



Statutory Licensing Sub-Committee

Date Tuesday 20 June 2017
Time 10.00 am
Venue Council Chamber, County Hall, Durham

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest (if any)
4. Minutes of the Meeting held on 19 April 2017 (Pages 3 - 14)
5. Application for the Grant of a Premises Licence - Terrace Green, Seaham (Pages 15 - 60)
6. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Clare Pattinson

Interim Head of Legal and Democratic Services

County Hall
Durham
12 June 2017

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

Councillors D Bell, G Darkes, A Hopgood, L Marshall and I McLean

Contact: Jill Errington

Tel: 03000 269703

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Committee Room 2, County Hall, Durham on **Wednesday 19 April 2017 at 10.00 am**

Present:

Members of the Committee:

Councillors A Batey, J Hart and B Kellett

Also Present:

Councillor P May

S Buston (Council's Solicitor)

Y Raine (Senior Licensing Officer)

McColls Brewery

D McColl (Applicant)

Councillor H Smith (Other Person)

D Green (Other Person)

A Agar (Other Person)

J Stephenson (Other Person)

J Welsh (Other Person)

O Wright (Other Person)

13 Fore Bondgate

D Rivera (Applicant/Licence Holder)

J McFarland (On Behalf of the Applicant/Licence Holder)

Councillor J Hart (in the Chair)

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitute members.

3 Declarations of Interest

There were no declarations of interest.

4 Application for the Grant of a Premises Licence - McColls Brewery, Unit 4, Randolph Ind. Estate, Evenwood, Bishop Auckland

Consideration was given to the report of the Senior Licensing Officer regarding an application for the grant of a Premises Licence in respect of McColls Brewery, Randolph Industrial Estate, Bishop Auckland (for copy of report, see file of minutes).

A copy of the application form and supporting documents had been circulated to Members.

Additional information had been received from the Applicant, Councillor Smith and Mr Green immediately prior to the meeting, copies of which had been provided to Members at the meeting.

Councillor Smith the local Ward Member speaking also on behalf of Councillor Turner indicated that they were not opposed to a Brewery in Evenwood as they wanted to encourage businesses and employment in the area but they had concerns of some of the proposals contained in the application.

They were concerned of the ability to play live and recorded music, plays and the sale of alcohol off the premises.

The premises were located on an industrial estate and they felt that it would change to a pub located in an industrial estate which was in close proximity to the residents in Manor Court Bungalows. The premises were only 10 metres from the bedroom windows of 1 and 2 Manor Court and they were concerned that residents would suffer from noise nuisance. Alcohol sales was another concern as they did not want mass alcohol consumption which they felt would increase anti-social behaviour.

Councillor Smith referred to the circulated press article which was in relation to a teenage gang that had taken over Evenwood and how they were concerned about the sale of alcohol and asked how robust the policies were.

They also had concerns of parking and access to the Brewery as the road was currently used by HGV vehicles all day and night and there was limited parking spaces which could result in Saddler Lane been used for parking which would cause problems for HGV vehicles. Security for other units on the Industrial Estate was also a concern.

In summing up, Councillor Smith indicated that they were in favour of the Brewery but had concerns regarding the sale of alcohol and entertainment, the unit was too close to residential properties and there was potential obstructive parking and an increase in anti-social behaviour.

The Applicant had no questions of Councillor Smith.

The Chairman sought clarification if the industrial estate was built after the bungalows and why they thought there would be an increase in anti-social

behaviour as Durham Constabulary had not raised any objections to the application.

Members were advised that the bungalows belong to a Housing Association and that the industrial estate was built after the bungalows. Youths congregated around the area and they were concerned about the noise. They already suffered from traffic and the noise from the pub in the vicinity, although this was only once a week on a Saturday evening.

Councillor Smith indicated that the premises was only 10 metres away from the bedroom windows of the bungalows and would be intrusive.

Mr Green speaking on behalf of the residents of Manor Court indicated that he supported Councillor Smith and confirmed that Manor Court was built prior to the industrial estate. The premises was on an industrial estate and was not a place for entertainment. He liked a beer himself but not a place of entertainment which was located too close to residential properties. One of the units was previously rented for the storage of wine but after several burglaries and attempted burglaries they decided to move.

Councillor Batey sought clarification on the type of businesses in the other units on the industrial estate.

Members were advised that there was a fudge factory, electrical company, woodcraft and a recovery depot which created noise and traffic from HGV vehicles.

In response to questions from Members, the objectors advised that the recovery depot which was adjacent to the units created noise all night but the units closed 4.30 pm/5.00 pm and the gates to the industrial estate were locked at 5.00 pm. There were currently two units vacant and the working men's club had existed since the village was built and pre dated the bungalows.

Mr McColl, the Applicant spoke on the application and indicated that he was happy to reduce the hours and remove amplified music from the application to alleviate the concerns of the objectors.

He did not believe that anti-social behaviour would be exacerbated as staff would be fully trained, challenge 25 would be in place and CCTV and they would not allow youths to purchase alcohol.

Mr Green asked why the Brewery needed to sell alcohol on the premises.

Mr McColl responded that they wanted to sell alcohol direct to their customers which would allow the business to grow. They had an open door policy and wanted to show off the Brewery and allow customers the opportunity to purchase their products.

The Objectors raised concerns that members of the public could walk into the Brewery and purchase alcohol and asked why he required music.

Mr McColl indicated that he had ticked every box on the application but he was happy to amend the application.

The Chairman asked Mr McColl if he envisaged live music at the Brewery. Mr McColl responded that it was a local establishment and people would come to see the Brewery and they wanted to give people a sample of the products at the end of the tour and an opportunity to purchase products. He did not have any plans for live music and the licence was until 9.00 pm but he did not envisage that they would be open to that time.

Discussions took place on soundproofing and the Applicant advised that he was waiting for the results of the noise report and he would soundproof as necessary to comply and that the condenser could be fully soundproofed if required.

