sunday 23:00 – 00:00 hrs
Sale of Alcohol (on and off the premises)	Monday to Sunday 08:00 – 00:00 hrs Alcohol will be provided to residents at any time whilst they remain a resident. It is anticipated that the pub will have members of the public on the premises 24/7.
Opening Hours	Monday to Sunday: 00:00 – 00:00 hrs

The additional conditions added by the Applicant following mediation with the Environment Health noise team:

Prevention of Public Nuisance

- i Live and recorded music outdoor will not be part of the Premises Licence.

The Committee also considered the conditions suggested within the Operation Schedule and believe it was necessary to impose the conditions on the Licence as follows:

General

- i The premises will have a named Designated Premises Supervisor.
- ii There will always be someone on the premises with a Personal License.
- iii Appropriate signage will be displayed externally and internally to include:
 - CCTV images are being recorded for your safety.
 - Proof of age – Challenge 25.
 - Please respect our neighbours when leaving the premises.
 - Drugs Policy.
 - Restricted times when drinks are not permitted outside the premises
 - The Smoke free (Premises and Enforcement) Regulations 2006 –
 - External Signage
 - Admission and supervision of children under the age of 16.
- iv In respect of training, the Manager and Duty Managers will be trained in formal qualifications to Personal License level.
- v All staff will receive training will include:
 - Company induction.
 - Health & Safety.
 - Fire Safety and Evacuation Procedures.
 - Food Safety & Hygiene.
 - The Sale of Alcohol – The Licensing Law and Challenge 25.
 - Conflict Management.
- vi The staff training records will be held on the Company intranet.

The Prevention of Crime and Disorder

- i. The premises will be part of the local Pub Watch scheme and the manager will attend scheduled meetings and share relevant information to the Police and local licensed premises.
- ii. A policy for the use of toughened or plastic drinking glasses for outside consumption of drinks may be established following completion of a risk assessment where national sporting events are televised.
- iii. On occasions that security operatives are employed they will be licensed by the SIA. Security staff will be required to sign in and a record of their license will be recorded including license number and expiry date.
- iv. In addition to providing accommodation the primary function of the premises is for the sale of food and drink. A table and seating plan will be available prior to opening.
- v. Drug awareness training will be provided for all staff. A record will be kept of the date and name of person trained. Records will be made available for Inspection by the police or licensing authority.
- vi. The Applicant will maintain the long-standing relationship with Local Police and communicate on a regular basis.
- vii. In respect of the prevention of illegal drugs and weapons being brought into the premises, the premises will operate a Zero Tolerance Policy which will cover:

Notices will be displayed within the entrance to the premises.

All staff will be trained and made aware of the requirement to call the Police if a customer is suspected of being in possession of drugs or weapons.

A policy for seizing, retaining and documenting any drugs or weapons found with a clear audit trail and a process for surrendering them to the Police.

Regular, recorded toilet checks will be carried while the premises are open.

Drug awareness training will be provided for all staff. A record will be kept of the date and name of person trained. Records will be made available for inspection by the police or licensing authority.

- viii. CCTV will be installed inside and outside the premises. The cameras will cover all internal areas accessible to the public and areas immediately outside the premises. The date and time settings on the system will be correct.

- ix. CCTV recordings will be in real time and on hard drive with the availability to copy disks for other agencies such as the police.
- x. CCTV recordings will be kept for a minimum period of 31 days.
- xi. Management and Supervisors will be trained in the maintenance and operation of the CCTV system with a record kept of the date and name of person trained.
- xii. Records will be kept at HQ and can be available for inspection by the police or licensing authority.
- xiii. A trained Duty Manager will be on duty to operate the CCTV system whenever the premises are open.
- xiv. Customers will be encouraged to leave the premises quietly and respect local residents. Signage will be displayed inside and outside the premises.
- xv. The consumption of drinks will be prohibited outside the premises at specified times.
- xvi. Regular, recorded checks of toilets and outside areas will be carried out. Any anti social or suspicious behaviour will be reported to the Duty Manager.

Public Safety

- i. A Fire Risk Assessment will be carried out prior to opening and this will specify the permitted occupancy of the premises.
- ii. Maintenance records and certificates for the following equipment will be kept in the premises Fire Log File:
 - Fixed Electrical Wiring Installation and PAT
 - Gas Certificates for kitchen and heating equipment
 - Fire Alarm test/maintenance records.
 - Emergency Lighting and illuminated signage
 - Kitchen extraction cleaning
- iii. Kitchen equipment and refrigeration will be serviced by the company nominated contractor.
- iv. The Premises are covered by CCTV both internally and externally. The system will record on hard drive and copies will be made in the event of an accident or incident. These copies will be held with the Group Health and

Safety Manager along with the completed Accident & Incident Report Forms and Witness Statements.

