



## Statutory Licensing Sub-Committee

**Date** Tuesday 24 April 2018  
**Time** 10.00 am  
**Venue** Council Chamber, County Hall, Durham

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### Business

#### Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest (if any)
4. Minutes of the Meetings held on 5 December 2017, 19 December 2017 and 9 January 2018 (Pages 3 - 28)
5. Application for the Grant of a Premises Licence - The Impeccable Pig, Front Street, Sedgefield (Pages 29 - 92)
6. Application for the Grant of a Premises Licence - J & L News, 23 Willowtree Avenue, Gilesgate (Pages 93 - 150)
7. 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  
16 April 2018

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

Councillors L Brown, C Carr, C Hampson, D Hicks and M Wilson

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**DURHAM COUNTY COUNCIL**

At a Meeting of **Statutory Licensing Sub-Committee** held in Committee Room 2, County Hall, Durham on **Tuesday 5 December 2017 at 10.00 am**

**Present:**

**Councillor L Marshall (Chair)**

**Members of the Committee:**

Councillors C Hampson and M Wilson

**Also Present:**

Councillor Liz Brown

Gill Proud – Solicitor (DCC)

Yvonne Raine – Senior Licensing Officer

**On behalf of Applicants:-**

Duncan Moss – Chair

Robert Edmondson – Treasurer

Dawn Wright – Child Welfare Officer

Paula Swindale – Development Officer

**1 Apologies for Absence**

Apologies for absence were received from Councillors C Carr, D Bell and D Hicks.

**2 Substitute Members**

Councillor Hampson substituted for Councillor Bell and Councillor Marshall for Councillor Carr.

**3 Declarations of Interest**

There were no declarations of interest.

**4 Minutes**

The Minutes of the meeting held on 31 October 2017 were agreed as a correct record and were signed by the Chair.

## **5 Application for the Grant of a Premises Licence - Sedgefield Cricket Club, Station Road, Sedgefield**

The Committee considered a report of the Senior Licensing Officer regarding an application for the grant of a Premises Licence in respect of Sedgefield Cricket Club, Station Road, Sedgefield (for copy see file of Minutes).

The application and supporting information had been circulated to Members. The Sub-Committee was informed that the 'other persons' listed in the report were unable to attend and Members were asked to take into account their written representations. Gill Proud, Solicitor referred Members to a letter received from 'other person' Mr Brown who considered that the amended application addressed residents' concerns. However Mr Brown had understood that the licensing hours for all events would be restricted to 11.00pm Monday to Sunday which was not the case, and the Sub-Committee was therefore advised to consider his letter as an objection to the application.

Dawn Wright, Paula Swindale, Robert Edmundson and Duncan Moss were in attendance on behalf of Sedgefield Cricket Club.

Dawn Wright (Social Lead) advised that Sedgefield Cricket Club was a community asset and an important part of the village. The Club was a not for profit organisation which was self-funding and managed by a Management Committee who were all volunteers. Costs had increased and the social aspect of the Club was vital to maintain the facilities for both young people and adults.

The Club had 250 members in total, 125 of which were adults. An increasing number of non-members visited the Club who were required to sign the visitor's book. The Club appreciated the concerns of residents and had taken into account all of the objections submitted. The Management Committee took their positions seriously and responded to any issues quickly. During the application process the Club had complied with requests for additional conditions by the Police, Environmental Health and the Local Safeguarding Children's Board. A CCTV system was in place both inside and outside the premises, and training procedures and a refusals register would be implemented. On the advice of the Police the Club had joined the Pubwatch Scheme.

The premises had held a Club Premises Certificate for 30 years without problem and had submitted the application for a Premises Licence following a malicious attempt by an individual to ruin an event, which had highlighted weaknesses in their operations. The Club had no intention of changing how it operated presently, holding functions such as weddings and birthdays. One objector had stated that the Club would become a social club but Mrs Wright assured Members that it would not. The application was to ensure that the Club fully complied with licensing requirements.

Addressing the licensing objectives on which the objections were based, crime and disorder and the prevention of public nuisance, Mrs Wright advised that in addition to the CCTV system the premises were fitted with alarms, external lights and shutters. The Club would introduce a policy in relation to serving customers who

were intoxicated and Challenge 25. Notices were placed on the premises requesting customers to leave quietly; the Committee was already stoic about this and the sounding of car horns. Ongoing training was given to staff and a full-time employee worked behind the bar at all times. The refusals register would be maintained and available for inspection as required.

Paula Swindale (Club Development Officer), echoed the comments of Mrs Wright. The Club had been gifted to the community in the mid-1950s for the purposes of playing cricket and the social events contributed substantially to running costs. The Management Committee respected the concerns of neighbouring residents but wanted to re-assure them that the Club was not changing the way it operated.

Following a question from Councillor Brown about the proximity of the premises to residents following the proposed works, Members were provided with a floor plan and were shown the location of the new entrance at the south gable end which would be approximately 10ft closer to the bungalows. The existing entrance was no longer suitable in terms of access and would be replaced with bi-folding doors to allow children and disabled people to view matches from inside the premises. The doors would be of an improved quality with better sound-proofing. Outdoor events would be held in a mini marquee accessed through the bi-folding doors onto the patio area. One objector had stated that many events had been held outside in the last year, but there had been four, with only one including live music.

Following a request for clarification from the Solicitor, Mrs Swindale confirmed that there would be no change to the existing licensed areas following the works. This was clarified by reference to the floor plan.

In response to a question from Councillor Wilson about the Personal Licence Holder, the Senior Licensing Officer advised that Mr Lower had been named as Designated Premises Supervisor but that he was not a Personal Licence Holder. If granted, in order to operate under the Premises Licence, the Club would need to identify a Designated Premises Supervisor who was a Personal Licence Holder and apply to the Authority to vary the Premises Licence once a DPS had been identified. In the interim period, no sales of alcohol could take place under the Premises Licence and the Club must operate under the Club Premises Certificate.

Councillor Brown referred to the current sign-in procedure for non-members and was informed that the Club had tightened its procedures in this regard.

Following a question from Councillor Hampson, the Sub-Committee was informed that plastic glasses were not used on the patio area but that regular glass collection was insisted upon.

At 10.50am the Sub-Committee **Resolved** that the press and public be excluded from the meeting to allow Members to deliberate the application in private.

After re-convening at 11.15am the Chair delivered the Sub-Committee's decision. In reaching their decision Members had taken into account the report of the Senior Licensing Officer, the written representations of the 'other persons' and the verbal representations of the Cricket Club representatives. The Sub-Committee had 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:-

**Supply of Alcohol (for consumption on & off the premises):**

Monday to Thursday: 11:00 to 23:30 hrs

Friday and Saturday: 11:00 to 00:30 hrs

Sunday: 12:00 to 23:00 hrs

Bank Holidays, Christmas Eve and New Year's Eve: Extension of one additional hour

