



## **Statutory Licensing Sub-Committee**

**Date** Thursday 1 September 2022  
**Time** 9.30 am  
**Venue** Committee Room 2, County Hall, Durham

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### **Business**

#### **Part A**

##### **Items which are open to the Public and Press**

1. Apologies for Absence
2. Substitute Members
3. Minutes of the Meeting held on 14 July 2022 (Pages 3 - 10)
4. Declarations of Interest
5. Application for the Grant of a Premises Licence - Crook Convenience Store, 10 North Terrace, Crook (Pages 11 - 58)
6. Such other business as, in the opinion of the Chair of the meeting, is of sufficient urgency to warrant consideration

**Helen Lynch**

Head of Legal and Democratic Services

County Hall  
Durham  
23 August 2022

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

Councillors J Blakey, L Brown, C Hunt, E Waldock and  
A Watson

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**Contact:** Jill Hogg

**Tel:** 03000 269 711

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**DURHAM COUNTY COUNCIL**

At a Meeting of **Statutory Licensing Sub-Committee** held in **Committee Room 1A, County Hall, Durham** on **Thursday 14 July 2022 at 1.30 pm**

**Present:**

**Councillor J Blakey (Chair)**

**Members of the Committee:**

Councillors A Batey and W Stelling

**Also Present:**

Helen Johnson – Licensing Team Leader

Kelsey Tate – Licensing Officer

Stephen Buston – Legal Adviser

**Objectors:**

Councillor Priscilla Elmer – Brandon and Byshottles Parish Council

Susan Howe - Clerk, Brandon and Byshottles Parish Council

**Applicant:**

Craig Lynch

Victoria Lynch

**1 Apologies**

Apologies for absence were received from Councillors David Stoker and Ian McLean.

**2 Substitute Members**

There were no substitute Members.

**3 Declarations of Interest**

There were no declarations of interest.

**4 Minutes**

The Minutes of the meeting held on 1 April, 21 April and 28 April 2022 were agreed as a correct record and were signed by the Chair.

## **5 Application for the Grant of a Premises Licence - Fun Zone, Unit 1, Skillion Business Centre, Littleburn Industrial Estate, Langley Moor, Durham**

The Committee considered a report of the Licensing Team Leader regarding an application for the grant of a Premises Licence in respect of Fun Zone, Unit 1, Skillion Business Centre, Littleburn Industrial Estate, Langley Moor (for copy see file of Minutes).

Helen Johnson presented the report which included a copy of the application and representations.

Councillor Elmer was invited to address the Sub-Committee on behalf of Brandon and Byshottles Parish Council, and stated that their main concern was the overlap of hours for the sale of alcohol with the hours of operation of the soft play area.

The Parish Council was aware of other licensed premises with play areas, but this was a premise whose main business was soft play. She did not feel it was appropriate or wise.

In their supporting information the Parish Council had found research around children's attitude to alcohol. Where children were in a place having fun and saw alcohol consumed it consolidated their attitude towards alcohol – that it was about having fun. The Parish Council did not feel it was a happy combination which was borne out by scientific research.

Looking at other licensed premises with soft play areas these were segregated from the main licensed area. In the Fun Zone there was no scope for segregation, the play area featured around the edge with the seating area in the middle.

The Parish Council noted the conditions agreed with the Police around a drugs policy, Challenge 25, proof of age etc but they did not include Door Supervisors which were required in other licensed premises in Durham.

In conclusion the Parish Council had grave concerns. If the Premises Licence was granted the Parish Council asked that the two areas of operation did not overlap; when the soft play time ended, the premises becomes a licensed restaurant in the evenings.

Following a question from Stephen Buston, the Sub-Committee's Legal Adviser, Councillor Elmer confirmed that their representations had the support of the Parish Council and had been discussed with the local members for Langley Moor in-depth.

Craig Lynch, the Applicant was invited to address the Sub-Committee and commenced by referring to the planning permission for change of use. Reading from the Planning report he confirmed that the takeaway service was ancillary to the main business.

The business had seen an increase in the number of families visiting the premises for food, and parents had said that it would be nice to have a pint or a glass of wine with their meal.

The proposal was not to operate as a bar. He had been in the hospitality business for 25 years and did not want to run a bar. At peak times sessions were limited to two hours only. The Fun Zone was a soft play site which served good food. The business had opened just before lockdown and was gathering pace.

He did not want to change the opening times, the extra hours requested was to offer a takeaway service.

Victoria Lynch stated that the safeguarding of children was paramount and risk assessments were already in place in respect of every aspect of their business. Customers would not be allowed entry without children and their aim was to give families an opportunity to socialise in a safe environment. Children would not be exposed to adverts for alcohol and there would be no offers such as happy hours. Food and drinks would be taken to the tables. Alcohol would not be served without food.

Craig Lynch continued that no other licensed premises in Langley Moor and Meadowfield had Door Supervisors and he had a proven track record of running a safe environment. As regards the concerns of the Parish Council in respect of the overlap of operations, he stressed that it was not a licensed restaurant and would never operate without children present. Later on in a day people would not go to a soft play area for a drink. There were no other businesses like theirs in the local area and people seemed to be on board with what they were doing.

All parties were invited to ask questions.

Helen Johnson referred to the supplementary documents from Craig Lynch which listed a number of statements to address the concerns regarding the sale of alcohol at the Fun Zone. She noted that it had been said that alcohol would be served with the purchase of food but this had not been specified. She also asked if the Applicant would be happy for the statements to be included as conditions, where applicable. This was confirmed by Craig Lynch, and he would be happy to include a condition specifying that alcohol must only be served with food.