- v. There will be compliance with The Smoke-free (Premises and Enforcement) Regulations 2006.
- vi. External designated smoking areas will be provided and will be checked and maintained at regular intervals.

The Prevention of Public Nuisance

- i. A Fire Risk Assessment will be carried out prior to opening and this will specify the permitted occupancy of the premises.
- ii. The premises will provide information on licensed local taxi providers.
- iii. "Wind down Period" There will be agreed wind down period between the end of licensable activities for non-residents and closure of the premises.
- iv. Customers will be encouraged to leave the premises quietly and respect local residents. Signage will be displayed inside and outside the premises.
- v. A last admission policy will be adopted.
- vi. Regular recorded checks will be made of the outside areas, for e.g., glass collection and litter collection and emptying of ash trays.

Protection of Children from Harm

- i. Children under the age of 16 will be permitted in the premises if accompanied and supervised by an adult between the specified hours.
- ii. Clear signage will be displayed advising customers of the Child Admission Policy.
- iii. Managers, Duty Managers and staff will be trained in the premises admission of children policy and signed records will be available for inspection.

The following conditions be added to the Licence:

- i. All outdoor activities are to be removed from the proposed activities and therefore remain as indoor only.
- ii. In respect of the provision of live music, this will be limited to 8 events per year.

- iii. In respect of the all of the hours proposed for the licensable activities this will be reduced from 01.00hrs to 00.00hrs.
- iv. The Applicant proposes that the clearing away of glasses and bottles does not take place after the hours of 20.00 hrs or before the hours of 08.00hrs.
- v. In respect of deliveries, these will be controlled and take place between the hours of 08.00 hrs and 20.00hrs.
- vi. The Applicant proposes that the windows and doors would be closed after the hours of 22:00hrs.
- vii. A noise survey will be carried out within Mrs Williams' property upon completion of the construction work whereby the sound equipment will be placed at high volume. Sound equipment will be in place to monitor and measure the levels to determine whether this is suitable. The timing will be agreed between the parties, a nominated expert would be appointed and where necessary the reasonable costs are to be borne equally between the parties.
- viii. The drinking up time for non-residents is to be concluded by 00:00hrs.

Statutory Licensing Sub-Committee

5th June 2018

Application for the Grant of a Premises Licence



Report of Ian Thompson, Corporate Director, Regeneration and Local Services

Name and Address of Premises: Somma Pizza, Unit 1 Hobsons Buildings, Annfield Plain, Stanley, Co Durham DH9 8EU.

1. Summary

The Sub-Committee is asked to consider and determine the application for the grant of a premises licence for Somma Pizza, Hobsons Buildings, Stanley received from Mr Hardy Tahir.

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 12th April 2018. A copy of the application is attached as Appendix 2.

The application is deemed by the Licensing Authority to be correctly served and advertised in accordance with the Licensing Act regulations.

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

Activities	Days & Hours Requested
Late Night Refreshment (Indoors)	Sunday – Thursday 23:00 hrs until 23:55 hrs Friday & Saturday 23:00 hrs until 01:00 hrs

3. The Representation

The Licensing Authority received one letter from Durham Constabulary (Responsible Authority) during the consultation period in relation to the premises licence application. The licensing authority has deemed this a relevant representation in relation to the following licensing objectives:

- The Prevention of Crime and Disorder

A copy of the representation dated 10th May 2018 is attached and also additional comments from Durham Constabulary dated 22nd May 2018. Please see Appendix 3.

For Members' information – Responses were received from the following Responsible Authorities, confirming that they had no comments to make in relation to the application:

- Durham County Council Environmental Health Team (Noise)
- Durham County Council Local Safeguarding Children Board
- Durham County Council Planning Department
- Fire Authority

Copies of these responses are attached at Appendix 4.

Mr Hardy Tahir provided the licensing authority with a copy document on 21st May 2018 from _____ namely an Application Registration Card, attached as Appendix 5.

4. Parties

The Parties to the hearing will be:

Mr Tahir Hardy (Applicant)
Durham Constabulary (Responsible Authority)

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 Crime & Disorder

Relevant information is attached as Appendix 6.