The Council's Solicitor advised the objectors that if there were any noise issues this could be dealt with under the Environmental Protection Act.

Councillor Smith indicated that she did not have any issues with the tour of the Brewery but she had difficulty with a bar in an industrial unit and sought reassurances that people would not over indulge.

Mr McColl responded that as the Licence Holder he was responsible and would ensure that people were not over indulging and would go out of his way to enforce this. He did not see the bar as a traditional bar it was more a point of sale and not a congregation point, he did not envisage regular customers but customers who had pre ordered a ticket for the tour of the Brewery and not a place for people to meet and stand at the bar to consume alcohol for hours.

The objectors sought reassurance that there would be no discos. Mr McColl gave reassurance that there would be no live music events.

Mr Green indicated that alcohol as part of the tour was fine but he had concerns of people just turning up from 12.00 noon to 9.00 pm.

Mr McColl responded that he envisaged the premises closing at 5.00 pm most days, he just wanted flexibility for events and it was not his intention to open as a bar every day and he was happy to confirm this in writing.

The Chairman referred to parking and that there was insufficient parking spaces for 50 people even though he was aware that this was a planning matter.

Mr McColl indicated that he was happy to amend this figure as he did not envisage 50 people in the brewery in one afternoon as there was only 2 people currently working, 20 people would be the maximum. There were 3 official parking bays to the front of the unit but they could get 6 cars comfortably parked outside.

Members referred to the application which had raised concerns for residents but they had been reassured that there was alternative protections to cover their concerns. They had concerns of the close proximity of the bungalows to the premises, the Applicant clarified that it would be organised tours and not just people

turning up and that they were off the beaten track so there would be no passing trade. It was a gated industrial estate and there was only 2 members of staff so people would have to be turned away as they did not have the staff to deal with high numbers. The training of staff was relevant and Members sought clarification on the Applicants experience in the area.

The Council's Solicitor advised Members that the training of staff was already a condition of the licence.

In response to questions from Members, Mr McColl advised that they would have CCTV in place, staff would be trained and full access would be given to responsible authorities, they would also have challenge 25 in place and he hoped that it would be a sophisticated establishment. The shaded area on the plan would be the only accessible area which was a further 2 to 3 metres away internally from the bungalows but again indicated that he was happy to remove amplified music from the application. He had previously worked in a Brewery but had only obtained his personal licence early this year.

In summing up, Mr Green indicated that he would like to see live music removed from the application, he was happy for a radio but not amplified music.

In summing up, Mr McColl referred to the objections and indicated that he hoped he had offered reassurances to alleviate their concerns.

At 11.00 am the Sub-Committee retired to deliberate the application in private. After re-convening at 11.10 am the Chair delivered the Sub-Committee's decision. In reaching their decision, Members had taken into account the written and verbal representations of the Applicant and Other Persons. Members also considered the Council's Statement of Licensing Policy and Section 182 Guidance issued by the Secretary of State.

Resolved: That the application for a premises licence be granted as follows:-

Activity	Days and Hours
Sale of Alcohol (on and off sales)	Monday to Sunday: 12:00 to 21:00 hours
Films, Live Music and Recorded Music, Similar Entertainment (indoors only)	Monday to Sunday: 12:00 to 21:00 hours
Plays and Performance of Dance (indoors only).	Friday to Sunday: 12:00 to 21:00 hours

The Sub-Committee considered the conditions suggested within the Operating Schedule of the application and believed it was necessary and proportionate to impose the following condition upon the licence:-

- (i) The brewery actively discourages mass volume consumption of alcohol and will not tolerate this as a sole purpose to visit the premises. The brewery bar is there as an addition to the brewery for events held but not solely as a drinking venue. Where possible we will educate on all aspects of alcohol consumption and we will only offer beer for sale (not wine, cider or spirits). The brewery is a family friendly venue and welcomes accompanied children, and will operate a Challenge 25 policy.
- (ii) Security alarms are fitted on all exits to secure the property when closed. All staff quarters and work areas will be closed to the public. Internal and external lighting is provide at the premises along with multiple points of exit. All staff have been made aware of our security policy and the licensing objectives, including the challenge 25 policy, with an incident log book available. If drinking is to be undertaken outside the premises plastic glassware will be provided. We operate a zero tolerance on drugs and anyone in the possession of will be refused entry.
- (iii) Mass volume consumption of alcohol is discouraged and will not be tolerated. Only beer will be for sale (not wine, cider or spirits). Limited hours will be operated for the sale of alcohol. Only a limited amount of people will ever be present at the brewery (maximum 50 people). The necessary signs including issues of enforcement will be clearly displayed.
- (iv) A full risk assessment is in place for the premises and a first aid box and log book are present. The premises are limited to a maximum of 50 people. Smoke alarms and fire extinguishers are present along with fire escape doors, signs and lighting, along with adequate internal and external lighting. Drink driving is actively discouraged.
- (v) Restricted hours are in place to reduce the hours of potential nuisance. Music will be limited within these hours along with the sale of alcohol. The premises are limited to a maximum of 50 people but every step will be taken to disperse people at different times from the premises. All necessary signs and warnings will be in place to reduce noise and nuisance levels.
- (vi) The brewery will operate a family friendly policy. As above the brewery will operate a Challenge 25 policy, which all staff will be made aware of (with a refusals book available). All policies will have the necessary signs displayed. All people under the age of 18 must be accompanied by an adult at all times.
- (vii) Authorised staff employed by Durham Police shall have free access to all parts of the licenced premises, at all reasonable times, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.