Following a question from Councillor Elmer, Craig Lynch confirmed that the hours of soft play would not change, but had requested the extended hours for takeaway deliveries. Councillor Elmer then asked if the Applicant would consider applying for off-licence sales only for the extended hours to accommodate the delivery service.

Mr Lynch confirmed that he did not wish to amend the application.

Councillor Batey asked if there had been any objections from Public Health. Helen Johnson confirmed that the representations from Public Health were comments, not objections.

Following a further question from Councillor Batey, Craig Lynch confirmed that there was an audit trail for the sale of alcohol. Each receipt contained an order number.

Craig Lynch was asked if he would consider allocating a separate area for the consumption of alcohol. Craig Lynch explained that at present parents had 360 degree views of their children and he would want this to continue.

Stephen Buston asked about the proposed takeaway delivery service, and was advised by Craig Lynch that the service was ready for launch but additional staff were required before it could begin.

All parties were given an opportunity to make a final statement.

At 2.15pm the Sub-Committee **Resolved** to retire in private to determination the application. After re-convening at 14.30pm the Chair delivered the Sub-Committee's decision.

In reaching their decision the Sub-Committee considered the report of the Licensing Team Leader, and the written representations of Councillor Taylor, Mr Thompson and Responsible Authorities, together with the written and verbal representations of the Applicant, and Brandon and Byshottles Parish Council. Members also took into account the Council's Statement of Licensing Policy and Section 182 Guidance issued by the Secretary of State.

**RESOLVED:**

That the application be granted as follows:

<b>Licensable Activity</b>	<b>Days &amp; Hours</b>	
Supply of Alcohol (on and off sales)	Monday to Friday	09.30 – 23.00 hrs
	Saturday	10.00 – 23.00 hrs
	Sunday	11.00 – 23.00 hrs
Open to the public	Monday to Sunday	08.00 – 23.00 hrs

The following conditions shall be attached to the Premises Licence:

- 1) A personal licence holder will be on premises at all times when alcohol is being sold.
- 2) The premises will only sell and supply alcohol, on the premises, as an accompaniment to food sales.
- 3) No customers will be allowed to leave the premises with an open drinking vessel or bottle.
- 4) Persons under the age of 18 years will not be allowed on the premises without an adult.
- 5) No adults are allowed access to the site unless accompanying children (other than adults attending in a professional capacity eg food deliveries, machine repairs) and will not be able to purchase or consume alcohol on site. Security entrance, exit gates and safeguarding procedures.
- 6) All staff will seek credible proof of age evidence from anyone seeking to purchase alcohol who appears to be under 25 years of age.
- 7) The premises will place notices at the entrances and exits reminding customers to leave quietly.
- 8) They will keep rubbish bins and glass refuse away from public access. Rubbish bins will be placed outside the premises to minimise litter.
- 9) Maximum capacity numbers are controlled by a booking system to prevent overcrowding.

- 10) Alcohol (as with all food and drink) is not allowed to be taken from the tables and into the play areas. Signs are to be in place stating that drinks are only to be consumed at tables. Further signs are to be in place requesting that toys remain in their designated areas and therefore not near tables where food / drink is consumed.
- 11) Alcoholic drinks will be served in plastic glasses which are different in shape and size to any soft drink so that they are easily identifiable.
- 12) All staff shall be fully trained to perform their role. They will also be trained in the contents of the premises licences including times of operation, licensable activities and all conditions. Refresher training will be carried out every six months and all training will be recorded in a register. The register will be made available to the Police or an authorised officer of the local authority upon request.
- 13) The premises shall operate the Challenge 25 scheme. As part of such a scheme a register of refusals shall be maintained and kept up to date. The register will be available for immediate inspection by Police or authorised officers of the local authority upon request.
- 14) The premises shall maintain an incident book, which shall be made available to the Police and authorised officers of the local authority upon request.
- 15) A CCTV system will be installed and in operation at all times the premises are being used for licensable activity. It must be operated by properly trained staff. CCTV recording will be retained for a minimum of 28 days.
- 16) The premises will ensure that a trained member of staff is available to operate the CCTV system at all times and download any images requested by Police or an authorised officer of the local authority and provided within 48 hours of a request being made.
- 17) The premises will have a drugs policy in place. Any person seen to be using drugs on the premises will be ejected immediately and barred for a minimum period of 12 months.

#### Delivery Conditions

- 18) With regard to takeaways, a collection arrangement must be in place ensuring there will be no children on site and adults will not be permitted to enter the site for collection.
- 19) Any alcohol sold will, as part of a takeaway food order, remain unopened. Takeaway orders are to be collected at the front door / hatch without any need to enter the site through the on-site safety entrance.

- 20) Delivery drivers will be trained in relation to their responsibilities under the Licensing Act 2003 and the licensing objectives. Such training will be documented.
- 21) At the time the order is placed a declaration will be required from the person placing the order that they are over 18 years of age and the recipient of the delivery may be required to provide ID in line with Challenge 25.
- 22) Challenge 25 – If the driver considers the recipient of the alcohol appears under 25, recognised photographic identification is to be requested before any alcohol is handed over.
- 23) Acceptable proof of age shall include identification bearing the customer photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport. If no ID is provided when required there will be no delivery.
- 24) Delivery will be refused if the driver believes that alcohol is being purchased on behalf of another person under the age of 18 years. Where a refusal has taken place, the customer will be informed of our refund policy and monies will be returned. This refund will only apply to the alcohol. Food will still be charged. A record of the refusal will be recorded.
- 25) Payments will only be taken by debit or credit card, and no payment is to be taken by the drivers direct. As a result, the drivers will not carry any cash. Customers will not be permitted to increase their alcohol order on delivery as a result. Signs will be placed on delivery vehicles to advertise this fact.
- 26) Alcohol can only be delivered to a residential or business address, and not to a public place.
- 27) Alcohol will only be delivered to the person who placed the order and whose name appears on the credit/debit card.