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 – 2.6 The Prevention of Crime and Disorder

Relevant information is attached as Appendix 7.

7. For Decision

The Sub-Committee is asked to determine the application for the grant of a premises licence 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 April 2017)

Contact: Karen Robson**Tel: 03000 265104****Email: karen.robson2@durham.gov.uk**

APPENDIX 1 – LOCATION PLAN

APPENDIX 2 – PREMISES LICENCE APPLICATION

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

County Council

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

12 APR 2018

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.

Adult & Health Services

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

I/we MR. HAROY TAHIR
 (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			
unit 1 HOBSONS BUILDING SOMMA PIZZA UNIT 1 HOBSONS BUILDING			
Post town	STANLEY	Postcode	DH98EY
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 4700 3,150.00	

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/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) 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 (by ticking yes to one box below):

- 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname TAHIR		First names HARDY		
Date of birth over		I am 18 years old or <input checked="" type="checkbox"/> Please tick yes		
Nationality				
Current residential 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		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	0	4 2018

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)

Hot food TAKE AWAY
PIZZA
KebabS

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)				
Day	Start	Finish					
Mon							
Tue				<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)			
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 6)		
Fri							
Sat							
Sun							

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and - timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Thur			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	5.00 13.00 17.00	11.55 23.55	<u>Please give further details here</u> (please read guidance note 4)		
Tue	5.00 13.00 17.00	11.55 23.55			
Wed	17.00 23.00	23.55	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	17.00 23.00	23.55			
Fri	17.00 23.00	01.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	17.00 23.00	01.00			
Sun	17.00 23.00	23.55			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

□□□□

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	17.00	23.55	
Tue	17.00	23.55	
Wed	17.00	23.55	
Thur	17.00	23.55	
Fri	17.00	01.00	
Sat	17.00	01.00	
Sun	17.00	23.55	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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 10)

WE WILL ENDEAVOUR TO CONDUCT OUR BUSINESS AS IT IS CURRENTLY OPERATING TROUBLE FREE DURING OUR CURRENT TRADING HOURS
~~FF~~ TO PROMOTE THE FOUR LICENSING OBJECTIVES WE ARE/WILL ALSO ENSURE THE FOLLOWING MEASURES ARE ADHERED TO.
~~RIGHT OF WAY~~ ~~WEEK~~ TO PROVIDE AN EXCELLENT/FAST AND EFFICIENT SERVICES TO THE CUSTOMERS

b) The prevention of crime and disorder

CCTV IS INSTALLED TO MONITOR THE ENTRANCE/EXIT AND OTHER PARTS OF THE PREMISES
NO UNSOCIAL ACTIVITIES OR CRIMINAL ACTIVITIES TO TAKE PLACE WITHIN THE SHOP PREMISES
TO ENSURE THE SURROUNDING AREAS ARE WELL LIGHTED

c) Public safety

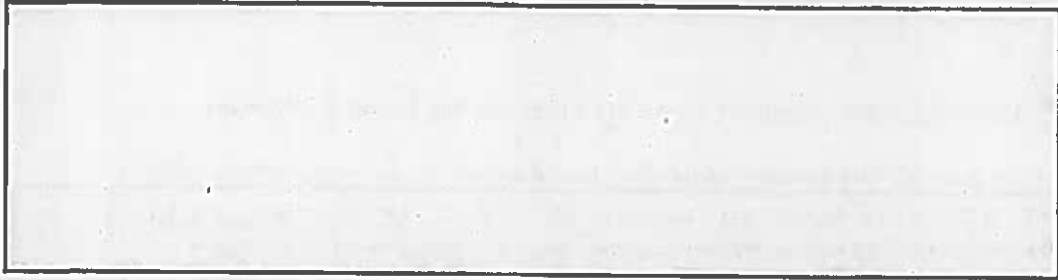
ENSURE ALL STAFF ARE TRAINED AND EXPERIENCED TO LOOK AFTER THE CUSTOMERS
ENSURE STAFF ARE TRAINED IN RESPONSE AND EVACUATION PROCEDURES
STAFF TRAINED IN HANDLING AGGRESSIVE CUSTOMERS

d) The prevention of public nuisance

OPERATE WITH THE POLICE AND ENVIRONMENTAL DEPARTMENTS CLOSELY
SEEK ADVICE WHEN NECESSARY
~~MANAGING RUBBISH IN THE AREA~~
MANAGING GROUPS OF PEOPLE LOITERING AROUND THE AREA OF THE SHOP
MANAGING THE NOISE OF CUSTOMERS LEAVING THE SHOP

e) The protection of children from harm

USE OF APPROVED SAFE PLASTIC TO SERVE HOT FOOD
USE APPROVED CARRIER BAGS THAT CAN CARRY HOT FOODS
SAFETY SIGNS / WET FLOOR / SPILLAGES