**Opening Hours:**

Monday to Thursday: 11:00 to 00:00 hrs

Friday and Saturday: 11:00 to 01:00 hrs

Sunday: 12:00 to 23:30 hrs

Bank Holidays, Christmas Eve and New Years Eve: Extension until 01:30 hrs

**Plays, Films & Indoor Sporting Events (Indoors only):**

Monday to Thursday: 11:00 to 23:30 hrs

Friday and Saturday: 11:00 to 00:30 hrs

Sunday: 12:00 to 23:00 hrs

**Live Music (Indoors):**

Monday to Saturday: 11:00 to 23:00 hrs

Sunday: 12:00 to 23:00 hrs

New Years Eve: Extension of hours until 01:00 hrs

**Live Music (Outdoors):**

Monday to Sunday: 11:00 to 23:00 hrs – Limited to two outdoor events per year

**Recorded Music (Indoors):**

Monday to Thursday: 11:00 to 23:30 hrs

Friday and Saturday: 11:00 to 00:30 hrs

Sunday: 12:00 to 23:00 hrs

New Years Eve: Extension of hours until 01:00 hrs

**Recorded Music (Outdoors):**

Monday to Sunday: 11:00 to 23:00 hrs – Limited to two outdoor events per year

**Performance of Dance (Indoors):**

Monday to Thursday: 11:00 to 23:30 hrs

Friday and Saturday: 11:00 to 00:30 hrs

Sunday: 12:00 to 23:00 hrs

**Performance of Dance (Outdoors):**

Monday to Sunday: 11:00 to 23:00 hrs – Limited to two outdoor events per year

**Anything Similar to Live Music, Recorded Music or Performance of Dance (Indoors):**

Monday to Thursday: 11:00 to 23:30 hrs

Friday and Saturday: 11:00 to 00:30 hrs

Sunday: 12:00 to 23:00 hrs

**Anything Similar to Live Music, Recorded Music or Performance of Dance (Outdoors):**

Monday to Sunday: 11:00 to 23:00 hrs – Limited to two outdoor events per year

**Late Night Refreshment (Hot drinks and/or Hot food after 23:00 hrs) (Indoors & Outdoors):**

Monday to Thursday: 23:00 to 23:30 hrs

Friday and Saturday: 23:00 to 00:30 hrs

Sunday: 23:00 to 23:30 hrs

The Sub-Committee considered the proportionality of the conditions proposed by the Police, Environmental Health and the Local Safeguarding Children Board and were satisfied that having heard representations from the Applicant, together with the written representations it was appropriate to impose those conditions into the licence in order to promote one or more of the four licensing objectives.

The Additional conditions as agreed between the parties be as follows:-

A) **General**

1. Staff will be fully trained on all of the Club's policies and procedures. All training records will be made available to officers when requested.

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

1. No serving of alcohol to any person who appears to be drunk.
2. Full initial staff training to be carried out by DPS to ensure no alcohol is sold to anyone underage and refresher training to be carried out every six months.
3. 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.
4. CCTV will be provided in the form of a recordable system, capable of providing pictures particularly facial recognition. Cameras shall encompass

all entrances and exits to the premise, where the sale/supply of alcohol occurs.

5. 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.
6. 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.

C) **Public safety**

1. Fire exits and equipment will be clearly marked.
2. All staff will be made aware of requirements regarding health and safety.
3. First aid facilities will be available.
4. An incident log will be kept at all times.

D) **The prevention of public nuisance**

1. Groups of people will be discouraged from congregating outside the premises.
2. Signage will be displayed encouraging customers to leave quietly.
3. 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.

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

1. A challenge 25 policy will be operated at the premises, acceptable forms of identification are a passport, photo card driving and PASS accredited identification card i.e. ID4U.
2. 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).



### **Additional conditions added by applicant following mediation with Local Safeguarding Children Board**

- 1 Verification of age – safeguards to be in place to see that alcohol is not served to or purchased on behalf of under age children. A ‘Challenge 25’ age verification policy is operated which requires anyone looking under the age of 25 to produce photographic evidence of proof of age from a passport, driving licence or PASS accredited scheme before any alcohol is supplied. The actions of staff operating the policy to be regularly monitored.
- 2 Minimise the risk of proxy sales – the applicant will work with the police to minimise the risk of proxy provision/proxy sales. (This is alcohol purchased or obtained for young people by relatives or older friends).
- 3 Maintain a refusals register/incident log – where a sale of alcohol is refused if a person appears intoxicated or appears to be under 18, a refusal register/log to be updated. The register to be made available to the police on request.
- 4 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.

### **Additional condition added by applicant following mediation with Environmental Health**

During periods of regulated entertainment, a noise management plan shall be implemented for both indoor and outdoor events. The noise management plan shall document and should demonstrate best practicable means are being utilised to minimise noise impact on the surrounding area.

The Sub-Committee also considered the conditions suggested by the Applicant within the Operating Schedule of the application and believed it was necessary and proportionate to impose these condition on the licence as follows:

#### **a) General**

1. CCTV is to be installed both externally and internally to club premises.
2. Individuals who have been drinking alcohol will not be allowed to play cricket.
3. General staff training to be given and regularly reviewed with particular attention to identifying under 18 year olds and not serving them with alcohol.

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

1. An alarm is installed to protect the premises when closed.

2. Rear door and window has electric shutters installed and closed when premises are closed.
3. External lights operate on timer to illuminate during hours of darkness.

c) **Public safety**

1. The club will complete a Fire Risk Assessment and carry out regular reviews.
2. The club will take every opportunity to manage customers leaving the club who are likely to make noise.
3. All parts of the building will be maintained and tested as appropriate and kept in good order and in safe condition.
4. The club will provide adequate access at all times for emergency vehicles.

d) **The prevention of public nuisance**

1. Deliveries necessary for the operation of the club will be carried out at such a time and in such a manner as to prevent nuisance or disturbance to nearby residents.
2. Notices to be displayed prominently and clearly at the exit points requesting the public to leave quietly and respect the nearby residents.
3. Noise reduction measures to be addressed during renovation works to reduce nuisance to public.

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

1. Appointment of child welfare officers, trained to meet the “safe hands” standards issued by the English Cricket Board.
2. “Challenge 25” sign to be visible – encouraging anyone over 18 years but looking under 25 years to carry acceptable ID if they wish to buy alcohol.
3. Training to be given to staff regarding the requirement for persons ID, age establishment.
4. Copy of Cricket Club’s Safeguarding Policy Statement enclosed.

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Statutory Licensing Sub-Committee** held in Council Chamber, County Hall, Durham on **Tuesday 19 December 2017 at 10.00 am**

### **Present:**

**Councillor P Crathorne (Chair)**

### **Members of the Committee:**

Councillors P Atkinson and J Blakey

### **Also Present:**

Councillor D Brown

Councillor G Darkes (for item 4)

K Robson – Senior Licensing Officer

K Coulson-Patel – Solicitor, DCC

D Swinburn – Applicant's Solicitor, Spennymoor Town Football Club

### **1 Apologies for Absence**

There were no apologies for absence.

### **2 Substitute Members**

There were no substitute Members.

### **3 Declarations of Interest**

Councillor Darkes declared an interest in the application for the grant of a premises licence in respect of Spennymoor Town Football Club and took no part in the consideration of the application. The Councillor was a member of Spennymoor Town Council who were the owners of the premises.

### **4 Application for the Review of a Premises Licence - Vine Stores, 42 Middle Street, Blackhall**

The Senior Licensing Officer informed Members that the applicant's Solicitor had requested an adjournment as his client was unable to attend the hearing due to ill health. Medical evidence had been received confirming this which was circulated to Members for information.

**Resolved:**

That the hearing be adjourned.

**5 Application for the Grant of a Premises Licence - Spennymoor Town Football Club, Brewery Field, Durham Road, Spennymoor**

The Committee considered a report of the Senior Licensing Officer regarding an application for the grant of a Premises Licence in respect of Spennymoor Town Football Club, Brewery Field, Durham Road, Spennymoor (for copy see file of Minutes).

A copy of the application and supporting documents had been circulated to Members. The Senior Licensing Officer advised that Environmental Health had withdrawn their objection following mediation with the applicant's Solicitor. Details of the proposed amendments to the application together with the proposed Noise Management Plan had been circulated to all parties. Members were also informed that other persons Mr and Mrs Suffield had withdrawn their objections following a meeting with the applicant. The one remaining objection was other person Mr Purvis who was not in attendance and who had not engaged with the Licensing Authority since the submission of his representations.