- (viii) Initial staff training to be carried out by the Designated Premises Supervisor or approved member of staff to ensure no alcohol is sold to anyone under age and refresher training to be carried out every six months.
- (ix) Training records to be kept for every member of staff and endorsed after every training session. The records will be made available to officers and responsible authorities when requested to do so.
- (x) CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions.
- (xi) Cameras shall encompass the inside and outside of the entrances/exits to the premise and all areas inside the premise where the sale/supply of alcohol occurs.
- (xii) Equipment must be maintained in good working order, be correctly times and date stamped. Recordings must be kept in date order, numbered sequentially and kept for a period of 28 days and handed to the police/local authority within a reasonable time frame agreed between officers and DPS/authorised person.
- (xiii) The Premises Licence Holder must ensure at all times a Designated Premises Supervisor or appointed member of staff is capable and competent at downloading CCTV footage in recordable format, either disc, hard drive or memory stick to the police/local authority within a reasonable time frame agreed between officers and DPS/authorised person.
- (xiv) The recording equipment and discs/memory sticks shall be kept in a secure environment under the control of the Designated Premises Supervisor or other responsible named individual.
- (xv) An operational weekly log report must be maintained and endorsed by a signature, indicating the system has been checked and is compliant, in the event of any failings action taken are to be recorded.
- (xvi) The only forms of identification we will accept are a current passport, a photo driving licence and 'PASS' hologram I.D.
- (xvii) A refusal register will be kept and endorsed after every sale refused, this is to include over 18's purchasing alcohol and passing it to under 18's (proxy sales).
- (xviii) Training of staff – all staff responsible for selling age restricted goods to be trained to implement the age verification policy. Staff training to include the risk from proxy sales. Training records for staff to be maintained and refresher training to be provided annually.

5 Application to Vary a Premises Licence - 13 Fore Bondgate (formerly Bella Italia), Bishop Auckland

Consideration was given to the report of the Senior Licensing Officer regarding an application to vary a Premises Licence in respect of 13 Fore Bondgate (formerly Bella Italia), Bishop Auckland (for copy of report, see file of minutes).

A copy of the application form and supporting documents had been circulated to Members.

The Senior Licensing Officer presented the report and advised Members that the deadline for receipt of objections had been extended due to the blue notice not been displayed correctly.

The objectors had indicated that they were unable to attend the meeting but had asked for their written representations to be taken into consideration.

A planning application had been submitted to bring the opening times of the premises in line with licensable activities.

The Applicant advised Members that planning permission had been granted and that the premises was sound proof with fire doors and they had recently purchased a noise reduction device.

J McFarland, speaking on behalf of the Applicant advised Member that she had spoken to Mr Harrison, an objector and invited him to the premises to talk about his concerns which resulted in his objection been withdrawn. She did not know the other objector so was unable to talk to her.

She went on to advise Members that they only intended to have background music and that they had a door to the rear of the premises where there was no residential properties and they were happy to ask people to leave by this door so that they did not disturb residents.

The Chairman sought clarification if they envisaged any live music.

Members were advised that they only intended for background music as they were more of a wine bar. Live bands would be too noisy and the premises next door and over the road currently provided live music.

The Chairman indicated that the licensing hours to 2.00 am were outside of the framework and asked the Applicant to justify why the Sub-Committee should consider granting a variation outside of these hours.

The Applicant responded that customers did not come to the area until about 11.00 pm, in view of this they would like to open until 2.00 am or 1.30 am on a Friday and Saturday which would coincide with other premises in the area.

The Chairman advised that only one of the premises in the area was open until 2.00 am and this licence was granted prior to the revised policy, which was why it was outside of the framework.

Councillor Batey sought clarification on the type of food that would be served at the premises.

Members were advised that the food would be Italian/pub food and that they had previously had a restaurant. The premises would consist of booths in the bar area and the restaurant would be mostly tables with the kitchen on the first floor and the cellar in the basement.

They envisaged that people would have a drink and eat when ready. Bishop Auckland now had a lot of visitors to the castle and the wine bar would be a venue for visitors. Bishop Auckland was an up and coming area and they were hoping for a licence until 2.00 am.

At 11.35 am the Sub-Committee retired to deliberate the application in private. After re-convening at 11.40 am the Chair delivered the Sub-Committee's decision. In reaching their decision, Members had taken into account the written and verbal representations of the Applicant and written representations of Other Persons. Members also considered the Council's Statement of Licensing Policy and Section 182 Guidance issued by the Secretary of State.

Resolved: That the application for a premises licence be granted as follows:-

Activity	Days and Hours
Opening Hours	Sunday to Thursday: 12.00 to 00:00 hours Friday and Saturday: 12:00 to 01:00 hours Sundays before a Bank Holiday and New Year's Eve: 12:00 to 01:00 hours
Sale of Alcohol (for consumption on the premises only) and Recorded Music	Sunday to Thursday: 12:00 – 00:00 hours Friday and Saturday: 12:00 – 01:00 hours Sundays before a Bank Holiday and New Year's Eve: 12:00 – 01:00 hours

The Sub-Committee considered the conditions suggested within the Operating Schedule of the application and believed it was necessary and proportionate to impose the following condition upon the licence:

- (i) We will hold the four objectives in high regard and will strive to keep staff fully trained on all of our policies and procedures. All training records will be made available to officers when requested.
- (ii) Alcohol will not be served to anyone who appears drunk. Disorderly conduct will not be permitted on the premises. Proof of age Challenge 25 will be utilised.
- (iii) Full initial staff training to be carried out by the Designated Premises Supervisor to ensure no alcohol is sold to anyone under age and refresher training to be carried out every six months.
- (iv) Training records to be kept for every member of staff and endorsed after every training session. The records will be made available to officers and responsible authorities when requested to do so.
- (v) CCTV is installed covering all areas and aspects of the premises, all doors in and out.
- (vi) CCTV coverage will be kept and made available to any police or courts as requested. Staff will be trained about the sale of alcohol. All staff training records will be kept for inspection.
- (vii) CCTV will be provided in the form of a recordable system, capable of providing pictures particularly facial recognition. Cameras shall encompass all entrances and exists to the premises, where the sale/supply of alcohol occurs.
- (viii) The majority of staff will be trained to operate the CCTV system; this is to include viewing and downloading of the system. Regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by police or other relevant officers of a responsible authority.
- (ix) All footage will be kept on the system for at least 28 days and will be made available to officers and responsible authorities when requested to do so. The Licensee and Designated Premises Supervisor must ensure that SIA Door Supervisors will be employed (X2) Friday, (X2) Saturday from 22:00 hours to closure. SIA Door Supervisors will also be employed on Bank Holidays (X2) from 20:00 to closure. Provision of door staff on a risk assessment basis all other days.
- (x) Safety signage will be in place for fire exits. Fire exits and equipment to be clearly marked.
- (xi) Safety at work signage will be in place for insurance certificates, incident log and will be in place for staff and public.
- (xii) Members of staff to be first aid trained and aware of health and safety requirements.

