



Statutory Licensing Sub-Committee

Date **Wednesday 8 March 2023**
Time **9.30 am**
Venue **Committee Room 1A , County Hall, Durham**

Business

Part A

Items which are open to the Public and Press

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest (if any)
4. Application for a Summary Licence Review - Drunken Duck, Durham (Pages 3 - 20)
5. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Helen Lynch

Head of Legal and Democratic Services

County Hall
Durham
28 February 2023

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

Councillors J Blakey, C Hunt, D Stoker and A Watson

Contact: Jill Errington Tel: 03000 269703

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Briefing Paper

Licensing Statutory Sub Committee 8th March 2023

Interim Steps Hearing – The Drunken Duck, 91A Claypath, Durham City

The Licensing Authority received a summary review application and certificate under section 53 A and B of the Licensing Act 2003 from the Chief Officer of Police of Durham Constabulary on 6th March 2023.

The premises licence holder is Mr Terence Haley on behalf of Durham Leisure Limited. Mr Haley is also the DPS.

A summary review is submitted where the police consider that the premises are associated with serious crime and/or serious disorder.

Upon receipt of the application, the Licensing Authority must within 48 hours of receipt of the application consider whether it is necessary to take interim steps.

Members will shortly hear from Sgt Caroline Dickenson of Durham Constabulary on the background which led to them submitting the summary review application. There is also CCTV footage to show of the incident.

Members will also have sight of the premises licence.

Members must consider taking the following interim steps in relation to the premises licence:

- Take no action
- The modification of the conditions of the premises licence
- The exclusion of the sale of alcohol by retail from the scope of the licence
- The removal of the designated premises supervisor from the licence; and
- The suspension of the licence

Members may consider taking more than one interim step.

There will be a full review of the premises licence which must take place by 3rd April 2023. Date to be confirmed.

A notice has been displayed on the premises and on the Council's website advising of the review application and for any representations to be received by 20th March 2023.

Helen Johnson
Licensing Team Leader

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FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Durham County Council, Licensing Services
St Johns Road North, Meadowfield,
DH7 8RS

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I Sgt 484 Caroline Dickenson [on behalf of] the chief officer of police for the Durham Constabulary police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**The Drunken Duck
91A Claypath**

Post town: Durham

Post code (if known): **DH1 1RG**

2. Premises licence details:

Name of premises licence holder (if known): Durham Leisure

Number of premises licence holder (if known): LAPREG/05/0297

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

On the evening of Saturday 4th March 2023 at 23:48hrs, a large-scale disturbance took place at The Drunken Duck public house.

Police officers were dealing with a separate incident at the front of the premises when they were made aware of a large fight involving multiple people had taken place in the beer garden area situated to the rear of the premises.

Officers made their way through the premises at 23:54 hrs however upon arrival the disturbance appeared to be over although persons remained in the beer garden, one of whom, a male had injuries to his face.

Officers then viewed the CCTV system at the premises which showed the disturbance taking place at 23:48 hrs. The footage shows a single member of door staff (in a white shirt) trying to separate two groups of males who appear to be arguing and pushing one another. Another door supervisor enters the area to assist in keeping the groups apart.

Two further door supervisors enter the beer garden area as multiple fights start involving the groups of males. What follows is 3 minutes of continual violence involving around 10 persons where the level of violence is such that an offence of violent disorder contrary to S2 of the Public Order Act 1986 is made out.

Upon close viewing of the footage door supervisors are seen to be extremely ineffective and appear to just stand back and let the disturbance take place. Durham Constabulary appreciate that door supervisors' personal safety must be considered but at certain points door supervisor physical intervention could have occurred.

A male offender is seen to hit another male with a bar stool where a door supervisor could have prevented it. The fight appears to continue outside of the beer garden via a rear gate that is opened by the door staff and a male is seen to carry a bottle pass 3 door supervisors and hit someone with the bottle just outside of the gate.

No door supervisor is seen to prevent the male from carrying out this action, nor do they remove the bottle from the male and then allow the same male back in to the beer garden.

The footage was described by attending officers as one of the worst bar fights they had ever seen. A male involved in the disturbance was spoken to at the scene and significant facial injuries were noted by the officers.