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**Statutory Licensing Sub-Committee**

**1<sup>st</sup> September 2022**

**Application for the grant of a  
Premises Licence**

**Ordinary Decision**



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**Report of Alan Patrickson Corporate Director of Neighbourhoods  
and Climate Change**

**Councillor John Shuttleworth, Cabinet Portfolio Holder for  
Neighbourhoods and Climate Change**

**Electoral division(s) affected:**

Crook

**Purpose of the Report**

- 1 The Sub-Committee is asked to consider and determine the application for the grant of a premises licence for Crook Convenience Store, 10 North Terrace, Crook, Co Durham DL15 9AZ.
- 2 A plan showing the location of the premises is attached at Appendix 2.

**Executive summary**

- 3 The application for the grant of a premises licence for Crook Convenience Store, 10 North Terrace, Crook was submitted by Mr Ravichandran Sivaguru of Your Local Food and Wine Limited.

The application requests the following licensable activity:

- Supply of Alcohol for consumption off the premises: 7.00 am to 11.30 pm Monday to Sunday inclusive.
- 4 During the consultation period, the Licensing Authority received two objections from local residents, namely Ms Anderson and Mr Scott (other persons).
  - 5 Following mediation with Durham Constabulary, the applicant added the below additional conditions to the application:
    - All staff shall be fully trained to perform their role. They will also be trained in the contents of the premises licence including times of

operation, licensable activities and all conditions. Such training will be recorded in a register. The register will be made available to the Police or an authorised officer of the council upon request.

- The premises shall operate the Challenge 25 scheme. As part of such a scheme a register of refusals shall be maintained and kept up to date. The register will be available for immediate inspection by Police or authorised officers of the council.
  - The premises shall maintain an incident book, which shall be made available to the Police and authorised officers of the local authority upon request.
  - A CCTV system will be installed and in operation at all times the premises are being used for licensable activity. It must be operated by properly trained staff. All public areas will be covered, including entrances and exits.
    - Recordings will be retained for a minimum of 28 days.
    - The premises will ensure that at least one trained member of staff is available to operate the system at all times the premises is open.
    - Any images requested by an authorised officer shall be provided within 7 days of the request.
- 6 Responses were received from the Council's Environmental Health Department, the Fire Safety Authority, Durham Constabulary and the Planning Authority, all confirming they had no comments to make regarding the application.

### **Recommendation(s)**

- 7 The Sub-Committee is asked to determine the application with a view to promoting the licensing objectives.
- 8 The Sub-Committee is recommended to give appropriate weight to:
- (a) The steps that are appropriate to promote the licensing objectives;
  - (b) The representations (including supporting information) presented by all parties;
  - (c) Durham County Council's Statement of Licensing Policy. The relevant parts of the policy are attached at Appendix 7.

- (d) The Guidance issued to local authorities under Section 182 of the Licensing Act 2003 (as amended April 2018). The relevant parts of the guidance are attached at Appendix 8.

## Background

- 9 An application for the grant of a premises licence was received by the Licensing Authority on 6<sup>th</sup> July 2022. The application was subject to a 28-day public consultation which ended on 3<sup>rd</sup> August 2022.

## Details of the application

- 10 A copy of the premises licence application is attached at Appendix 3.
- 11 The application is deemed by the Licensing Authority to be correctly served and advertised in accordance with the Licensing Act regulations.
- 12 The applicant has proposed the conditions and steps that they intend to take in order to promote the four licensing objectives, which are outlined within the application at Appendix 3.
- 13 Following mediation with Durham Constabulary, the applicant added additional conditions to the application in line with paragraph 5 above.

For confirmation, please see Appendix 4.

- 14 The proposed licensable activities are as follows:

Licensable Activities	Proposed Days/Times
Supply of alcohol (off sales)	Monday to Sunday: 07:00 – 23:30 hrs.
Hours open to the public	Monday to Sunday: 05:00 – 24:00 hrs.

## The Representations

- 15 During the consultation period, the Licensing Authority received two representations opposing the application from:
- Ms S Anderson (Other person)
  - Mr N Scott (Other person)
- 16 The Licensing Authority deemed the representations to be relevant and relating to the following licensing objectives:
- The Prevention of Crime and Disorder
  - The Prevention of Public Nuisance

Copies of the representations are attached at Appendix 5.

- 17 Responses were also received from the Council's Environmental Health Department, the Fire Safety Authority, Durham Constabulary and the Planning Authority, all confirming they had no comments to make regarding the application.

These are attached as Appendix 6.

## **The Parties**

18 The Parties to the hearing will be:

- Mr Ravichandran Sivaguru of Your Local Food and Wine Limited - (Applicant)
- Ms S Anderson (Other person)
- Mr N Scott (Other person)

## **Options**

19 There are a number of options open to the Sub-Committee:

- (a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003;
- (b) Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it appropriate for the promotion of the licensing objectives and the mandatory conditions set out in the Licensing Act 2003;
- (c) To exclude from the scope of the licence any of the licensable activities to which the application relates;
- (d) To refuse to specify a person on the licence as the Designated Premises Supervisor;
- (e) To reject the application.