- (xiii) First aid facilities will be in place and up to date.
- (xiv) Groups of people will be discouraged from congregating outside the premises.
- (xv) Signage will be displayed encouraging customers to leave quietly.
- (xvi) A rubbish bin will be placed outside of the front of the premises and customers will be encouraged to use it. At the end of business staff will ensure that litter is collected from the front of the premises and the immediate vicinity.
- (xvii) Bottle bins to be emptied on a morning.
- (xviii) A cigarette bin to be available outside the premises.
- (xix) A challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photo card driving licence and PASS accredited identification card i.e. ID4U.
- (xx) A refusal register will be kept and endorsed after every sale refused. This should be maintained and will be produced to a relevant officer of the police or other relevant officer of a responsible authority upon request. This is also to include over 18's purchasing alcohol and passing it on to under 18's (proxy sale).
- (xxi) No under 18 events to be held at these premises.
- (xxii) No adult themed entertainment.

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Statutory Licensing Sub-Committee20th June 2017**Application for the Grant of a Premises Licence**

Report of Jane Robinson, Corporate Director, Adult & Health Services

**Name and Address of Premises: Terrace Green, Seaham, County Durham.
SR7 7EU**

1. Summary

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

Seaham Town Council
Seaham Town Hall
Stockton Road
Seaham
SR7 0HP

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

2. Details of the Application

An application for the grant of a premises licence was received by the Licensing Authority on 5th May 2017. A copy of the application is attached as Appendix 2.

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

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

Activities	Days & Hours Requested
Plays (outdoors)	Monday to Sunday: 09:00 – 23:00 hrs
Films and Live Music (indoors)	Monday to Sunday: 12:00 – 23:00 hrs
Recorded Music and Performances of Dance (indoors)	Monday to Sunday: 10:00 – 23:00 hrs

On 5th June 2017, the Mr Paul Fletcher, Deputy Clerk of Seaham Town Council notified the licensing authority that they wished to amend their application to restrict the number of licensable events to be held each year, as follows:

- **Number of events where licensable activities take place to be limited to 5 events per calendar year**

A copy of Mr Fletcher's e-mail confirming this amendment to the application is attached at Appendix 3.

3. The Representations

During the consultation period, the Licensing Authority initially received eight representations from local residents.

Following the applicant's amendment to the application to restrict the number of licensable events to 5 per calendar year, six of the residents confirmed that they wished to withdraw their representations.

The two outstanding representations are from the following residents:

- Mr John D Pemberton
- Mr Paul and Ms Patricia Hales

The remaining representations relate to the licensing objective

- The Prevention of Public Nuisance

Copies of the outstanding representations are attached as Appendix 4.

No representations were received from any of the Responsible Authorities.

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

- Environmental Health Authority, Noise Action Team
- Durham Constabulary
- Durham Local Safeguarding Children Board
- Planning Authority
- Fire Safety Authority

Copies of these responses are attached at Appendix 5.

4. Parties

The Parties to the hearing will be:

- Seaham Town Council (Applicant)

- Mr John D Pemberton (Other person)
- Paul and Patricia Hales (Other persons)

5. Durham County Council Statement of Licensing Policy

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

- 9.0 Prevention of Public Nuisance
- Appendix B - Framework Licensing Hours

Relevant information is attached as Appendix 6.

6. Section 182 Guidance

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

- 2.15 - 2.21 Public Nuisance

Relevant information is attached as Appendix 7.