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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	26.03.2018
Capacity	OWNER

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

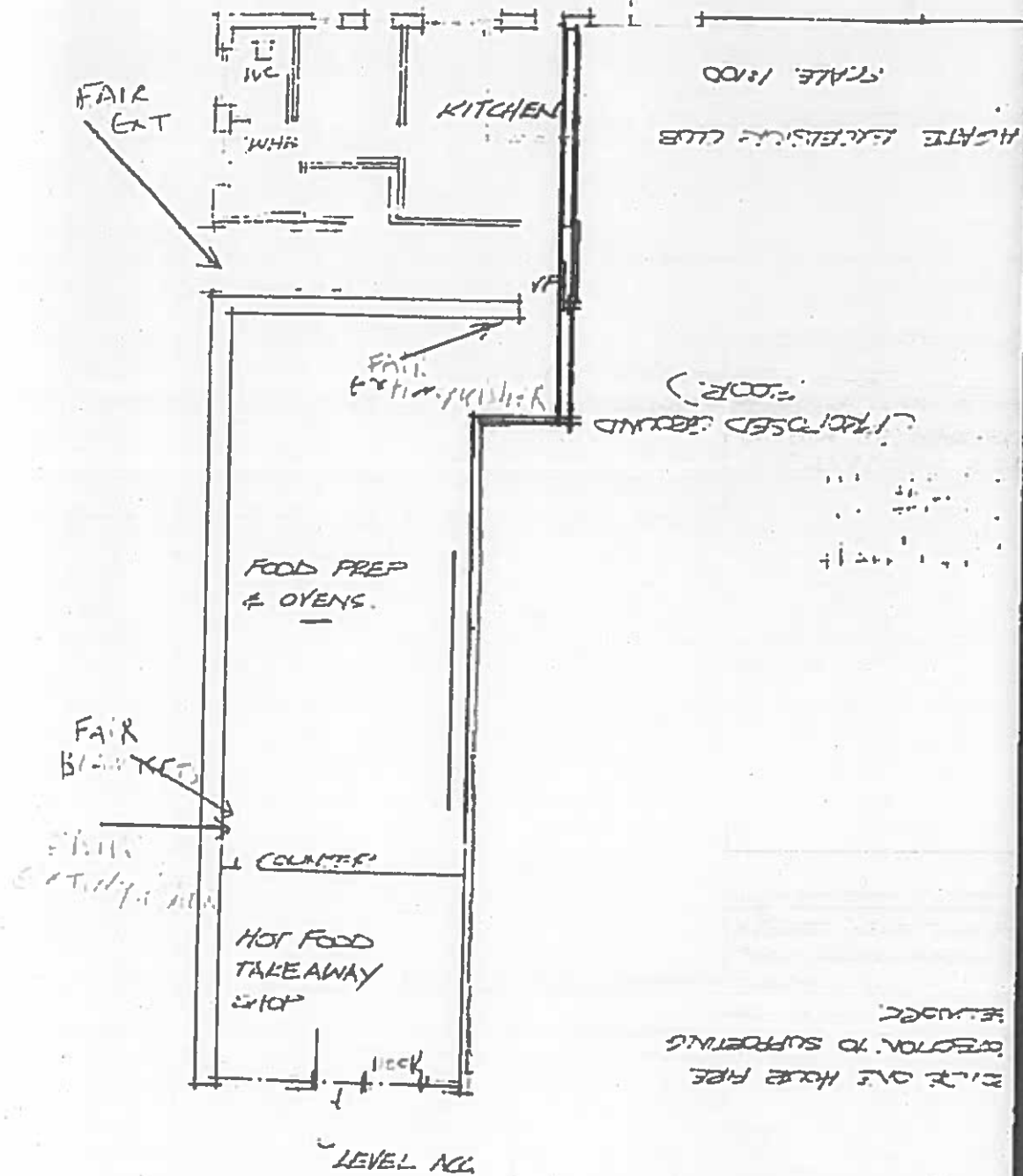
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:

FINDING: IN SUTURE AREA
 BELOW KITCHEN AREA AS
 SHOWN (ONE HOUR F.P. TO US OF FLOOR)



SCALE 1:100

SOMMA PIZZA

**APPENDIX 3 – REPRESENTATION FROM
DURHAM CONSTABULARY**

Karen Robson

From: Caroline Dickenson
Sent: 10 May 2018 14:02
To: Karen Robson; Yvonne Raine; 'carol.graham@durham.gov.uk'
Cc: Alcohol Harm Reduction Unit; Michelle Williamson
Subject: Objection Somma Pizza

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern

Durham Constabulary are wishing to formally object to the application for a premises licence made by Mr Hardy TAHIR for SOMMA PIZZA, Unit 1 HOBSONS BUILDING, STANLEY, DH9 8EU.

The grounds for this objection are as follows

A visit was made to the premises on 22nd March 2018 and found to be working there was male by the name of [redacted] a further visit was made to the premises on 26th March 2018 and again this male [redacted] was present. [redacted] has no right to work in the UK, this has been confirmed with immigration on 10th May 2018 and since seeking asylum in the UK he has never been given the right to work.

I am not confident the applicant Mr Hardy TAHIR has carried out the appropriate checks on [redacted] to establish his entitlement to work in the UK. The application form makes it clear it is an offence to employ individuals who do not have an entitlement to work in the UK. This application is dated 26th March 2018 which one of the days [redacted] was at the premises.

In order to address our concerns around this Mr TAHIR was contacted and then emailed a list of condition's Durham Constabulary would want on the licence so we could ensure promotion of the four licencing objectives. One of which was around the eligibility to work which is documented below.

The premises will ensure that all relevant documents confirming a person's eligibility to work in the United Kingdom, as per the checks carried out under Sections 15 to 25 of the Immigration, Asylum and Nationality Act 2006, are held on site at all times the premises is open, and made available to Durham Constabulary and Responsible Authorities on reasonable request.

Mr Tahir has failed to respond to any telephones calls or emails in relation to this matter.

I am not satisfied that Mr Tahir has demonstrated on his application how he would promote the four licencing objectives and am therefore objecting to the application at this time under crime and disorder objective.

Thankyou

Caroline Dickenson
PS 484
Harm Reduction Unit
Darlington
Durham Constabulary

Karen Robson

From: Caroline Dickenson
Sent: 22 May 2018 11:21
To: Karen Robson;
Cc: Alcohol Harm Reduction Unit; Michelle Williamson
Subject: RE: Objection Somma Pizza

Morning

Further to the objection Durham Constabulary made on 10th May 2018 regarding the premises licence applications made by Mr Hardy TAHIR for SOMMA PIZZA, Unit 1 HOBSONS BUILDING, STANLEY, DH9 8EU.

I wish to add the following, Mr TAHIR contacted the alcohol harm reduction unit on 16th and 17th May 2018 to discuss how his application could be progressed. On 17th May 2018 PCSO Williamson spoke to Mr TAHIR and during this conversation it was stressed to him by PCSO Williamson that the licence application had been objected to and that he couldn't open beyond 11pm until the licence was granted.

On Friday 18th May 2018 at 23:20 hrs SOMMA PIZZA was visited by the police, the shop was still open and trading, customers were in the shop purchasing food, the girl behind the counter was taking a telephone food order and staff in the rear of the premises were preparing food.

On speaking with the staff working in the kitchen area of the premises one was a male by the name of [REDACTED], the same male who had been in the shop on the previous two visits and is referred to in my original objection.

[REDACTED] has no right to work in the UK, this has been confirmed with immigration on 10th May 2018 and again on 21st May 2018. Since seeking asylum in the UK he has never been given the right to work.

Mr TAHIR turned up at the premises, he stated [REDACTED] wasn't working and that he gets 10 people per night to have trials at the pizza shop and so he can see who he might want to employ. Mr TAHIR then stated that [REDACTED] had provided him with his right to work card and he could work in the UK.

Mr TAHIR has since provided a copy of [REDACTED] application registration card, which is valid from 16/04/2018-16/04/2018 and under the remarks section of the card it does state
Work permitted
Shortage OCC
No Public Funds

Which in essence means that [REDACTED] could work in the UK but only if he is working in a job which is detailed in the Immigration Rules Appendix K: shortage occupation list. This list is provided when the registration cards are issued so [REDACTED] was fully aware what occupations he could work in.

