

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Conference Room 2 - Council Offices, Spennymoor on **Monday 24 September 2018 at 10.00 am**

Present:

Councillor C Hampson

Members of the Committee:

Councillors J Blakey, L Brown, C Hampson and D Hicks

Also Present:

S Buston (Solicitor)

H Johnson (Licensing Team Leader)

Ustinov College

I Macdonald (Applicant)

T Pitts (President of Ustinov College)

Chaplains

M Foster (Applicants Solicitor)

DC D Haythornthwaite – Durham Constabulary (Responsible Authority)

Sgt C Dickinson - Durham Constabulary (Responsible Authority)

PCSO M Williamson – Durham Constabulary (Responsible Authority)

The Viaduct

S Singh Badesha (Applicant)

M Foster (Applicants Solicitor)

K O'Brien (Other Person)

1 Apologies for Absence

No apologies for absence were received.

2 Substitute Members

There were no substitute members in attendance.

3 Declarations of Interest (if any)

Councillor Brown declared an interest in item no. 5. as her husband was an employee of the College associated with the premises.

Councillor Hicks declared an interest in item no. 6 as the premises was within the ward he represented as County Councillor.

4 Minutes

The minutes of the meetings held on 3 July 2018 and 4 September 2018 were agreed as a correct record and signed by the Chairman.

5 Application to Vary a Club Premises Certificate - Ustinov College, Sheraton House, Sheraton Park, Durham

Councillor L Brown did not participate in the determination of this item.

The Committee considered a report of the Corporate Director, Regeneration and Local Services, to determine the application for the variation of a premises licence in respect of Ustinov College, Sheraton House, Durham (for copy see file of minutes).

The Licensing Team Leader presented the report and confirmed that of the two representations received, one had been withdrawn. The others were from Ms Hogan, who was not in attendance, but had cited noise disturbance and antisocial behaviour on leaving the premises at night, as the reason for objecting to the proposed extension of hours.

It was confirmed that the number of properties at Sheraton Park was in excess of 300. It was also noted that the properties were primarily town houses, most comprised of families, however there was a number of houses with multi-occupancy status.

The Applicant confirmed that since the premises opened in September 2017, it had been operating strictly in accordance with the conditions attached to the licence. In his role as Secretary of the Club, he confirmed that Ustinov College was a good neighbour and minimise disruption to residents.

The application sought to extend the hours of drinking on Thursday-Saturday. The students at Ustinov College were post-graduate and operated to their own schedule, the majority having to attend classes until 6pm. This inevitably resulted in additional travel time home and the preparation of food went on until later in the evening, following which they tended to socialise in their kitchens before retiring to the bar area in the evening at 9pm. The entertainment in the bar was rushed as it was compressed in such a small window of time. This extension would ensure that students could enjoy the evening for slightly longer and would extend the drinking-up time.

With regards to residents' concerns, the Applicant had always consulted widely and had approached the Residents Association, Neville's Cross Community Association and met with Police and Local Councillors. Residents were represented by a member of the community on the bars Committee and there had been no objection by any of the parties consulted. The Police had confirmed that there had been no adverse police reports and a dedicated email address which had been widely publicised in the area, specifically to report any concerns regarding the College, had not been used to report any noise or antisocial behaviour.

There was a night porter on duty who had access to a senior member of staff, for any emergencies. This protocol was yet to be invoked this year and it was important to note that there was a soiling fee charged by housekeepers which had never needed to be paid.

The College would remain committed to the objectives they had been operating to, and the additional hours were not expected to have any detrimental impact to residents amenity. Should the situation change, Mr Macdonald confirmed that there would be a prompt response.

Mr Pitts confirmed that Ustinov College students were more mature post graduates, most were international students whose average age was between 21-25.

In response to a question from Councillor Blakey the Applicant confirmed that live music was played in the bar area on evenings, but this was an area which had been designed following advice from a noise pollution consultancy to establish the best way to prevent sound escaping. It had been constructed with the most effective acoustic glass and could be described as a 'sealed box'. There were no outdoor seating areas for people to congregate and the bar was unique in that only students from Ustinov College could gain entry – it was not open to members of other colleges or the public, unless they were signed in as a guest.

In response to Councillor Hicks, the Applicant confirmed that since September 2017 there had been complaints received regarding privacy and road safety issues, but no complaints had been received with regards to noise.

Resolved:

That the variation of the premises licence be granted as follows;

Licensable Activities	Days and Hours
Provision of Plays, Films, Performance of Dance and Similar Entertainment to Live or Recorded Music (All Indoors)	Monday to Wednesday 19:30 to 23:00 hrs Thursday and Friday 19:30 to 00:00 hrs Saturday: 14:00 to 00:00 hrs Sunday: 14:00 to 23:00 hrs
Provision of Live Music and Recorded Music	Monday to Wednesday 19:30 to 23:00 hrs Thursday and Friday 19:30 to 00:00 hrs Saturday: 14:00 to 00:00 hrs Sunday: 14:00 to 23:00 hrs On a maximum of 6 occasions per year up until 02:00 hrs
Sale of Alcohol (on and off the premises)	Monday to Wednesday 19:30 to 23:00 hrs Thursday and Friday 19:30 to 00:00 hrs Saturday: 14:00 to 00:00 hrs Sunday: 14:00 to 23:00 hrs On a maximum of 6 occasions per year up until 02:00 hrs

Proposed Opening Times	<p>Monday to Wednesday 19:30 to 23:00 hrs Thursday and Friday 19:30 to 00:00 hrs Saturday: 14:00 to 00:00 hrs Sunday: 14:00 to 23:00 hrs On a maximum of 6 occasions per year up until 02:00 hrs</p>

6 Application to Vary a Premises Licence - Chaplains, 17-21 Front Street, Consett

Councillor D Hicks did not participate in the consideration of this item.

The Chairman welcomed everyone to the meeting and introductions took place.

The Sub-Committee had been asked to consider and determine the application for the variation of a premises licence for Chaplains, 17-21 Front Street, Consett.

The Solicitor confirmed that substantial late representations had been received from the Applicant. The Police had indicated that they intended to produce further documentation as a response but had been given insufficient time to do so. He advised that given the circumstances it was advisable to adjourn the application in order for both parties to consider the additional evidence.

Members were advised that a Special Sub-Committee had been arranged for 11 October 2018. Both parties agreed to submit all representations within five working days.

Resolved:

That the application be adjourned until the special meeting on 11 October 2018.

7 Application for the Grant of a Premises Licence - Viaduct, 184 Front Street, Chester le Street

The Chairman welcomed everyone to the meeting and introductions took place.

The Sub-Committee were asked to consider and determine the application for the grant of a premises licence for Viaduct, 184 Front Street, Chester le Street, however Mr O'Brien addressed the Sub-Committee to confirm that following a consultation with the Applicant, he had decided to withdraw his representation.

The Solicitor confirmed that in the absence of Mr O'Briens representations, the Sub-Committee had no grounds to consider the application.

Resolved:

No action was required by the Sub-Committee; the application was granted as requested.