Debra Swinburn, the applicant's Solicitor was invited to address the Sub-Committee. Members were informed that the original application had been amended to take into account concerns. Referring to the representations by Mr Purvis about the impact of noise, traffic, parking and drunken behaviour in a built up area with elderly accommodation and young families, the Solicitor believed that these concerns had been taken on board and addressed in the amended application, which demonstrated an ongoing willingness to engage with residents. The Football Club was a community facility for all residents. The Solicitor offered to advise Members how each of the concerns had been addressed in the amended application which she considered promoted the licensing objectives and was in line with Council policy.

In response to a question from Councillor Blakey regarding the age of the residential properties surrounding the Club, Members were informed that some properties had been erected in the last 2 or 3 years but others such as Tees Crescent had been there for many years. The Football Club had been in the location since 1901. An acoustic fence had been erected to mitigate against noise with ongoing improvements to the ground to facilitate the Club's activities and to provide a community facility.

Following a further question from Councillor Blakey about the nature of events to be held by the Club, Members were informed that functions would include, for example, family fun days and a music festival. There were no specific functions planned but the Noise Management Plan required the Club to engage with local residents when organising events.

Councillor Brown asked if there had been any complaints received from residents in the past. The applicant's Solicitor advised that she was not aware that any had been made to the Club, and Members were informed by the Senior Licensing Officer that none had been received by Environmental Health in connection with noise. However, in view of the proposal for outdoor events a Noise Management Plan had been required as part of the mediation with Environmental Health.

The applicant's Solicitor was invited to sum up but had nothing further to add.

At 10.20am the Sub-Committee **Resolved** to retire to deliberate the application in private. After re-convening the hearing at 10.30am the Chair delivered the Sub-Committee's decision.

In reaching their decision the Sub-Committee had considered the report of the Senior Licensing Officer and additional information, the written representations of 'other person' Mr Purvis and the verbal and written representations of the applicant's Solicitor. Members had also taken into account the Council's Statement of Licensing Policy and Section 182 Guidance issued by the Secretary of State.

**Resolved:**

That the Premises Licence be granted as follows:

<b>Activities</b>	<b>Days &amp; Hours Requested</b>
Sale by retail of Alcohol (on and off sales)	Monday to Saturday including bank holidays 10:00 until 23:30 hrs, Sunday 10:00 until 23:00 hrs.  No alcohol will be permitted outside after 23:00 hrs Monday to Saturday including bank holidays and Sunday after 22:30 hrs.
Regulated Entertainment including Live Music (Indoors)	Monday to Sunday including Bank Holidays 10:00 until 23:00 hrs.
Regulated Entertainment including Recorded Music Performance of Dance, anything of a similar description (Indoors)	Monday to Sunday including Bank Holidays 10:00 until 00:00 hrs
Regulated Entertainment including Live Music & Recorded Music Performance of Dance, anything of a similar description (Outdoors)	Monday to Saturday including Bank Holidays 10:00 until 23:00 hrs, Sunday 10:00 until 22:30 hrs.  Be limited to four times per year.
Indoor Sporting Events	Monday to Saturday 10:00 until 00:00 hrs, Sunday until 23:30 hrs.
Late Night Refreshment (Indoors)	Monday to Saturday 23:00 until 00:00 hrs and Sunday until 23:30 hrs.
Opening Hours	Monday to Sunday 10:00 hrs until 00:00 hrs

The following additional conditions be included following mediation with Durham Constabulary:-

## **The prevention of crime and disorder**

- i. Initial staff training to be carried out by DPS or approved member of staff to ensure no alcohol is sold to anyone underage and refresher training to be carried out every 6 months.
- ii. 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.
- iii. CCTV will be fully installed and working within 6 months of the licence being granted. It will be provided in the form of a recordable system, capable of providing pictures of evidential quality.
- iv. Cameras shall encompass the inside and outside of all entrances and exits to the clubhouse/permanent buildings and all areas where the sale/supply of alcohol occurs.
- v. Equipment must be maintained in good working order, be correctly time and date stamped and kept for a period of 28 days.
- vi. The Premise Licence Holder must ensure at all times the DPS or appointed member of staff is capable and competent at viewing the CCTV and downloading the footage onto a disc, hard drive or memory stick when requested to do so by the police/local authority.
- vii. The recording equipment and discs/memory sticks shall be kept in a secure environment under the control of the DPS or other responsible named individual.
- viii. An operational monthly 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 actions taken are to be recorded.
- ix. If door supervisors are used an operational daily log must be kept documenting door supervisor information. This is to include full name, date of birth, full badge number, contact phone number, security companies' name and start and finish times.
- x. No glass bottles/containers to be taken outside, all will be decanted into plastic glasses.

## **Public safety**

- i. Fire exits and fire equipment clearly marked.
- ii. All staff must be aware of requirements regarding health and safety.
- iii. First aid facilities will be available.

- iv. An incident log will be kept at all times.

### **The protection of children from harm**

- i. A proof of age policy in place for people under 25 years of age via the Challenge 25 scheme.
- ii. The only forms of identification which will be accepted are a passport, a photo driving licence and 'PASS' hologram ID.
- iii. 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).

The following additional conditions be added following mediation with the Local Safeguarding Children's Board:-

### **General**

- i. 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.

The following additional conditions be added following mediation with Environmental Health:-

- i. The Provision of Live Music, Recorded Music, Performance of Dance, Anything of a Similar Description be limited to 4 outside events per year.
- ii. During periods of regulated entertainment a noise management plan shall be implemented for outdoor music events including those taking place in a tent. The noise management plan shall document and demonstrate how compliance with the Noise Council 1995 'Code of Practice on Environmental Noise Control at Concerts' will be achieved to minimise noise impact on residents of the surrounding area. The Noise Management Plan shall be submitted to the licensing authority for approval no later than 14 days prior to the first event each year.
- iii. Where a music event is due to take place the licensee shall appoint a suitably qualified and experienced noise control consultant to the approval of the Licensing/Noise Regulatory Authority no later than six weeks prior to the event. The noise control consultant shall liaise between all parties including the Licensee, promotor, sound system supplier, sound engineer and the Licensing/Noise Regulatory Authority etc. on all matters relating to noise control prior to and during the event.
- iv. A noise propagation test shall be undertaken at least two hours prior to the start of the event in order to set appropriate control limits at the sound mixer position. The sound system shall be configured and operated in a similar



manner as intended for the event. The sound source used for the test shall be similar in character to the music likely to be produced during the event.

The following conditions be included in the Operating Schedule:-

### **General**

- i. Fully trained staff who will promote measures to support all licensing objectives.
- ii. Policies and procedures in place to ensure safety of all patrons and interested parties.
- iii. Maintain property, inside and out, including relevant signage and litter bins to promote all licensing objectives.
- iv. Applicants' willingness to co-operate with all interested parties to promote licensing objectives.

### **The Prevention of Crime and Disorder**

- i. Evidence of age identification procedures in operation – support of challenge 25 policy.
- ii. Fully trained bar staff employed to ensure safety and discourage anti-social behaviour.
- iii. All staff will be trained in responsible service.
- iv. Risk assessments and training procedures to prevent use or supply of illegal drugs.
- v. Applicant willing to participate in pubwatch scheme.
- vi. Promote strong links with community.

### **Public Safety**

- i. Fully trained bar staff will be employed.
- ii. Control on number of patrons.
- iii. Risk assessments and training procedures will be operated to monitor physical state of building and outside areas.
- iv. Staff trained in first aid.