I have below copied the wording from the document which refers to a chef and it clearly states it does not allow work in a fast food outlet

Skilled chef where:
the pay is at least £29,570 per year after deductions for accommodation, meals etc; and
the job requires five or more years relevant experience in a role of at least equivalent status to the one they are entering; and the job is not in either a fast food outlet, a standard fare outlet, or an establishment which provides a take-away service; and

The job is in one of the following roles:

**APPENDIX 4 – COMMENTS FROM
RESPONSIBLE AUTHORITIES**

Carol Graham - Licensing Assistant (N'hoods)

From: Ted Murphy
Sent: 12 April 2018 14:03
To: Carol Graham - Licensing Assistant (N'hoods)
Subject: RE: Licensing - new premises licence application received

Hi Carol,

No NAT objection to premises licence.

Regards

Ted Murphy
Senior Environmental Health Officer
Adult and Health Services

Dear Sir/Madam

The following application has been received/accepted by Durham County Council and is attached.

Les – please can you check the blue notice

1
Application Type - Application for a new Premises Licence
Applicant: - Mr Hardy Tahir
Premises – Somma Pizza, Unit 1 Hobsons Building, Stanley. DH9 8EU
Date of Application – 12 April 2018 Last date for representations – 10 May 2018

Please note the last date for representations

Carol Graham
Licensing Assistant

Carol Graham - Licensing Assistant (N'hoods)

From: Sean Barry
Sent: 12 April 2018 14:12
To: Carol Graham - Licensing Assistant (N'hoods)
Cc: AHS Licensing
Subject: RE: Licensing - new premises licence application received Somma Pizza, Unit 1 Hobsons Building, Stanley. DH9 8EU

Good Afternoon

I have received an application to vary a licence for the establishment: Somma Pizza, Unit 1 Hobsons Building, Stanley. DH9 8EU

I have no comments or objections to make on behalf of Durham Local Safeguarding Children Board.

My Ref: SB/2018/034

Thanks
Sean

Soma Pizza

Contact: Tracey Outhwaite
Direct Tel:
email:
Your ref:
Our ref: CON28/18/00842



Carol Graham

24th April 2018

Dear Carol Graham

Proposed Application for a new Premises Licence.
At Unit 1 Hobsons Buildings North Road Catchgate Stanley

In response to your enquiry regarding the views of the Planning Department in relation to the above, I can confirm that the Northern Area Planning Team have no comments to make at this time.

I trust this information is of assistance however, should you wish to discuss this matter further please do not hesitate to contact me.

Building Regulation consent will not be required for your proposal, based on the information you have provided.

I trust this information is of assistance however, should you wish to discuss this matter further please do not hesitate to contact me.

Yours sincerely

Tracey Outhwaite
Assistant Planning Officer

Regeneration and Local Services

Durham County Council, Planning Development (North), Room 4/86-102, County Hall, Durham,
DH1 5UL

Carol Graham - Licensing Assistant (N'hoods)

From: FS-Derwentside
Sent: 17 April 2018 11:04
To: Carol Graham - Licensing Assistant (N'hoods)
Subject: RE: Licensing - new premises licence application received

Hello Carol,

I can confirm that the fire authority has no objections or comments to make in respect of this application.

Kind Regards

Dave Mitchelson

Application Type - Application for a new Premises Licence

Applicant: - Mr Hardy Tahir

Premises – Somma Pizza, Unit 1 Hobsons Building, Stanley. DH9 8EU

Date of Application – 12 April 2018

Last date for representations – 10 May 2018

Please note the last date for representations

Carol Graham

**APPENDIX 5 – APPLICANT PROVIDED DOCUMENT
FROM [REDACTED]**

APPLICATION REGISTRATION CARD



NAME



VALID UNTIL

11-04-2020

PLACE AND DATE OF ISSUE

UK 16-04-2018

TYPE OF PERMIT

ARC - CLAIMED ID

ASYLUM

ISSUES

WORK PERMITTED

SHORTAGE OCC

NO PUBLIC FUNDS



**HOLDER NOT
REQUIRED TO SIGN
HOLDER'S SIGNATURE**



APPENDIX 6 – 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, licensees 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 dependent 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.

APPENDIX 7 – SECTION 182 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 including the prevention of illegal working in licensed premises (see paragraph 10.10). 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.

- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

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