The footage of the disturbance is indeed shocking, and it is lucky that no one was seriously hurt or even killed with the level of violence being used by some of the people involved in the incident.

Durham Constabulary have significant concerns relating to the handling of this incident by door supervisors; the footage shows door staff just standing back and letting the fight take place, ineffectively dealing with those using furniture and bottles as weapons and failing to eject all parties involved in the fight.

Durham Constabulary feel that the crime and disorder licensing objective has been significantly undermined and request expedited review of the premises licence.

Signature of applicant: Caroline Dickenson
Date: 06/03/2023
Capacity: Licensing Sgt

Contact details for matters concerning this application:

**Address: Durham County Council, Licensing Services
St Johns Road North, Meadowfield,
DH7 8RS**

Telephone number(s): 0191 3752351

Email: caroline.dickenson@durham.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Durham Constabulary
Force HQ
Aykley Heads
DH1 5TT

CERTIFICATE UNDER SECTION 53(a)(B) OF THE LICENSING ACT 2003

I hereby certify that in my opinion of the premise described below are associated with both serious crime and serous disorder.

Premises: **Drunken Duck, 91A Claypath, Durham, DH1 1RG**

Premise licence no: **LAPREG/05/0297**

Name of Premises licence holder: **Durham Leisure LTD**

I am a Chief Superintendent in Durham Constabulary

I am giving this certificate because I am of the opinion that the other procedures under the licencing Act 2003 are inappropriate in this case, and that it is proportionate in the circumstance for the reasons below.

Durham Constabulary responded to an incident which occurred on 4th March 2023 whereby serious crime and disorder has occurred at a licenced premises namely The Drunken Duck situated on Claypath, Durham City.

The incident involves a large-scale disturbance in the rear beer garden involving multiple male patrons fighting with each other.

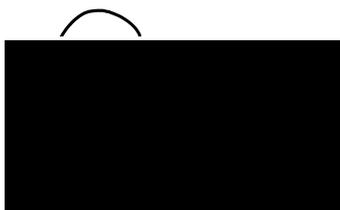
I have viewed the cctv from the premise and the footage is of concern as it appears that the door supervisors involved are ineffective, standing back and letting the fight take place with limited intervention.

As a result of this incident people have sustained injuries and arrests were made.

The level of violence is such that an offence of violent disorder contrary to S2 of the Public Order Act 1986 is made out and is under investigation.

I question the management and running of this premise and conclude the only proportionate action available to address the serious nature of this incident and to prevent any further crime and disorder at the premises is to take action via an expediated review, whereby Durham Constabulary will be seeking suspension of the licence.

Signed

A large black rectangular redaction box covers the signature. A small black arc is visible above the top edge of the box, likely representing the top of a pen stroke.

Dated 6th March 2023

Print Name Richard Allen

Title Chief Superintendent 1787

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LICENSING ACT 2003 PREMISES LICENCE

Premises Licence Number
Granted
Issued

LAPREG/05/0297
24 November 2005
23 June 2021

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description	Issuing Authority
<p>THE DRUNKEN DUCK 91A CLAYPATH DURHAM CITY DH1 1RG</p>	<p>DURHAM COUNTY COUNCIL NEIGHBOURHOODS AND CLIMATE CHANGE COMMUNITY PROTECTION LICENSING SERVICES PO BOX 617 DURHAM DH1 9HZ</p>
<p>Telephone number: 07711 260155</p>	