- v. Electrical and fire safety monitored with electrical checks and fire equipment in place.

### **The Prevention of public nuisance**

- i. Provisions of litter bins and ashtrays outside.
- ii. Adequate car parking, bus stops and taxis available in the area.
- iii. Adequate level of lighting outside.
- iv. Applicant willing to participate in pubwatch scheme.
- v. Provisions for signs to remind customers to leave quietly.

### **The Protection of Children from Harm**

- i. Fully trained staff with knowledge of licensing objectives and provisions.
- ii. Bar staff trained in responsible service and evidence of age identification procedures in operation – support of challenge 25 policy.

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Statutory Licensing Sub-Committee** held in Committee Room 2, County Hall, Durham on **Tuesday 9 January 2018 at 10.00 am**

### **Present:**

**Councillor L Marshall (Chair)**

### **Members of the Committee:**

Councillors P Crathorne and C Hampson

### **Also Present:**

Yvonne Raine – Senior Licensing Officer

Karen Robson – Senior Licensing Officer

Stephen Buston – Solicitor – DCC

#### **Steam Machine Durham Ltd**

Nicholas Smith – applicant

Tom Smith – applicant

Glenn Robson – applicant

James McLaughlin – other person

Josh Borrow – other person

Charles Elliott – other person

Elizabeth Elliott – other person

#### **Vine Stores**

Nicola Anderson – Licensing Team Leader, applicant

Andrew Cook – Trading Standards, Responsible Authority

Balraj Singh – Premises Licence Holder

Mr Lalli – Licence Holder's Solicitor

### **1 Apologies for Absence**

Apologies were absence were received from Councillors D Bell, A Hopgood and J Maitland.

### **2 Substitute Members**

Councillor Crathorne substituted for Councillor Bell.

### **3 Declarations of Interest**

There were no declarations of interest.

#### **4 Application for the Grant of a Premises Licence - Steam Machine Durham Ltd, Rear of 85 New Elvet, Durham**

The Sub-Committee considered a report of the Senior Licensing Officer regarding an application for the grant of a Premises Licence in respect of Steam Machine Durham Ltd, rear of 85 New Elvet, Durham (for copy see file of Minutes).

A copy of the application and supporting documentation had been circulated to Members, together with additional information from other persons Mr and Mrs Elliott. Members were informed that the applicants had brought additional information to the hearing and it was suggested that in view of the late submission that the information be included in the verbal representations of the applicants. A plan showing the licensed area, position of the CCTV and entrance to the premises was circulated to all parties.

Yvonne Raine, Senior Licensing Officer presented the report and informed Members that the residents from Orchard House who had made representation were not in attendance. In response to questions from Stephen Buston, Solicitor, the Senior Licensing Officer informed members of the operating hours of the licensed premises adjacent to Steam Machine and that there had been no problems reported in respect of the applicants' premises in Newton Aycliffe.

Other persons Mr and Mrs Elliott were invited to address the Sub-Committee. Mr Elliott considered that the proposed use of the premises would be in conflict with the provisions of the lease, and was advised by the Solicitor that this was a private issue between the parties and was not for consideration within the licensing regime.

Mr Elliott stated that as landlords they had a duty of care to the six students who occupied the upstairs flat at no. 85. The street door was kept locked at all times with keypad access and they were concerned that it should be opened for general access.

The utility meters were located in a cupboard in the passageway and Mr and Mrs Elliott were concerned about the potential for damage if the cupboard door was left open. In addition there was only a single supply of water to the properties.

Following questions from Stephen Buston, Members were advised that there were three sensor operated lights in the passageway and the passageway was less than 100m in length.

Mr and Mrs Elliott concluded by stating that their concerns rested with the premises not the business.

Mr Tom Smith, applicant was invited to address the Sub-Committee. He stated that the business had been established a few years ago with a vision to bring premium beer to the north east, offering a calm and welcoming atmosphere. Their first premises in Newton Aycliffe had been operating successfully for over a year and Steam Machine had worked with DCC at the brass festival and the food festival, and had a pop-up bar at the Empty Shop in the City Centre for a few months. During this time they had an excellent response from the people of Durham, some

of whom had said that they had not had somewhere to visit for a drink in a long time and had welcomed the move to the new premises. Their prices per unit were higher than recommended by Durham's Licensing Framework.

Bill Free Homes had invited the company to use the property and they were liaising with them in respect of the lease.

Turning to the concerns of the objectors, Mr Smith advised that a Health and Safety Officer from DCC had said that there was no reason why the rear of 85 could not be used as a bar and that the passageway was wheelchair accessible. There was existing lighting but additional lighting would be provided as required by the Fire Authority.

With regard to access to the student accommodation, his understanding was that there was a door in the passageway with keypad access and each flat also had its own locked door.

He was working with Bill Free Homes on the location of the bin storage, and in terms of the water supply, the bill would be calculated and divided between the two floors by Bill Free Homes.

A Heritage Statement had been written as part of the planning application which had revealed the former uses of the building and they wanted to be sensitive to this in their design.

The company had held 17 temporary events on site without any complaints but they were working with Environmental Health to mitigate the potential for any noise nuisance.

Councillor Hampson sought clarification about the playing of music on the premises and was advised that recorded music was proposed, and occasionally acoustic, but there were no plans for any amplified music as this did not encourage conversation. The doors and windows would be kept closed during the playing of music.

Following a question from Councillor Crathorne about the safety of members of the public in the passageway, the Member was informed that the Alcohol Harm Reduction Unit had asked for a condition that cameras be installed in the passageway which could be monitored in the bar area. Councillor Crathorne was concerned that there may be large numbers of young people using the passageway, especially when the premises first opened. Mr Smith advised that although the maximum capacity had not been specified by the Fire Authority as yet the premises could not accommodate large numbers of people. The company had its own policies and procedures for dealing with public safety and nuisance.

Councillor Hampson asked if the door to the passageway would only be open during opening hours and Mr Smith confirmed that this was the case.

Mr James McLaughlin spoke in support of the application stating that there were always concerns about young people in City Centres where there were lots of larger premises selling cheaper alcohol. There had been no problems in the premises in Newton Aycliffe because there were other venues that were more attractive to younger people.

Mr Josh Borrow who was also in support of the application advised that during the temporary events when the pop-up bar was open the passageway had not caused any problems, and three people were able to walk along it side-by-side.

At 11.05am the Sub-Committee **Resolved** to adjourn the hearing to allow Members to deliberate the application in private. After re-convening at 11.25am the Chair delivered the Sub-Committee's decision.

The Sub-Committee in reaching its decision had considered the report of the Senior Licensing Officer and additional information, and the verbal and written representations of the applicant, supporters and other persons. Members had also taken into account the Council's Statement of Licensing Policy and Section 182 Guidance issued by the Secretary of State.

**Resolved:**

That the application be granted as a follows:-

<b>Activity</b>	<b>Days and Hours</b>
Opening hours	Monday to Sunday 12.00 to 00.00 hours Bank Holidays 12.00 to 01.00 hours
Sale of Alcohol (consumption on and off the premises)	Monday to Sunday 12.00 to 23.30 hours Bank Holidays 12.00 to 00.45 hours
Recorded music (indoors)	Monday to Sunday 12.00 to 00.00 hours Bank Holidays 12.00 to 01.00 hours

That the following conditions be imposed upon the licence:-

**General**

- a) 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 on request.