## **Main implications**

### *Legal Implications*

- 20 The Committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.

See Appendix 1.

## *Consultation*

- 21 The grant of a premises licence application was subject to a 28 day consultation.

See Appendix 1

## **Conclusion**

- 22 The Sub-Committee is asked to determine the application for the grant of a premises licence in light of the representations received.

## **Background papers**

- Durham County Council's Statement of Licensing Policy
- Guidance issued under Section 182 of the Licensing Act 2003 (as amended April 2018)

## **Other useful documents**

None

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**Contact:** Yvonne Raine

**Tel:** 03000 265256

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## **Appendix 1: Implications**

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### **Legal Implications**

The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.

In this case it was summed up that:

A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.

Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.

This judgement is further supported in the case of The Queen on the Application of Bristol Council v Bristol Magistrates' Court, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL648859 in which it was said:

'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.

In addition to this, it was stated that any condition attached to the licence should be an enforceable condition.

### **Consultation**

The premises licence application was subject to a 28 day consultation in accordance with the Licensing Act 2003 and its regulations.

The Responsible Authorities were consulted on the application.

The notice of application was displayed on the premises for a period of 28 days.

Notice of the application was published in a newspaper which was circulated within the vicinity of the premises.

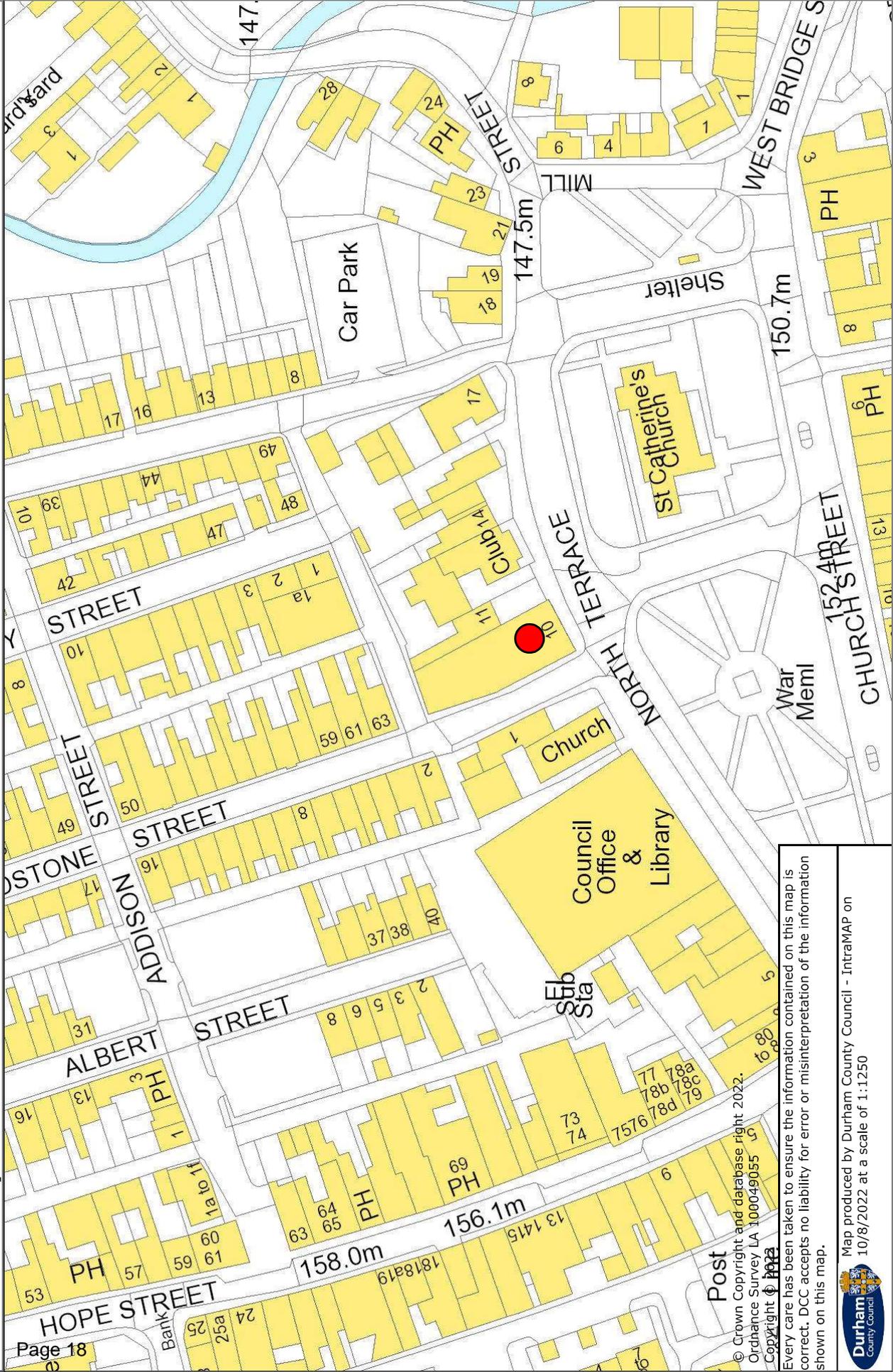
In addition, details of the application were available to view on the Council's website throughout the 28 day consultation period.