<p>Where the licence is time limited the dates N/A</p>
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<p>Licensable activities authorised by this licence</p> <ul style="list-style-type: none"> Films Indoor Sporting Events Live Music Recorded Music Performance of Dance Facilities for Making Music Facilities for Dancing Late Night Refreshment Sale by retail of alcohol
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Opening Hours of the Premises																
	<table style="width: 100%; border-collapse: collapse;"> <tr><td>Mon</td><td>10:00-00:30</td></tr> <tr><td>Tue</td><td>10:00-00:30</td></tr> <tr><td>Wed</td><td>10:00-00:30</td></tr> <tr><td>Thu</td><td>10:00-00:30</td></tr> <tr><td>Fri</td><td>10:00-00:30</td></tr> <tr><td>Sat</td><td>10:00-00:30</td></tr> <tr><td>Sun</td><td>10:00-00:30</td></tr> </table>	Mon	10:00-00:30	Tue	10:00-00:30	Wed	10:00-00:30	Thu	10:00-00:30	Fri	10:00-00:30	Sat	10:00-00:30	Sun	10:00-00:30	<p>Non-standard/seasonal timings</p> <p>Until 02.30 on no more than 12 occasions per calendar year, such extension to take place if at least 14 days notice is given to the police and the licensing authority and only if the police consent.</p> <p>An additional two hours on 1st March, 17th March, 31st October, 24th December, 26th December, 27th December, 28th December, 30th December and on Sunday preceding a Bank Holiday Monday</p> <p>An additional one hour on a Bank holiday Monday.</p> <p>Extension of one hour on commencement of British Summer Time.</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Mon	10:00-00:30															
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Fri	10:00-00:30															
Sat	10:00-00:30															
Sun	10:00-00:30															

<p>Where the licence authorises the sale by retail of alcohol whether these are on and/or off sales: ON AND OFF ALCOHOL SALES</p>

The times the licence authorises the carrying out of licensable activities (all in 24hr format)

<p>Films Indoors</p> <p>Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00</p>	<p>Further details</p> <p>N/A</p> <p>Non-standard/seasonal timings</p> <p>Non standard/seasonal timings: Until 02.30 on no more than 12 occasions per calendar year, such extension to take place if at least 14 days notice is given to the police and the licensing authority and only if the police consent. An additional two hours on 1st March, 17th March, 31st October, 24th December, 26th December, 27th December, 28th December, 30th December and on Sunday preceding a Bank Holiday Monday An additional one hour on a Bank holiday Monday. Extension of one hour on commencement of British Summer Time. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
<p>Indoor Sporting Events</p> <p>Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00</p>	<p>Further details</p> <p>N/A</p> <p>Non-standard/seasonal timings</p> <p>Non standard/seasonal timings: Until 02.30 on no more than 12 occasions per calendar year, such extension to take place if at least 14 days notice is given to the police and the licensing authority and only if the police consent. An additional two hours on 1st March, 17th March, 31st October, 24th December, 26th December, 27th December, 28th December, 30th December and on Sunday preceding a Bank Holiday Monday An additional one hour on a Bank holiday Monday. Extension of one hour on commencement of British Summer Time. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
<p>Live Music Indoors</p> <p>Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00</p>	<p>Further details</p> <p>No entertainment on Christmas Day.</p> <p>Non-standard/seasonal timings</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
<p>Recorded Music Indoors</p> <p>Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00</p>	<p>Further details</p> <p>No entertainment on Christmas Day</p> <p>Non-standard/seasonal timings</p> <p>N/A</p>
<p>Performance of Dance Indoors</p> <p>Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00</p>	<p>Further details</p> <p>No entertainment on Christmas Day</p> <p>Non-standard/seasonal timings</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>

Facilities for Making Music Indoors Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00	Further details No entertainment on Christmas Day Non-standard/seasonal timings From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Facilities for Dancing Indoors Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00	Further details No entertainment on Christmas Day Non-standard/seasonal timings From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Late Night Refreshment Indoors and Outdoors Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-00:00 Fri 23:00-00:00 Sat 23:00-00:00 Sun 23:00-00:00	Further details N/A Non-standard/seasonal timings Until 02.30 on no more than 12 occasions per calendar year, such extension to take place if at least 14 days notice is given to the police and the licensing authority and only if the police consent. An additional two hours on 1st March, 17th March, 31st October, 24th December, 26th December, 27th December, 28th December, 30th December and on Sunday preceding a Bank Holiday Monday An additional one hour on a Bank holiday Monday. Extension of one hour on commencement of British Summer Time. New Year's Eve: 23:00 – 05:00 on New Year's Day.
Sale by retail of alcohol Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00	Further details N/A Non-standard/seasonal timings Until 02.30 on no more than 12 occasions per calendar year, such extension to take place if at least 14 days notice is given to the police and the licensing authority and only if the police consent. An additional two hours on 1st March, 17th March, 31st October, 24th December, 26th December, 27th December, 28th December, 30th December and on Sunday preceding a Bank Holiday Monday An additional one hour on a Bank holiday Monday. Extension of one hour on commencement of British Summer Time. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Part 2