- b) Authorised staff employed by Durham Police shall have free access to all parts of the licensed premises, at all reasonable times, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives. All staff training records will be signed, held 'on-site' and made available to Responsible Authorities on request.
- c) Written protocols will be in place detailing Policies, Procedures, Roles and Responsibilities in the effective implementation and management of the licensing objectives. This documentation will be held 'on-site' and made available to Responsible Authorities on request.
- d) The premises will provide written evidence of the maximum capacity for the premises and this will be displayed at all entrances and exits. This capacity will be confirmed and set by County Durham and Darlington Fire and Rescue Authority.

### **The Prevention of Crime and Disorder**

- a) The area in which the public will be permitted access will be constantly manned whilst the premises is open to the public.
- b) There is CCTV in operation outside the premises.
- c) Full initial staff training to be carried out by the DPS to ensure no alcohol is sold to anyone underage, and refresher training to be carried out every six months.
- d) 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.
- e) Cameras shall encompass the inside and outside of all entrances and exits to the premises, smoking area, beer gardens and all areas inside the premises where the sale/supply of alcohol occurs.
- f) Notices will be clearly displayed at the entrance and around the premises stating that CCTV is in operation.
- g) All footage will be kept on the system for at least 28 days and made available to officers and responsible authorities when requested to do so via USB or disk.
- h) All 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 from police or other relevant officers of a responsible authority.

- i) In addition there will be no silly drinks promotions, as these promote irresponsible drinking.

### **Public Safety**

- a) The premises will maintain an incident book and record/report all instances of disorder both inside and directly outside the premises. This documentation will be held 'on-site' and made available to responsible authorities on reasonable request.
- b) Good housekeeping procedures will be implemented and will include keeping the outside of the premises clean and free from rubbish including the premises frontage and any designated smoking area.
- c) Staff training of fire safety equipment and fire extinguishers to be serviced annually.
- d) Zero tolerance to drugs.

### **The Prevention of Public Nuisance**

- a) The DPS will actively work with local Beat Officers/PCSO's in the reporting of any ASB connected to the premises.
- b) The licensee shall display prominent notices in appropriate positions within the premises reminding customers to leave quietly.
- c) Doors and windows will be kept closed whilst live music is being played.
- d) Glass will be allowed outside with signs and notices displayed to inform customers not to leave the premises with glassware and will be monitored by staff.

### **The Protection of Children from Harm**

- a) The premises will operate a Challenge 25 Scheme – notices setting out this policy will be displayed at all points of sale and within the premises.
- b) No person under the age of 18 years old will be permitted to consume alcohol on the premises.
- c) All staff involved in the sale of alcohol shall be properly trained in accordance with the Premises Licence Holder's own training programme and staff will complete refresher training every 12 months. The programme must include Child Sexual Exploitation training. These training records will be made available for inspection by police or an authorised officer on reasonable request.
- d) A 'Refusals Register' will be held within the premises and all refusals will be logged along with any behaviour associated with the refusal. All staff will be



trained in its use. The Refusals Register will be made available to relevant authorities on request.

## **5 Application for the Review of a Premises Licence - Vine Stores, 42 Middle Street, Blackhall**

The Sub-Committee considered a report of the Senior Licensing Officer regarding an application for the review of a Premises Licence in respect of Vine Stores, 42 Middle Street, Blackhall (for copy see file of Minutes).

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

In presenting the report Karen Robson, Senior Licensing Officer advised that Mr Barry of the Local Safeguarding Children's Board was unable to attend the hearing but a representative was available should Members have any questions of the written submissions.

Nicola Anderson, Licensing Team Leader addressed the Sub-Committee as applicant, and took Members through the grounds for the review application which were set out in pages 80-81 of the Bundle of Evidence.

Mr Andrew Cook from Trading Standards Officer was invited to speak to his statement and evidence in connection with illicit tobacco found on the premises, details of which were given in pages 91-93 of the Bundle.

In response to a question from Mr Lalli, the Licence Holder's Solicitor, Mr Cook confirmed that the Inspecting Officer had been shown a copy of invoices for the period June to October but he could not personally confirm that these reflected the sale of cigarettes.

Mr Lalli asked if there were any reports from the Police in relation to criminal activity at 42 Middle Street, Blackhall and Mr Cook advised that he was not aware of any but that the possession of illicit tobacco was an offence.

The Solicitor also asked if there were any concerns reported about the sale of age related products to children and was informed by Mr Cook that he was not aware of any and that no test purchases had been carried out.

At the request of Stephen Buston, Legal Adviser to the hearing, confirmation was given that Mr Singh's wife had never been the DPS. Mr Lalli asked if there was any documentary evidence that Mr Singh had told the Inspecting Officer that his wife was the DPS as it was not recorded in the Officer's notebook entry at page 89. Nicola Anderson clarified that the notebook entry was from the further inspection on 30 October when the Officer sought clarification of the different names given on the Licences.

Mr Lalli referred to the Licensing Team Leader's representations which stated that there was no incident book. By way of clarification Mr Lalli explained that a refusals book had been maintained since 2004 which had been produced during the

inspection in August 2017 and had been signed and checked by an Officer. There had been some refusals since then which had been checked and signed by a PCSO. The book was shown to Members.

At this point Mr Lalli addressed the Sub-Committee on behalf of Mr Singh. He advised that it was always Mr Singh's intention to return to 44 Middle Street. An application had been made on 6 July 2015 for a Premises Licence for 42 Middle Street by his agent John Ives which included a consent for him being specified as DPS. The subsequent letter referred to in the Bundle of Evidence which was sent to his agent was never passed to Mr Singh. As soon as Mr Singh became aware he made application and displayed the summary sheet. 44 Middle Street was undergoing a full re-fit and he had hoped that the works would be completed before the hearing but there had been some slippage. Mr Singh had borrowed money to complete the works which included fittings, signage, lighting and CCTV.

Because of the cost of the works he had not been able to install CCTV at 42 Middle Street and as soon as the works were completed he would surrender his tenancy. Rather than take no action or revoke the Licence, Mr Lalli urged Members to give him the opportunity to complete the works and then re-assess the position when he was in occupation of 44 Middle Street.

A floorplan was provided for information and Mr Lalli explained the shop layout which would ensure that confectionary was not located in close proximity to alcohol. On completion of works to the joists in the premises, CCTV would be installed in the stock room, the loading area to the rear and to the front of the premises. Mr Lalli offered a site visit if Members wished to view the extent of the works.

Mr Singh was taking his responsibilities seriously. There had been no direct reports of anti-social behaviour in respect of 42 Middle Street, a refusals register was maintained and there had been no concerns raised about under-age sales or public safety. Residents had submitted a petition in support of the premises staying open.

Mr Singh hoped that he could retain his licence and the Sub-Committee was asked to adjourn the hearing and review the position in 12 weeks. He was willing to undergo a further inspection now, or following the works.

Councillor Crathorne asked why Mr Singh had not implemented the procedures detailed in the review application, given that the Premises Licence had been granted in 2015 and a visit in August 2017 had identified these failings. Mr Lalli explained that he had asked that of the licence holder who had advised that it was because he had spent all his money on the re-fit of 44 Middle Street and had hoped to move as quickly as possible. He appreciated that some of the procedures could have been implemented at little or no cost, and he would arrange for these to be put in place for Mr Singh.

In response to a query from Councillor Marshall Mr Singh advised that he had managed a shop for around 16 years and that he now understood about licensing procedures.

Mr Lalli responded to a question from Nicola Anderson about the letter sent to John Elves which clearly stated that alcohol should not be sold until an application nominating a person as DPS was processed.