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## Appendix 2: Location Plan

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# Durham County Council - IntraMAP



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Ordnance Survey LA 100049095  
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Every care has been taken to ensure the information contained on this map is correct. DCC accepts no liability for error or misinterpretation of the information shown on this map.

Map produced by Durham County Council - IntraMAP on 10/8/2022 at a scale of 1:1250



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## **Appendix 3: Premises Licence Application**

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\* required information

### Section 1 of 21

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

crook convenience store

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

Ravichandran

\* Family name

Sivaguru

\* 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:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

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

Note: completing the Applicant Business section is optional in this form.

Registration number

08015963

Business name

Your local food and wine ltd

If your business is registered, use its registered name.

VAT number

- 134619417

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- 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

**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 21**

**FOR 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.

**Individual Applicant's Name**

Name:

Surname:

Registered number (where applicable):

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

Continued from previous page...

Its a private limited company launched in may 2011 and owned by myself, where I am currently running 3 shops under the 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

\* Date of birth  /  /   
dd mm yyyy

Nationality  Documents that demonstrate entitlement to work in the UK

**Section 5 of 21**

**OPERATING SCHEDULE**

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

Do you wish the licence to be valid only for a limited period, if so 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 the consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

convenience store with pay point, lottery, alcohol, grocery, confectionery and stationary. Its an off-license and alcohol consumption is not allowed inside or outside the premises. the square feet and the location of each included will be mentioned in the plan attached along with the document.

Continued from previous page...

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 21**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

**Section 13 of 21**

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

See guidance on regulated entertainment

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

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

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.

Continued from previous page...

SUNDAY

Start 07:00

End 23:30

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.

Person of Licence holder  
Of known:

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.

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

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

**Name**

First name Ravichandran

Family name Sivaguru

Date of birth  /  /   
dd mm yyyy

Continued from previous page...

**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 21**

**ADULT ENTERTAINMENT**

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.

Examples listed in the guidance on the left. List below  
for example: Club nights, live music, where you wish the activity to go on longer on a particular day e.g. Christmas Eve

**Section 17 of 21**

**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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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 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 21**

**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)

**Continued from previous page...**

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

challenge 25 will be displayed to customers  
Permits license display  
CCTV equipment  
Refusal records  
well trained staffs

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

24 hour CCTV surveillance  
crime prevention notices will be displayed

**c) Public safety**

CCTV records  
Fire/emergency exit  
fire equipments for prevention  
Disabled access

**d) The prevention of public nuisance**

prevention of overcrowding in front/inside the shop  
playing/recording music will not be allowed in the premises

**e) The protection of children from harm**

challenge 25  
CCTV records  
no bullying allowed in the premises  
suspicious activities and concerns about possible sexual harassment will not be allowed

## **Section 19 of 21**

### **NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

Continued from previous page...

### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

### Section 20 of 21

#### NOTES ON REGULATED ENTERTAINMENT

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

### Section 21 of 21

#### 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 (£)

190.00

#### ATTACHMENTS

#### AUTHORITY POSTAL ADDRESS

##### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

#### DECLARATION

Continued from previous page...

[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)

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   
\* Capacity   
Date (dd/mm/yyyy)

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

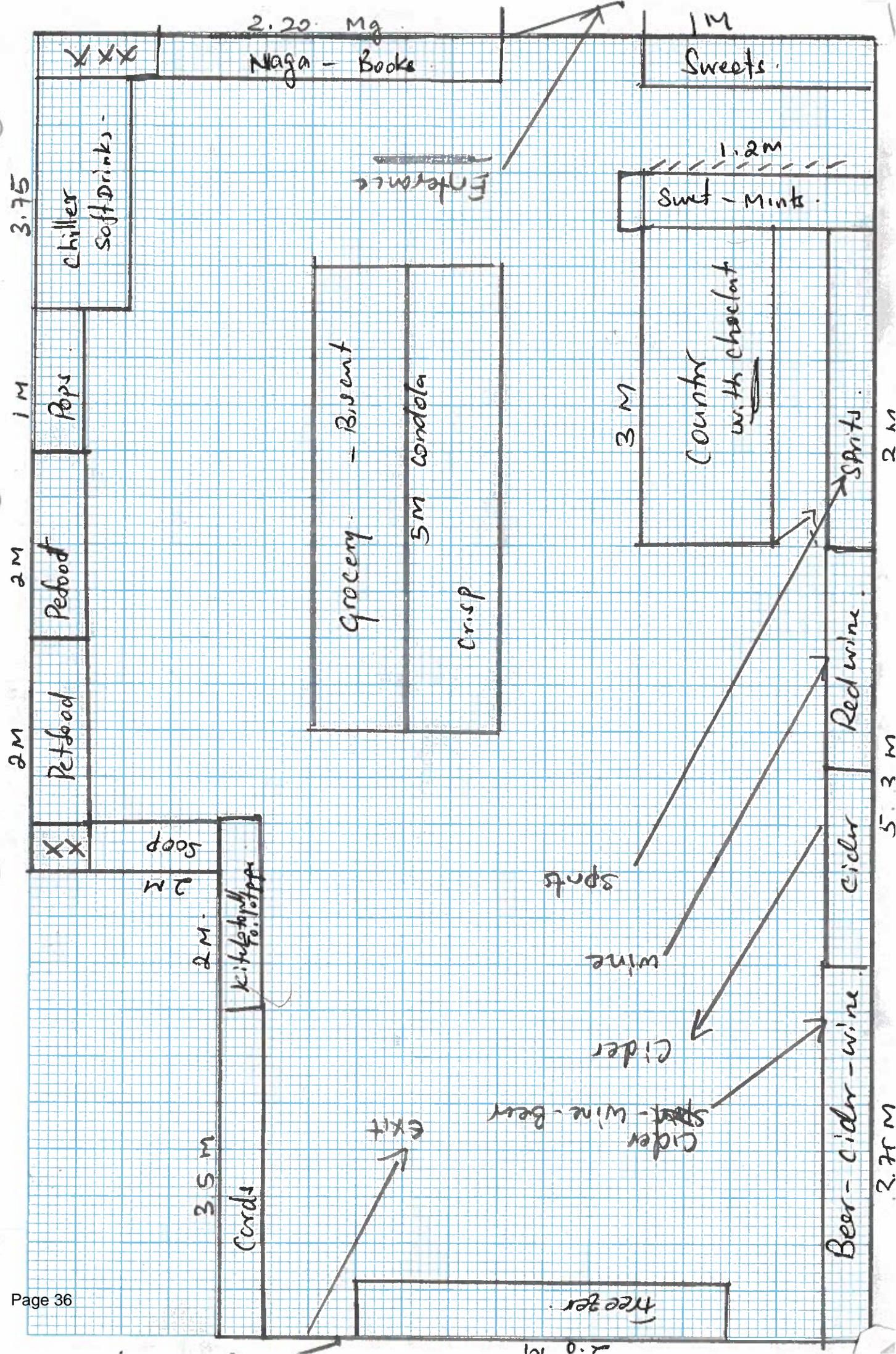
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/county-durham/apply-1> to upload this file and continue with your application.