7. For Decision

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

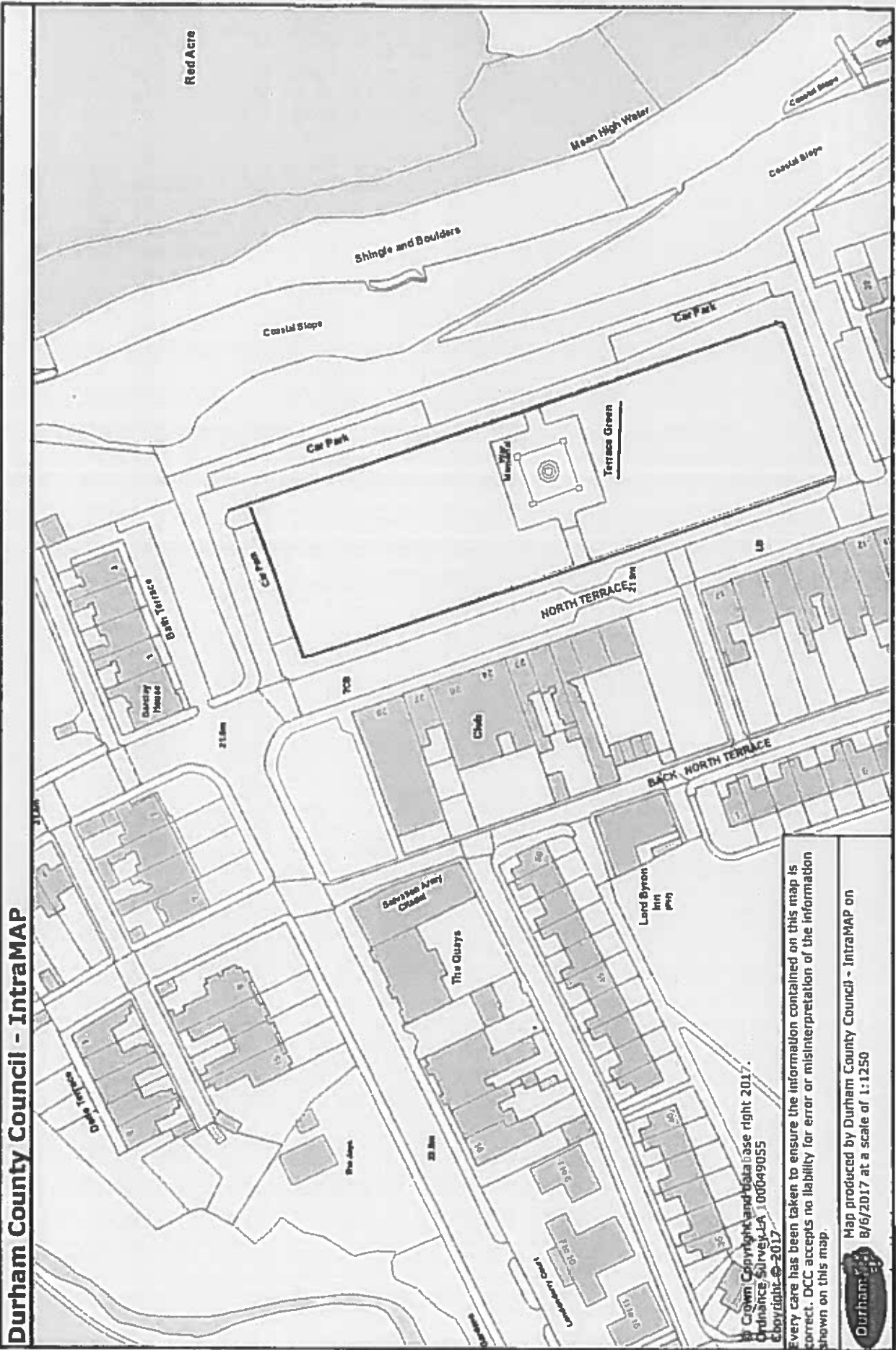
Contact: Yvonne Raine

Tel: 03000 265256

Email: yvonne.raine@durham.gov.uk

APPENDIX 1 – LOCATION PLAN

Durham County Council - IntraMAP



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 Ordnance Survey, LA 100049055
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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
 8/6/2017 at a scale of 1:1250



APPENDIX 2 – APPLICATION

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Seaham Town Council

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Terrace Green, Seaham, County Durham			
Post town	Seaham	Postcode	SR7 7EU

Telephone number at premises (if any)	non
Non-domestic rateable value of premises	£non

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|--------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |

- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name Seaham Town Council
Address Seaham Town Hall, Stockton Road, Seaham, County Durham, SR7 0HP
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any) 0191 5818034
E-mail address (optional)paul@seaham.gov.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	06	2017

If you wish the licence to be valid only for a limited period, when do you want it to end? No end date thank you

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Terrace Green has recently been transferred from Durham County Council to Seaham Town Council ownership just recently so the town council can look after it better and hold more events.

It is a rectangular area of mainly grass and contains the cenotaph and the towns sculpture "Tommy" owned and insured by Seaham Town Council. There are bins and seats on the site and that is about it. The Town Council have ran events on the site for decades without any trouble.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J) maybe in future but not in next few years

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	0900	2300	Please give further details here (please read guidance note 4) The Council runs approximately 4 events here every year like the Carnival, Christmas lights, Classic Cars and Classic Motorbikes. There is a wish to have more events for Seaham to keep regenerating into a tourist destination. It is expected that possibly 4 more events will occur this year and more family events may be developed in the future.		
Tue	0900	2300			
Wed	0900	2300	State any seasonal variations for performing plays (please read guidance note 5) more in summer than winter		
Thur	0900	2300			
Fri	0900	2300	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6) None		
Sat	0900	2300			
Sun	0900	2300			

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Large outdoor screen 25sqm is used to show family films in the summer for the carnival and a new pirates and princesses festival. A few more events with films may be proposed in future years		
Mon	1200	2300			
Tue	1200	2300	State any seasonal variations for the exhibition of films (please read guidance note 5) More in summer than winter		
Wed	1200	2300			
Thur	1200	2300	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6) None		
Fri	1200	2300			
Sat	1200	2300			
Sun	1200	2300			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4) None
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) None		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) None			
Mon						
Tue						
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) The Council puts on the Carnival mid July that has live music and a stage and also has a Christmas light switch on that has live music and a smaller stage. There are proposals for more music events over the forthcoming years maybe 4 new ones brought in this year		
Mon	1200	2300			
Tue	1200	2300	State any seasonal variations for the performance of live music (please read guidance note 5) more in summer than winter		
Wed	1200	2300			
Thur	1200	2300			
Fri	1200	2300	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) None		
Sat	1200	2300			
Sun	1200	2300			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	1000	2300	Please give further details here (please read guidance note 4) The Council puts on the Carnival mid July that has recorded music and a stage and also has a Christmas light switch on that has recorded music and a smaller stage. There are proposals for more music events over the forthcoming years maybe 4 new ones brought in this year		
Tue	1000	2300			
Wed	1000	2300	State any seasonal variations for the playing of recorded music (please read guidance note 5) More in summer than winter		
Thur	1000	2300			
Fri	1000	2300	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) None		
Sat	1000	2300			
Sun	1000	2300			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	1000	2300		<u>Please give further details here</u> (please read guidance note 4) The Council puts on the Carnival mid July that has dance performances and a stage and also has a Christmas light switch on that has dance performance and a smaller stage. There are proposals for more events over the forthcoming years maybe 4 new ones brought in this year	
Tue	1000	2300			
Wed	1000	2300	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5) More in summer than winter		
Thur	1000	2300			
Fri	1000	2300	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6) None		
Sat	1000	2300			
Sun	1000	2300			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) None	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2300	Please give further details here (please read guidance note 4) The Council puts on the Carnival mid July that has refreshments under marquees/gazebos and outside and a Christmas light switch on that has refreshments under marquees/gazebos. There are proposals for more events over the forthcoming years with maybe 4 new ones brought in this year	Both	<input checked="" type="checkbox"/>
Tue	0900	2300			
Wed	0900	2300	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) More in summer than winter	Both	<input checked="" type="checkbox"/>
Thur	0900	2300			
Fri	0900	2300	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) None.	Both	<input checked="" type="checkbox"/>
Sat	0900	2300			
Sun	0900	2300			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8) No alcohol is to be sold on the terrace green. Local shops and bars will benefit but the council does not foresee any licence for alcohol being required and will contact Durham County Council if it is required	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) None as no sale of alcohol is planned		
Mon					
Tue					
Wed					
Thur			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) None		
Fri					
Sat					
Sun					