At 12.15pm the Sub-Committee **Resolved** to adjourn the hearing to allow Members to deliberate the application in private. After re-convening at 12.30pm the Chair delivered the Sub-Committee's decision.

In reaching their decision the Sub-Committee had considered the report of the Senior Licensing Officer, together with the verbal and written representations of the licence holder's Solicitor, the applicant and Trading Standards and the written representations of the Local Safeguarding Children's Board. Members had also taken into account the Council's Statement of Licensing Policy and Section 182 Guidance issued by the Secretary of State.

**Resolved:**

That the Premises Licence be revoked.

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**Statutory Licensing Sub-Committee**

**24<sup>th</sup> April 2018**



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

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

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**Name and Address of Premises: The Impeccable Pig, Front Street, Sedgefield, Co Durham TS21 3AT**

**1. Summary**

The Sub-Committee is asked to consider and determine the application for the grant of a premises licence for The Impeccable Pig, Front Street, Sedgefield, Co Durham received from Swinburne Maddison, on behalf of Ramside Estates Limited.

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 6<sup>th</sup> March 2018. A copy of the application is attached as Appendix 2.

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

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

<b>Activities</b>	<b>Days &amp; Hours Requested</b>
Provision of plays (Indoors and Outdoors)	Monday to Sunday: 23:00 – 00:00 hrs
Provision of films (Indoors)	Monday to Sunday: 08:00 – 00:00 hrs
Provision of indoor sporting events	Monday to Sunday: 23:00 – 00:00 hrs
Provision of live music (Indoors and Outdoors)	Sunday to Thursday: 23:00 – 00:00 Friday to Saturday: 23:00 – 01:00
Provision of recorded music (Indoors and Outdoors)	Sunday to Thursday: 23:00 – 00:00 Friday to Saturday: 23:00 – 01:00

Provision of performances of dance (Indoors and Outdoors)	Sunday to Thursday: 23:00 – 00:00 Friday to Saturday: 23:00 – 01:00
Late Night Refreshment (Indoors and Outdoors)	Sunday to Thursday: 23:00 – 00:00 Friday to Saturday: 23:00 – 01:00
Sale of Alcohol (on and off the premises)	Sunday to Thursday: 08:00 – 00:00 Friday to Saturday: 08:00 – 01:00
Opening Hours	Monday to Sunday: 00:00 – 00:00 hrs

Following discussions with Durham County Council's Environmental Health (Noise Action Team), Ramside Estate's limited agreed to amend the application to remove 'outdoor' Live Music and Recorded Music, thus being indoors only.

Details of this is attached at Appendix 3.

### 3. The Representations

The Licensing Authority received four letters during the consultation period in relation to the premises licence application.

Mrs Paling submitted a letter on 22<sup>nd</sup> March 2018 and subsequently withdrew the letter after receiving information from the licensing authority in relation to the applicant's operating schedule, which alleviated her concerns.

The remaining three letters were deemed relevant representations from the following, namely 'other persons':

- Dr Jane Ayre, Sedgfield Town Council (other persons)
- Mr M M Carr (other persons)
- Mrs E A Williams (other persons)

The three relevant representations relate to the following licensing objectives:

- The Prevention of Public Nuisance

A copy of the outstanding representations are attached as Appendix 4.

Swinburne Maddison, on behalf of Ramside Estates Limited submitted a letter to the licensing authority on 9<sup>th</sup> April 2018 and this has been forwarded to Mrs Williams, to date there has been no response. See attached Appendix 5.

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

- Durham County Council Planning Department
- Durham County Council Local Safeguarding Children Board
- Durham Constabulary
- County Durham Fire and Rescue Service
- 

Copies of these responses are attached at Appendix 6.

#### **4. Parties**

The Parties to the hearing will be:

Terry Hamer, Swinburne Maddison (Licensing Agent)  
Ramside Estate's Limited (Applicant)  
Dr Jane Ayre, Sedgefield Town Council (other persons)  
Mr M M Carr (other persons)  
Mrs E A Williams (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 The Prevention of Public Nuisance
- Appendix B - Framework Licensing Hours

Relevant information is attached as Appendix 7.

#### **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 The Prevention of Public Nuisance

Relevant information is attached as Appendix 8.

#### **7. For Decision**

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

#### **Background Papers:**

- Durham County Council's Statement of Licensing Policy

- Guidance issued under section 182 of the Licensing Act 2003  
(as amended April 2017)

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**Contact: Karen Robson**

**Tel: 03000 265104**

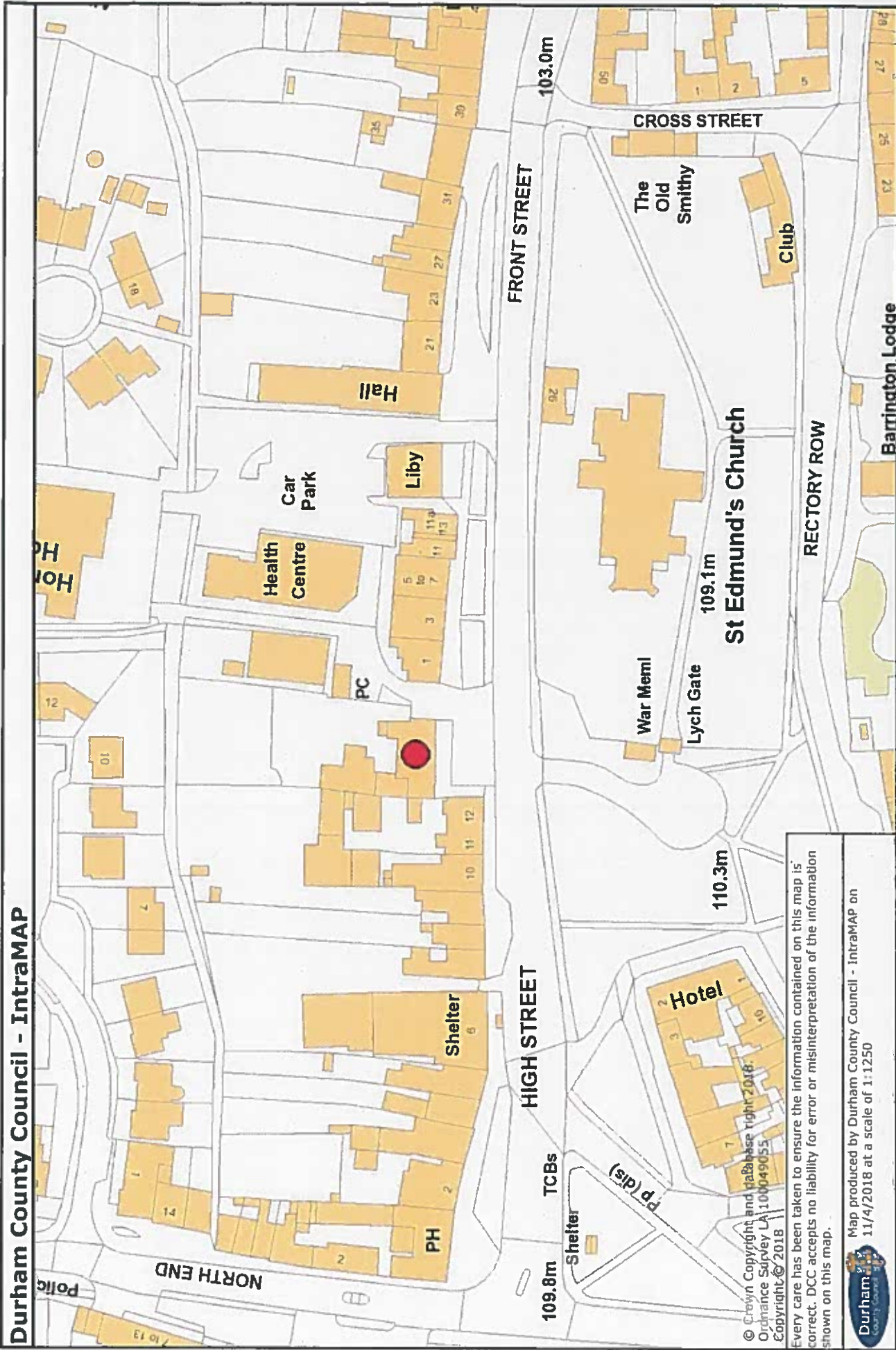
**Email: [karen.robson2@durham.gov.uk](mailto:karen.robson2@durham.gov.uk)**

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## APPENDIX 1 – LOCATION PLAN

Durham County Council - IntraMAP



**APPENDIX 2 – APPLICATION**



\* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes  No

Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?  Yes  No

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

Registration number

Business name  If the applicant's business is registered, use its registered name.