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

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

**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**

# Crook Convenience Store - 10 North Terrace



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**Appendix 4: Additional conditions following mediation with  
Durham Constabulary**

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- The premises shall maintain an incident book, which shall be made available to the Police and authorised officers of the local authority upon request.
- A CCTV system will be installed and in operation at all times the premises are being used for licensable activity. It must be operated by properly trained staff. All public areas will be covered, including entrances and exits.
- Recording will be retained for a minimum of 28 days.
- The premises will ensure that at least one trained member of staff is available to operate the system at all times the premises is open.
- Any images requested by an authorised officer shall be provided within 7 days of the request.

Once you have looked them over please agree by email and I will continue with the application.

Regards,

Paul Conroy

Licensed Economy Team

Durham Constabulary

***Our Values & Vision:***

**Positive | Fair | Courageous | Inclusive | With Integrity**

Protecting Neighbourhoods, Tackling Criminals, Solving Problems

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## Appendix 5: Representations

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**From:** S  
**Sent:** 11 July 2022 13:11  
**To:** AHS Licensing <  
**Subject:** [EXTERNAL]:10 north ter crook

Good Afternoon.

I am wishing to object to the proposed new store opening at 10 North ter crook DL15 9AZ for the opening houses of 7am -23.30.

The Reason being is I live in Arthur st crook and my street already suffers from anti social behaviour such as car damage,rubbish on streets and people walking past being very noisy also dog poo not getting picked up . If a shop is to open the hours proposed then this will magnify all this.

We already see teens acting in an antisocial way dropping rubbish, swearing, damaging the grassed areas outside DCC building and throwing eggs and smashing windows. They will now move outside this shop.

Number 10 north ter is opposite a church and with Ravi already having a corner shop selling alsorts to children this will make more teens go to number 10 at all hours and sit outside and look for areas nearby to sit such as the Arthur st car park and the playing field at the opposite end of Arthur st, where we already see some anti-social behaviour already.

As well as this there is a nursery next door which if people are able to buy alcohol from 7 till 1130 small children will see drunk people as well as people who swear a lot and drop rubbish- a bad example of people basically.

I know there is the co op bargain booze which is nearby, so why do we need another store offering more places to sell alcohol in a small town? I don't understand why we have issues with young people causing havoc and the police have little to no powers to combat crime here. We need another store .But with ravi selling to a wider age group and with kids having no respect for the law I worry about the impact on my life and my car which I use to go to work. If you see the glass that gets smashed in the center the rubbish the alchol cans a shop like this will bring more of this to my neighbourhood.. PLease at least look at the hours of alcohol selling if not the store opening time.

S Anderson

**From:** N Scott  
**Sent:** 20 July 2022 16:34  
**To:** AHS Licensing < >  
**Subject:** [EXTERNAL]:Objection to a new alcohol licence

In regards to selling alcohol from premises;

Crook Convenience Store  
10 North Terrace  
Crook  
DL15 9AZ.

My name is N Scott,

Arthur Street  
Crook  
County Durham  
DL15 9DT

I would like to put objections to for the sale of alcohol from these premises. I have several issues. Adjacent to the shop in question there is a day care nursery, selling alcohol from as early as 7am I don't think sets a good example where parents and toddlers are outside waiting to take their children into the nursery and collecting them. The nursery is still using social distancing when being dropped off and picking up children on morning there are always several parents waiting outside.

The town is already suffering from anti social behavior that has been going on for years. Some of this is fueled by drink. Within the last two years local children's play parks have been littered with empty beer cans and bottles this was down to youths and some of them have been escorted home by the police.

The youth also harass old and vulnerable asking them to buy them drink when going into stores. This is why a lot of pensioners don't go into the town center on a night as they feel threatened.

As a parent and I live just a minutes walk from the address that is requiring a licence to sell alcohol I have concerns this will only add to the problems that we suffer in our town. I myself have seen on occasion youths gathering to drink alcohol adjacent to my property when they get very loud and start chucking cans and bottles.