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

Name None as no alcohol licence is required	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) The terrace green is an open area of grass land and is therefore open to the public all the time.
Day	Start	Finish	
Mon	0000	2400	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

No selling of alcohol on site. The Council does and will continue to work closely with police in its planning of events and on the day of events. The Council employs professional security, stewards and first aid teams on site of its events. The Council develops good, detailed risk assessments for events. Music only on till 2300 at which point public are encouraged to go home. All events are family orientated. Public notices are put up in the area well in advance of any large event and members of the public are encouraged to contact the council and pass on their concerns with the council responding and minimising any concerns they have. Noise levels at the nearest residential properties are monitored during the events and action taken to reduce noise levels should there be an issue.

b) The prevention of crime and disorder

No selling of alcohol on site. The Council does and will continue to work closely with police in its planning of events and on the day of events. The Council employs professional security, stewards and first aid teams on site of its events. The Council develops good, detailed risk assessments for events. Music only on till 2300 at which point public are encouraged to go home. All events are family orientated. Public notices are put up in the area well in advance of any large event and members of the public are encouraged to contact the council and pass on their concerns with the council responding and minimising any concerns they have. Noise levels at the nearest residential properties are monitored during the events and action taken to reduce noise levels should there be an issue.

c) Public safety

No selling of alcohol on site. The Council does and will continue to work closely with police in its planning of events and on the day of events. The Council employs professional security, stewards and first aid teams on site of its events. The Council develops good, detailed risk assessments for events. Music only on till 2300 at which point public are encouraged to go home. All events are family orientated. Public notices are put up in the area well in advance of any large event and members of the public are encouraged to contact the council and pass on their concerns with the council responding and minimising any concerns they have. Noise levels at the nearest residential properties are monitored during the events and action taken to reduce noise levels should there be an issue.

d) The prevention of public nuisance

No selling of alcohol on site. The Council does and will continue to work closely with police in its planning of events and on the day of events. The Council employs professional security, stewards and first aid teams on site of its events. The Council develops good, detailed risk assessments for events. Music only on till 2300 at which point public are encouraged to go home. All events are family orientated. Public notices are put up in the area well in advance of any large event and members of the public are encouraged to contact the council and pass on their concerns with the council responding and minimising any concerns they have. Noise levels at the nearest residential properties are monitored during the events and action taken to reduce noise levels should there be an issue.

e) The protection of children from harm

Police and Security Firm have a procedure in place that is agreed between them and they work on this system throughout the duration of an event. Safe Guarding policies and DBS checks are requested by groups taking part in any event.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	5/5/07.
Capacity	Deputy Town Clerk

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Paul Fletcher – Deputy Town Clerk, Seaham Town Hall, Seaham Town Council
Stockton Road, Seaham, County Durham

Post town	Seaham	Postcode	SR7)HP
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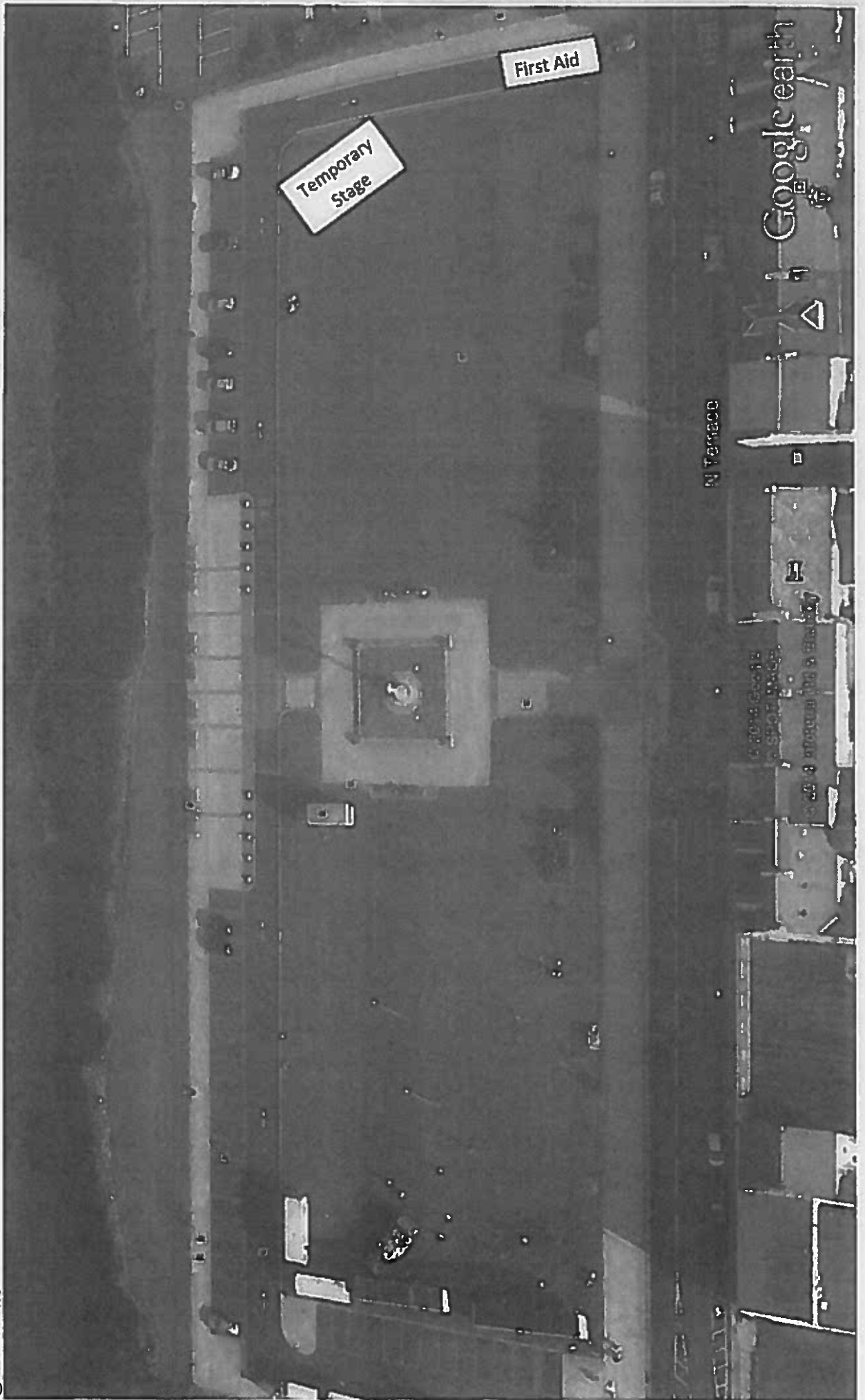
Telephone number (if any)	
----------------------------------	--