VAT number   Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)



**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

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

**Section 4 of 21**

**NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

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

Continued from previous page...

Limited Company

**Address**

Building number or name   
Street   
District   
City or town   
County or administrative area   
Postcode   
Country

**Contact Details**

E-mail   
Telephone number   
Other telephone number   
\* Date of birth  /  /   
dd mm yyyy

\* Nationality  Documents that demonstrate entitlement to work in the UK

**Section 5 of 21**

**OPERATING SCHEDULE**

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

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Please see separate Operating Schedule attached.



Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Continued from previous page...

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Please see separate Operating Schedule attached.

State any seasonal variations for performing plays

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

### Section 7 of 21

#### PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

Continued from previous page...

THURSDAY

Start 08:00

End 00:00

Start

End

FRIDAY

Start 08:00

End 00:00

Start

End

SATURDAY

Start 08:00

End 00:00

Start

End

SUNDAY

Start 08:00

End 00:00

Start

End

Will the exhibition of films take place indoors or outdoors or both?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

- Indoors       Outdoors       Both

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Please see Operating Schedule attached.

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Continued from previous page...

Will you be providing indoor sporting events?

Yes

No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Please see separate Operating Schedule attached.

State any seasonal variations for indoor sporting events

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

Yes  No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 23:00

End 01:00

Start

End

SUNDAY

Start 23:00

End 00:00

Start

End

Will the performance of live music take place Indoors or outdoors or both?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Indoors

Outdoors

Both  
*Removed*

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Please see separate Operating Schedule attached.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes

No

Standard Days And Timings

MONDAY

Start 23:00

End 00:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start 23:00

End 00:00

Start

End

WEDNESDAY

Start 23:00

End 00:00

Start

End

THURSDAY

Start 23:00

End 00:00

Start

End

FRIDAY

Start 23:00

End 01:00

Start

End

SATURDAY

Start 23:00

End 01:00

Start

End

SUNDAY

Start 23:00

End 00:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors

Outdoors

Both *removed*

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Please see separate Operating Schedule attached.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

Continued from previous page...

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.



Continued from previous page...

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Please see separate Operating Schedule attached.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 13 of 21**

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

See guidance on regulated entertainment

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

Yes

No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes

No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

**TUESDAY**

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start 23:00

End 00:00

Start

End

THURSDAY

Start 23:00

End 00:00

Start

End

FRIDAY

Start 23:00

End 01:00

Start

End

SATURDAY

Start 23:00

End 01:00

Start

End

SUNDAY

Start 23:00

End 00:00

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

It is anticipated that this will be drink up time of one hour after meals cease being served. Please see separate Operating Schedule attached.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes  No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

Will the sale of alcohol be for consumption:

On the premises  Off the premises  Both

If the sale of alcohol is for consumption on  
the premises select on, if the sale of alcohol  
is for consumption away from the premises  
select off. If the sale of alcohol is for  
consumption on the premises and away  
from the premises select both.

Continued from previous page...

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Please see separate Operating Schedule attached.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Name**

First name

John Richard

Family name

Adamson

Date of birth

/  /   
dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number  
(if known)

Durham

Issuing licensing authority  
(if known)

Durham County Council

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

Continued from previous page...

Electronically, by the proposed designated premises supervisor

As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

Continued from previous page...

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

It is anticipated that the pub will have members of the public on the premises 24/7 as it has provision for accommodation - in addition alcohol will be provided to residents at any time whilst they remain a resident. Please see separate Operating Schedule attached.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

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

Please see separate Operating Schedule attached.

b) The prevention of crime and disorder

Please see separate Operating Schedule attached.

c) Public safety

Please see Operating Schedule attached.

*Continued from previous page...*

d) The prevention of public nuisance

Please see separate Operating Schedule attached.

e) The protection of children from harm

Please see separate Operating Schedule attached.

**Section 19 of 21**

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

Continued from previous page...

\* Date

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

Add another signatory

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

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

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

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

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

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="RAM6/70"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >





**The Impeccable Pig - Operating Schedule January 2018**

<b>General – Licensing Objectives</b>	
<b>Premises Address:</b>	The Impeccable Pig Front Street Sedgefield Stockton-On-Tees TS21 3AT
<b>Commencement of License Date:</b>	30 April 2018
<b>Activities and Facilities to be offered at the Premises:</b>	It is anticipated that the pub will have members of the public on the premises 24/7 as it has provision for accommodation (10 Bedrooms) – in addition alcohol will be provided to residents at any time whilst they remain a resident. Licensed Bar serving hot and cold food. Car Parking.
<b>Late Night Refreshment License:</b>	Monday - Thursday 22:00 – 00:00 Friday – Saturday 22:00 – 01:00 Sunday 22:00 – 00:00
<b>Alcohol License:-</b>	Monday - Thursday 08:00 – 00:00 Friday – Saturday 08:00 – 01:00 Sunday 08:00 – 00:00  Residents 24 Hours
<b>Entertainment License: Recorded and Amplified:</b>	Monday - Thursday 23:00 – 00:00 Friday - Saturday 23:00 – 01:00 Sunday 23:00 – 00:00
<b>DPS and Personal License Holders:</b>	The premises will have a named Designated Premises Supervisor. There will always be someone on the premises with a Personal License.
<b>Signage:</b>	Appropriate signage will be displayed externally and internally to include: <ul style="list-style-type: none"> <li>• CCTV Images are being recorded for your safety.</li> <li>• Proof of age - Challenge 25.</li> <li>• Please respect our neighbours when leaving the premises.</li> <li>• Drugs Policy.</li> <li>• Restricted times when drinks are not permitted outside the premises</li> </ul> The Smoke free (Premises and Enforcement) regulations 2006 – External Signage <ul style="list-style-type: none"> <li>• Admission and supervision of children under the age of 16.</li> </ul>