In the last few months the police have set up operation HABU in trying to sort out a lot of issues in the town mainly down to youths smashing bus shelter and throwing objects at busses and smashing shop windows.

Within a quarter of a mile radius of the address requiring a licence to sell alcohol there is 8 shops that I know of that sell alcohol. And I don't think there is any need for an extra one. This is just going to lead to another outlet where the youth can try and get alcohol from and intimidate shoppers to buy alcohol for them.

Kind regards. Mr N Scott

Sent from [Mail](#) for Windows

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## **Appendix 6: Responses from Responsible Authorities**

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**From:** Richard Wormald  
**Sent:** 07 July 2022 15:01  
**To:** Kelsey Tate <  
**Subject:** SR 265506 RWO 7-7-22

# MEMO

**To:** Mrs Kelsey Tate  
Licensing Services

**From:** Mr Richard Wormald  
Neighbourhoods and Climate Change

**Date:** 7 July 2022

**Re:** **Licensing Application New premises application  
Crook Convenience Store, 10 North Terrace Crook DL15 9AZ**

With reference to the above licensing application received on 7 July 2022.

I have assessed the application with reference to the prevention of public nuisance licensing objective and would confirm I have no objection to raise in relation to the new premise license application

**Mr R. Wormald**  
**Senior Environmental Health Officer**

Development Assessment Team  
Community Protection Service  
Neighbourhoods and Climate Change  
Durham County Council  
Annand House  
Meadowfield  
Durham  
DH7 8RS



Chief Fire Officer: Stuart Errington

Fire and Rescue Service Headquarters,  
Belmont Business Park, Durham, DH1 1TW

Date: 18 July 2022

This matter is being dealt with by: Daniel Smith

Ext:

Our Ref: 7030600070

Your Ref: New Premises  
Crook Convenience Store

Direct Dial Telephone:

E-mail:

Dear Kelsey

**Licensing Act 2003**

**Regulatory Reform (Fire Safety) Order 2005**

**Your Local Food and Wine Ltd, 10 North Terrace, Crook, DL15 9AZ**

I acknowledge your application dated 8 July 2022 for a Premises Licence under The Licensing Act 2003 in respect of the above named premises.

No representations will be made to the Licensing Authority subject to the responsible person for the above premises ensuring compliance with the requirements of the Regulatory Reform (Fire Safety) Order 2005.

A suitable and sufficient fire safety risk assessment must be carried out in order to comply with the above Order.

For further guidance please refer to <https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents> which provides information about the Regulatory Reform (Fire Safety) Order 2005.

Should you require any further information please do not hesitate to contact me on the telephone number or e-mail address shown above or visit our website [www.ddfire.gov.uk](http://www.ddfire.gov.uk) and follow the link to Fire safety at work.

Yours faithfully

Daniel Smith  
Fire Safety Section

**From:** Licensed Economy Team <

**Sent:** 26 July 2022 11:38

**To:** Kelsey Tate

**Subject:** [EXTERNAL]:FW: New Premises Crook Convenience Store 10 North Terrace, Crook DL15 9AZ

Hi

No objection, conditions agreed with Helen

Thanks

A/Sgt Iain Robertson  
Licensed Economy Team  
Durham Constabulary

**From:** Jayne Pallas  
**Sent:** 02 August 2022 10:33  
**To:** EHCP  
**Subject:** CON28/22/02025 - 10 North Terrace, Crook, DL15 9AZ

Good morning Kelsey,

Thank you for your consultation in relation to 10 North Terrace, Crook.

I have reviewed the planning history for the site and can confirm that the Local Planning Authority have no adverse comments to make at this time.

I hope the above is of assistance, however please do not hesitate to contact me if you would like to discuss further.

Kind regards

Jayne Pallas  
Planning Officer – South West Area Office  
Regeneration, Economy and Growth  
Planning Development  
Room G73 – 82  
County Hall  
Durham  
DH1 5UQ

Direct Line Telephone Number -  
Email:

Mobile Number -



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## **Appendix 7: Statement of Licensing Policy**

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**7.1 The Prevention of Crime and Disorder** - Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment can, if not properly managed, become a source of public nuisance, generating crime and disorder problems. **The council expects** all licensed premises to be properly managed at all times to prevent this from happening and will focus attention on standards of management practice at licensed premises when carrying out its administrative and enforcement functions.

**The council encourages, and will look positively on,** the provision by licensees of comprehensive and documented staff training. Documented staff training conducted in respect of:

- Preventing underage sales
- Minimising drunkenness
- Managing and resolving conflict
- Emergency procedures
- Compliance with the licence conditions
- Relevant obligations and offences under the Licensing Act, particularly those associated with the sale of alcohol
- Identification and refusal of underage sales
- Use of accredited training courses and recognised industry qualifications (e.g. BII)

**The council expects** 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, a marquee, in a smoking shelter etc.

The **council expects** all applicants to 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.

**The council recommends** that procedures to deal with drunken customers, violence and anti-social behaviour, in and outside premises, and the provision of closed-circuit television in certain premises should be considered by applicants, licencees and event organisers when addressing this issue.

**The council encourages** personal licence holders to actively participate in established "Pubwatch" schemes, where issues relating to crime and disorder can be addressed. **The council encourages** involvement in the "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.

**The council recognises and promotes** effective and responsible management of all licensed and authorised premises through competent, efficient and regular instruction, recorded training, supervision of staff and the adoption of good practice,

such as 'Challenge 25'. These are amongst the most important control measures for the achievement of all Licensing Objectives.