Name, (Registered) address, telephone number and email (where relevant) of holder of premises licence	
DURHAM LEISURE LIMITED	
Registered number of holder, for example company number, charity number (where applicable)	
Company no:	12115735
Charity no:	N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the sale by retail of alcohol

MR TERENCE HALEY

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the sale by retail of alcohol

Annex 1 – Mandatory conditions

No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol -

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

- (a) a holographic mark, or
- (b) an ultraviolet feature.

The responsible person must ensure that –

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Price of Alcohol:

1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2 For the purposes of the condition:

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3 Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4 (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
2. But nothing in subsection (1) requires such a condition to be imposed-
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to-
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section-
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Mandatory condition: exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
3. Where-
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Annex 2 – Conditions consistent with the premises Operating Schedule

General

None

The Prevention of Crime & Disorder

The company monitors the need for door supervisors and in so doing takes into account any advice given by the Police.

The pub manager is required to actively participate in and support local Pubwatch scheme (where active).

Text and/or radio pagers, where already used will be used for any additional hours.

Toughened glass is currently in use and will continue to be used during any additional hours.

Where existing, CCTV system will continue to operate during the additional hours.

In line with our Alcohol and Social Responsibility Policy there will be no promotions that encourage illegal, irresponsible or immoderate consumption.

Public Safety

The Premises shall have a sufficient frontage to a road or to an open space having sufficient access to a road to ensure the rapid dispersal of people from the premises in emergency.

Adequate arrangements shall be provided for access for the Fire Brigade for fire fighting.

The maximum number of people permitted within the premises shall be determined by the Council.

The premises shall be provided with adequate facilities to monitor and control the number of people present.

Suitable provisions shall be made to enable disabled people to use the premises including the provision of adequate access and means of escape.

All necessary safety checks shall be carried out before the admission of the public. Details shall be entered in the fire log book.

The premises shall be arranged to minimise the risk of noise nuisance to nearby properties.

There shall be adequate means of escape from all parts of the premises.

The premises and the fittings therein shall be constructed and maintained so as to minimise any risk of structural failure or collapse.

Adequate barriers or guarding shall be provided throughout the premises to minimise, so far as practicable, the risk of any person falling.

The premises shall be adequately protected against the effects of a fire occurring within the building or in any adjacent building.

Adequate provision shall be made to control the spread of smoke through the premises in the event of fire.

Where the safety curtain is provided, it shall be arranged so as to protect the audience from the effects of a fire or smoke on stage, for sufficient time to enable the safe evacuation of the auditorium.

Adequate protection against lightning shall be provided.

Details of any fire control measures incorporated in the premises shall be provided for the Fire Brigade.

The electrical installation [including temporary installations] shall be mechanically and electrically safe and suitable for the intended use of the premises.

All parts of the premises shall be provided with adequate illumination. All routes of escape and all parts of the premises to which the public have access shall be provided with adequate and assured illumination from two independent supplies and systems.

Adequate ventilation shall be provided to all parts of the premises so as to maintain healthy conditions.

Permanent means of heating all regularly occupied parts of the premises shall be provided and shall be arranged so as not to cause a safety or fire hazard.

The premises shall be provided with a permanent water supply [including water for fire fighting] and adequate drainage.

Adequate and free sanitary accommodation shall be provided, having regard to the type of entertainment to be given at the premises.

Adequate cloakrooms for patrons together with adequate changing rooms for staff including performers shall be provided, having regard to the operation of the premises.

Facilities for the preparation, cooking or sale of food shall prevent any risk of contamination of the food.

An adequate supply of free drinking water shall be provided for all staff including performers, together with free drinking water for patrons if required.

Adequate provision shall be made for the safe storage and ready removal of refuse.

A fire alarm warning system and efficient means of communication in case of an emergency shall be provided throughout the premises.