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
--

Notes for Guidance

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

hb



**APPENDIX 3 –
APPLICANT’S AMENDMENT**

From: Paul Fletcher
Sent: 05 June 2017 15:47
To: Yvonne Raine <Yvonne.Raine@durham.gov.uk>
Subject: RE: Terrace Green Seaham

Yes I agree with that statement 5 licensable events per year.

Thanks

Paul

From: Yvonne Raine [<mailto:Yvonne.Raine@durham.gov.uk>]
Sent: 05 June 2017 15:45
To: Paul Fletcher
Subject: RE: Terrace Green Seaham

Good Afternoon Paul

Further to your e-mail below and our telephone conversation today, please can you confirm by return e-mail that you wish to amend your application as follows:

- Number of events where licensable activities take place to be limited to 5 events per calendar year

Regards

Yvonne

Yvonne Raine
Senior Licensing Officer
Adult and Health Services

T: 03000 265256 (Direct Line)
T: 03000 261016 (General Licensing Number)
E: yvonne.raine@durham.gov.uk

Web: www.durham.gov.uk
Follow us on Twitter @durhamcouncil
Like us at [facebook.com/durhamcouncil](https://www.facebook.com/durhamcouncil)

APPENDIX 4 - REPRESENTATIONS

Bath Terrace
SEAHAM
Co. Durham
SR7 7EZ

26 MAY 2017

Durham County Council

PO Box 617

Durham

DH1 9HZ

24th May 2017

To whom it may concern,

Re: Application for a new premises licence on Terrace Green, Seaham, SR7 7EU

We would like to strongly oppose plans for a new premises licence for Plays, Films, Live Music, Recorded music and performance of Dance on the above address – SR7 7EU.

The application would have an impact on all who live in Bath Terrace due to the proximity of the events held.

The increase in noise would be of great concern as well as litter and parking congestion, and we feel we require more information on the frequency of the events proposed.

We look forward to hearing from you in due course.

Yours Faithfully,

Paul Hales

Patricia Hales

Bath Terrace
Seaham
County Durham
SR7 7EZ

31 MAY 2017

28 May 2017

Licensing Department
Durham County Council
P O Box 617
DURHAM
DH1 9HZ

Dear Sir/Madam,

Terrace Green, Seaham – New Premises Licence

I would like to register my concerns regarding the above application by Seaham Town Council.

As a resident of Bath Terrace, on the north side of Terrace Green, these proposals will have a direct effect on all residents of the terrace. Whilst I accept the Green should be available for visitors and residents to enjoy occasional activities, the outcomes of previous events (e.g. Seaham Carnival etc.) have not been a pleasant experience with unacceptably high levels of noise from the music and film events, the increased traffic causing parking and access problems to Bath Terrace and the vicinity, as well as increased litter from food and alcohol consumption. Given this is a conservation area, strict safeguards must in place to ensure that the locality is not exposed to excessive amounts of 'rowdy and noisy' events and thereby retains its unique coastal character.

The application by STC is too vague and open-ended – the application should specify either the events proposed and/or there should be a limit on the number of events that can take place on Terrace Green – failing to do so, will make living at Bath Terrace and the immediate area on these occasions unbearable, as there could be events virtually every week, especially in the summer. Furthermore, the hours proposed by STC are too broad. To ensure a decent balance of residents' and visitors' requirements, it would be more appropriate to start events involving music/PA systems no earlier than 11.00am and finishing by 22.00 hrs (not 23.00hrs).

I hope you will consider these points when making your decision on this licensing application.

Yours faithfully,

John D Pemberton

APPENDIX 5 - RESPONSES FROM RESPONSIBLE AUTHORITIES

Valerie Craig

From: Ted Murphy
Sent: 08 May 2017 13:54
To: Valerie Craig
Subject: RE: Licensing Act - Premises Licence Received

Hi Valerie,

No objection from NAT

Regards

Ted

From: Valerie Craig
Sent: 05 May 2017 12:21

Dear Sir/Madam

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

Les - please check that the blue notice is being correctly displayed.