**The council will take a positive view** of anyone who invests in appropriate training, and nationally accredited qualifications tailored to the licensing sector. Training records should be kept available for inspection by relevant enforcement agencies as a matter of good practice.

It is important that qualified and competent people are present who can discuss any problems or matters of concern arising from the licensable activities at or near to the premises with officers from DCC Licensing Services and Police.

**The council also 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 are 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.

**Maximum occupancy:** When its discretion is invoked, the council 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 premises or event. Any such decision will be based on the nature and style of the operation.

The council will consider information provided by the applicant and any other body (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.

**Security:** 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. 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 as well as the hours of trading.

**Toughened/Safety Glass:** 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 especially to any premises associated with a higher risk for potential crime and disorder. This will be particularly

relevant for high-volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues.

The council and several of its partners have signed a collective new pledge as part of an ongoing campaign to eradicate single use plastics. The agreement commits all signatories to significantly reduce, and work towards ultimately removing, the use of unnecessary single use plastics from their operations. If alternatives to normal glass are used, the use of suitable alternatives, including non-single use plastics, is encouraged.

**Drugs/Knives/Weapons: The council 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 or consumed within the premises to prevent tragedies and harm because of drug misuse.

**The council will expect** licensees to be familiar with the Home Office Drug Strategy booklet entitled Safer Clubbing (ISBN 1840827807) or other subsequent editions. The council 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.

In addition to the information provided above, **Table 1 in Appendix VI** provides recommendations, suggestions and examples for how to prevent the specific crime/disorder outlined. This table is not exhaustive, and every applicant must consider the specific situation, location and circumstances associated with their premises, activities, clientele and workforce when identifying hazards, assessing risks and identifying controls.

**7.3 Prevention of Public Nuisance** - 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 near the premises.

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 **council 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.

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 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 or appropriate signage requesting customers to consider residents and monitoring of such areas by staff.

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 authorisations will often be required from the Highways Authority. Enquiries concerning such consents should be made to the Council's Highway's Section (see Appendix III). In predominantly commercial areas, such as shopping centres, 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.

**Applicants should consider** 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 council 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

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.

**Applicants are advised** to seek advice from Durham County Council's Environmental Health team and incorporate any recommendations in their operating schedule before submitting their applications.

**Takeaways and fast-food outlets - The council 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 display notices advising customers of the location of bins and patrons should be encouraged to use the bins made available.

**Important note: The council considers that it will be inappropriate to grant a premises licence permitting the sale of alcohol at premises which are principally used for selling hot food for consumption off the premises (“takeaway” premises).**

Takeaway premises are often open late at night and in the early hours of the morning. They can be associated with disorder as people under the influence of alcohol may congregate outside takeaways after leaving or in some cases having been ejected from late-night licensed premises.

Takeaways operate within the night time economy but without the same framework around them, e.g. pubwatch, use of security staff etc. In addition, alcohol sold from takeaways could readily be consumed in public spaces and may not be subject to the same controls associated with other types of licensed premises.

From a health perspective, obesity levels are rising nationally and locally; without action the health of the population will continue to suffer. Responsible licensees can support the ‘Working toward a healthy weight in County Durham’ goals and the council would see the following steps as a contribution to reducing health harms and health inequalities:

- Menu to display calories per portion information for all food offers.
- Menu to offer at least one clear and stated, 'healthy option' and to be priced competitively.
- Menu to display recommended daily calorie limits for adults (For women the recommended limit is 2,000 calories a day for men it's 2,500).
- Menu to offer smaller / half portions.
- Salt and pepper available upon request rather than always on the table

In addition to the information provided above, **Table 3 in Appendix IV** provides recommendations, suggestions and examples of how to prevent the specific nuisance type outlined. This table is not exhaustive, and every applicant must consider the specific situation, location and circumstances associated with their premises, activities, clientele and workforce when identifying hazards, assessing risks and identifying controls.

**Appendix II Framework Hours: recommended terminal hours for the sale of alcohol and the provision of late-night refreshment for different types of premises**

Category of Premises	Weekdays*	Weekends*	Bank Holidays*
Premises licensed for the sale or supply of alcohol for consumption on or off the premises e.g. pubs, social clubs and nightclubs	07.00 to 00.00	07.00 to 01.00	Good Friday Plus 1 Hour. For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday (i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour)
Premises licensed for the sale of alcohol for consumption off the premises only e.g. off licences, supermarkets and garages	07.00 to 23.30	07.00 to 00.30	Good Friday Plus 1 Hour. For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday (i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour)
Premises with licences not including the sale or supply of alcohol (community centres, village halls)	07.00 to 00.00	07.00 to 01.00	Good Friday Plus 1 Hour. For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday (i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour)
Premises licensed primarily for late night refreshment e.g. takeaways	01.00	02.00	Good Friday Plus 1 Hour. For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday (i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour)

\* **NOTE:** For the purposes of this matrix, weekdays mean Monday to Thursday; Weekends include Friday night into Saturday Morning, Saturday night into Sunday morning and Sunday night into Monday morning; and Bank Holidays means Sunday night into Monday morning and Monday night into Tuesday morning.

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## **Appendix 8: Section 182 Guidance**

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## 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.

## **Public nuisance**

- 2.15 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.
- 2.16 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.
- 2.17 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 16). 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.

- 2.18 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.
- 2.19 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.
- 2.20 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.
- 2.21 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.