Efficient means shall be provided for calling the fire brigade in the event of fire.

Adequate fire-fighting equipment shall be provided for the premises.

Where a generator is installed it shall not present any fire or electrical hazard to the rest of the premises.

Where a generator is installed to provide an alternative electricity supply to emergency equipment or to emergency lighting it shall have sufficient capacity and be able to start operating sufficiently quickly to ensure safety in the event of the failure of the normal electricity supply.

An adequate supply of first aid equipment and materials must be available on the premises and at least one suitably trained first-aider must be on duty when the public are present. A First Aid Room shall be provided in any premises with an accommodation limit of 1000 or more people [or 1500 or more people in the case of a closely-seated auditorium].

The premises shall have adequate facilities for communication with the staff and the public.

Adequate safety signs shall be provided throughout the premises.

Curtains, hangings and temporary decoration and/or scenery, must be maintained flame-retardant. These must not obstruct exits, fire safety signs, or fire-fighting equipment. Any upholstered seating must meet the pass criteria for testing in accordance with section 5 of BS 5852 : 1990.

All facilities intended for use by the public shall be clearly indicated.

Any mechanical installation shall be arranged so as to minimise any risk to the safety of the public, performers and staff.

Any special effects shall be arranged so as to minimise any risk to the public, performers and staff. Written consent from the council is required before such special effects as fireworks, lasers, etc. may be used. Ten days notice in writing of any proposal to use special effects must be received.

Appropriate certificates shall be provided as evidence to the Council that the premises may be safely opened to the public.

The premises shall not without the written consent of the Licensing Authority be opened or used for the licensed purposes on Christmas Day.

Overcrowding in such a manner as to endanger the safety of persons present or to cause undue interference with their comfort must not be allowed in any part of the premises. No persons other than official stewards or other staff on duty at the premises shall be permitted to stand in any passageway, gangway or staircase leading to an exit from the premises so as to obstruct means of egress.

Any person employed or engaged as door/security staff must be door supervisors registered with the SIA.

Where a person is employed or engaged as a registered door supervisor the licensee shall maintain a register in the form approved by the Council showing in respect of each period of duty of that person -
· the name, date of birth, residential address and registration number of the person; · the date and time when the person commenced duty, countersigned by the person; · details of any time during the period of duty when the person was not on duty countersigned by the person; · details of any incident which occurs during the period of duty.

The register shall be kept at the licensed premises readily available for inspection during licensed hours by any authorised Officer of the Council or Constable who shall demand to inspect the same and the said Register shall be retained for period of three months.

A person who is employed or engaged as aforesaid and is on duty at the licensed premises shall at all times wear in a readily visible position an identification badge.

A person who is employed or engaged as aforesaid shall be at all times in a suitable condition to carry out the required duties. They shall conduct themselves in a proper manner at all times whilst on duty as a door supervisor and in particular are not permitted to consume any alcohol during any period of duty.

The Prevention of Public Nuisance

Reasonable steps are taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.

Managers are required to liaise with local neighbours as part of their duties and resolve any reasonable concerns.

The Protection of Children from Harm

We recognise the importance of protecting children from harm and this is supported by:- Our commitment to health and safety in the operation and maintenance of the premises. Our approach to managing the risk of under-age drinking.

We will at all times observe the law and ensure that alcohol is not served to people who are under 18 years of age.

The manager and staff are briefed in the importance of their responsibilities in ensuring customers are over 18.

No adult entertainment (paid for by the company of a nude physical nature) is permitted at these premises. Any children under 16 remain the responsibility of the accompanying adult when using the premises (and/or exterior area).

Staff are not allowed to be in sole supervision of children which remains the responsibility of the accompanying adult at all times.

Annex 3 – Conditions attached after a hearing by the licensing authority

Licensing Statutory Committee Hearing - 24 August 2005

1. That the premises will display notices asking patrons to leave quietly and door supervisors will ask patrons to leave quietly.
2. That the designated premises supervisor attend the residents meetings when requested to do so.

Annex 4 – Plans attached

Attached

**Signature of Authorised Officer
Head of Community Protection**

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