1

Application Type - Application for a New Premises Licence

Applicant: - Seaham Town Council

Premises – Terrace Green, Seaham, Co Durham, SR7 7EU

Date of Application – 5th May 2017

Last date for representations – 2nd June 2017

Please note the last date for representations

Valerie Craig
Licensing Assistant
Adult and Health Services

T: 03000 261016 (General Licensing Number)

E: valerie.craig@durham.gov.uk

Web www.durham.gov.uk

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Like us at [facebook.com/durhamcouncil](https://www.facebook.com/durhamcouncil)

Valerie Craig

From: Judith Wilkinson - Harm Reduction Unit on behalf of Alcohol
Sent: 15 May 2017 15:30
To: Valerie Craig
Subject: RE: Licensing Act - Premises Licence Received

15/05/17

To Durham County Council

The Harm Reduction Unit can confirm that the Police have No Objections to the below New Premise Application.

Many Thanks

Judith Wilkinson
Licensing Support

From: Valerie Craig [mailto:Valerie.Craig@durham.gov.uk]
Sent: 05 May 2017 12:21

Subject: Licensing Act - Premises Licence Received

Dear Sir/Madam

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

Les - please check that the blue notice is being correctly displayed.

1

Application Type - Application for a New Premises Licence

Applicant: - Seaham Town Council

Premises – Terrace Green, Seaham, Co Durham, SR7 7EU

Date of Application – 5th May 2017

Last date for representations – 2nd June 2017

Please note the last date for representations

Yvonne Raine

From: Sean Barry
Sent: 15 May 2017 12:16
To: Neighbourhood Services Licensing
Subject: RE: Licensing Act - Premises Licence Received - Terrace Green, Seaham, Co Durham, SR7 7EU

Categories: Valerie

Good Afternoon

I have received an new licence application for the establishment: Terrace Green, Seaham, Co Durham, SR7 7EU

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

My Ref: SB/2017/039

Thanks
Sean

Valerie Craig

From: Sarah Seabury
Sent: 30 May 2017 15:01
To: Valerie Craig
Subject: CON28/17/01166 - Seaham North Green North Terrace Seaham

Dear Ms Craig,

I refer to your correspondence received on 5 May 2017 regarding the above matter. I can confirm that the planning department have no comments to make with respect to the application for a new premises license. Should you wish to discuss the matter further, please do not hesitate to contact me directly.

Regards,

Sarah Seabury
Planning Officer

Direct Line Telephone Number

Planning Development (North),
Planning Development Management
Regeneration and Local Services
Room G73 - 82
Durham County Council,
County Hall,
Durham,
DH1 5UL

www.durham.gov.uk

Please note I work part-time and my normal working pattern is Monday, Tuesday and Wednesday

DCC on Social Media:



Valerie Craig

From: FS-Easington
Sent: 15 May 2017 12:29
To: Valerie Craig
Subject: RE: Licensing Act - Premises Licence Received

Hello Valerie,

I can confirm that the Fire authority have no comments to make regarding this application.

Kind regards

Dave Mitchelson

From: Valerie Craig [<mailto:Valerie.Craig@durham.gov.uk>]
Sent: 05 May 2017 12:21

Subject: Licensing Act - Premises Licence Received

Dear Sir/Madam

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

Les - please check that the blue notice is being correctly displayed.

1

Application Type - Application for a New Premises Licence

Applicant: - Seaham Town Council

Premises – Terrace Green, Seaham, Co Durham, SR7 7EU

Date of Application – 5th May 2017

Last date for representations – 2nd June 2017

Please note the last date for representations

**Valerie Craig
Licensing Assistant**

APPENDIX 6 – STATEMENT OF LICENSING POLICY

9.0 Prevention of Public Nuisance

9.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.

9.2 The concerns relate, amongst other things, to litter, light pollution, noxious odours and noise nuisance resulting from music, human voices, ventilation equipment and vehicles. The Licensing Authority will expect applicants to demonstrate that suitable and sufficient measures have been identified, and will be implemented and maintained, with the intention of preventing public nuisance relevant to the individual style, location and characteristics of the premises and events.

9.3 If an external structure or area is to be used by customers, whether for consumption of alcohol or for smoking, the applicant will be expected to offer measures designed to minimise its impact on local residents in respect of both public nuisance and crime and disorder. These measures may include a restriction on hours that areas / structures will be used, appropriate signage requesting customers to consider local residents and monitoring of such areas by staff.

9.4 The placement of tables and chairs outside of licensed premises may give rise to public nuisance including noise and litter. When tables and chairs are situated on the public highway relevant consents will often be required. Enquiries for such consents should be made to the Council's Highway's Section of the Regeneration and Economic Development Department. In predominantly commercial areas such as shopping centres the Licensing Authority, the use of tables and chairs outside may be allowed however, the Council will normally expect them to be removed before the premises close, and any resulting litter/ debris cleared away.

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

- Assessment of likely noise levels in the premises.
- Assessment of likely noise levels if outdoor drinking is allowed.
- The sound insulation the building would provide (e.g. double glazing, double doors / lobbies to entrances, windows used for ventilation).
- The distance and direction to the nearest noise sensitive premises.
- Likely noise sources outside of the premises (e.g. emptying bottle bins, taxis, unruly customers leaving the premises).
- Dispersal of patrons – where necessary the Licensing Authority will expect a dispersal policy for patrons at the end of the evening. The policy will specify such issues as alterations to the style and volume of music played, public address announcements and use of appropriate signage at exits.
- Ways to limit noise / disorder from patrons leaving the premises.

9.6 The extent to which the above matters will need to be addressed will be dependent on the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided, operational procedures and the needs of the local community.

9.7 Applicants are advised to seek advice from Durham County Councils Environmental Health Team and incorporate any recommendations in their Operating Schedule before submitting their applications.

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

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

Category of Premise	Weekdays (Sunday to Thursday)	Weekends (Friday night into Saturday morning and Saturday night into Sunday morning)	Bank Holidays
For premises licences and club premises certificates authorising the sale or supply of alcohol for consumption on or off the premises	07.00 to 00.00	07.00 to 01.00	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).
For licences not including the sale or supply of alcohol	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).
For licences not including the sale	07.00 to 00.00	07.00 to 01.00	Good Friday Plus 1 Hour

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

**APPENDIX 7 –
S182 GUIDANCE**

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.

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