<p><b>Staff Training: The Licensing Act 2003</b></p>	<p>Well trained staff will contribute to a well-run premise and a responsible approach to the sale of alcohol, provision of entertainment and late-night refreshment.</p> <p>The Manager and Duty Managers will be trained in formal qualifications to Personal License level.</p> <p>All staff will receive training to include:          Company Induction          Health &amp; Safety          Fire Safety and Evacuation Procedures          Food Safety &amp; Hygiene          The Sale of Alcohol – The Licensing Law and Challenge 25.          Conflict Management          Training Records are held on the Company Intranet</p>
<p><b>The Prevention of Crime and Disorder</b></p>	
<p><b>Membership of Pub Watch Scheme</b></p>	<p>The premises will be part of the local Pub Watch scheme and the manager will attend scheduled meetings and share relevant information to the Police and local licensed premise.</p>
<p><b>Physical Security Features</b></p>	<p>A policy for the use of toughened or plastic drinking glasses for outside consumption of drinks may be established following completion of a risk assessment where national sporting events are televised.</p>
<p><b>Provision of Additional Security</b></p>	<p>On occasions that that security operatives are employed they will be licensed by the SIA. Security staff will be required to sign in and a record of their license will be recorded including license number and expiry date.</p>
<p><b>Provision of Seating in the Premises</b></p>	<p>In addition to providing accommodation the primary function of the premises is for the sale of food and drink. A table and seating plan will be available prior to opening.</p>
<p><b>Staff Training: Drug Awareness</b></p>	<p>Drug awareness training will be provided for all staff. A record will be kept of the date and name of person trained. Records will be made available for inspection by the police or licensing authority.</p>
<p><b>Local Police</b></p>	<p>Local Police have a long-standing relationship with the owner of the premises and communicate on a regular basis.</p>
<p><b>Prevention of Illegal Drugs and Weapons being brought into the premises</b></p>	<p>The Premises will operate a Zero Tolerance Policy.</p> <p>Notices will be displayed within the entrance to the premises.</p> <p>All staff will be trained and made aware of the requirement to call the Police if a customer is suspected of being in possession of drugs or weapons.</p> <p>A policy for seizing, retaining and documenting any</p>



	<p>drugs or weapons found with a clear audit trail and a process for surrendering them to the Police will be in place. This will be recorded on an accident or incident report form. Any weapons or drugs seized will be kept in a sealed envelope for surrendering to the Police.</p> <p>Regular, recorded toilet checks will be carried while the premises are open.</p> <p>Drug awareness training will be provided for all staff. A record will be kept of the date and name of person trained. Records will be made available for inspection by the police or licensing authority.</p>
<p>Provision of CCTV</p>	<p>CCTV will be installed inside and outside the premises. The cameras will cover all internal areas accessible to the public and areas immediately outside the premises. The date and time settings on the system will be correct.</p> <p>The recordings will be in real time and on hard drive with the availability to copy disks for other agencies such as the police.</p> <p>Recordings will be kept for a minimum period of 31 days.</p> <p>Management and Supervisors will be trained in the maintenance and operation of the CCTV system with a record kept of the date and name of person trained. Records will be kept at HO and can be available for inspection by the police or licensing authority.</p> <p>A trained Duty Manager will be on duty to operate the system whenever the premises are open.</p>
<p>Dispersal Policy</p>	<p>Customers will be encouraged to leave the premises quietly and respect local residents. Signage will be displayed inside and outside the premises.</p>
<p>Prevention of glasses and bottles outside of Premises</p>	<p>The consumption of drinks will be prohibited outside the premises at specified times.</p>
<p>Supervising toilets and outside areas</p>	<p>Regular, recorded checks of toilets and outside areas will be carried out. Any anti social or suspicious behaviour will be reported to the Duty Manager.</p>



<b>Public Safety</b>	
<b>Proposed Occupancy</b>	A Fire Risk Assessment will be carried out prior to opening and this will specify the permitted occupancy of the premises.
<b>Use of Equipment and effects</b>	<p>Maintenance records and certificates for the following equipment will be kept in the premises Fire Log File:</p> <ul style="list-style-type: none"> <li>• Fixed Electrical Wiring Installation and PAT</li> <li>• Gas Certificates for kitchen and heating equipment</li> <li>• Fire Alarm test/maintenance records.</li> <li>• Emergency Lighting and illuminated signage</li> <li>• Kitchen extraction cleaning</li> </ul> <p>Kitchen equipment and refrigeration will be serviced by the company nominated contractor.</p>
<b>Levels of Door Supervision</b>	Please see above in Crime and Disorder
<b>Measures to prevent the supply and use of illegal drugs</b>	Please see above the General and Crime and Disorder
<b>Physical Safety Features</b>	Please see above The Prevention of Crime and Disorder
<b>Fire Safety, Training and Evacuation Procedures</b>	<p>A Fire Log File will be held on site. This will include the following:</p> <ul style="list-style-type: none"> <li>• Fire Risk Assessment – To be completed prior to opening.</li> <li>• Fire Plan &amp; Evacuation Strategy</li> <li>• Record of weekly fire alarm tests</li> <li>• Record of weekly portable firefighting equipment checks</li> <li>• Records of daily Fire Exit checks</li> <li>• Records of Fire Alarm and Kitchen Fire suppression system maintenance</li> <li>• Records of Emergency Lighting Maintenance</li> <li>• Records/Certificates of Gas Appliances</li> <li>• Records of Electrical Installation and PAT</li> <li>• Record of Planned and unplanned evacuations</li> <li>• Records of Kitchen Extraction cleaning</li> <li>• Floor Plans of premises detailing:               <ul style="list-style-type: none"> <li>➤ Fire Exits and Escape Routes</li> <li>➤ Fire Assembly Point</li> <li>➤ Fire Alarm System – Call Points and Detectors</li> <li>➤ Emergency Lighting and Illuminated Signage</li> <li>➤ Portable Fire Fighting Equipment</li> </ul> </li> </ul> <p>All staff will receive training on Fire Safety and Evacuation Policy at induction and annual refresher training (6 monthly for night staff)            Training Records are held on the Company Intranet            The Premises are covered by CCTV both internally</p>



Provision of CCTV	and externally. The system will record on hard drive and copies will be made in the event of an accident or incident. These copies will be held with the Group Health and Safety Manager along with the completed Accident & Incident Report Forms and Witness Statements.
Compliance with The Smoke-free (Premises and Enforcement) Regulations 2006	External designated smoking areas will be provided and will be checked and maintained at regular intervals.
<b>The Prevention of Public Nuisance</b>	
The Location of the Premises and proximity to residential and other noise sensitive premises	See premises plans and boundaries.
The hours of opening	Please see service of food and alcohol times.
The nature of the activities to be provided	Accommodation – 10 En Suite Bedrooms Licensed Bar serving hot and cold food Car Parking.
The design and layout of the premises	Please see premises plans and boundaries.
The occupancy capacity of the premises	A Fire Risk Assessment will be carried out prior to opening and this will specify the permitted occupancy of the premises.
The availability of public transport	Buses run from Sedgefield to Middlesbrough and Newcastle. The last bus is at approximately 23:30 The premises will provide information on licensed local taxi providers.
The availability of parking	The premises have parking for 10 cars to the front and rear of the premises. Parking is also available on either side of the road adjacent to the premises.
"Wind down Period"	There will be agreed wind down period between the end of licensable activities for non-residents and closure of the premises.
Formulation of a dispersal policy	Customers will be encouraged to leave the premises quietly and respect local residents. Signage will be displayed inside and outside the premises.
Last admission policy	
The upkeep of the external area surrounding the premises	Regular recorded checks will be made of the outside areas, for e.g., glass collection and litter collection and emptying of ash trays.
<b>Protection of Children from Harm</b>	
Child Admission Policy	Children under the age of 16 will be permitted in the premises if accompanied and supervised by an adult between the specified hours. Clear signage will be displayed advising customers of the Child Admission Policy
Management and Staff Training	Managers, Duty Managers and staff will be trained in the premises admission of children policy and signed records will be available for inspection.

**Consent of individual to being specified as premises supervisor**

**John Richard Adamson**

I

.....  
*[full name of prospective premises supervisor]*

of



.....  
*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

**Premises Licence**

.....  
*[type of application]*

by

**Ramside Estates Limited**

.....  
*[name of applicant]*

relating to a premises licence

.....  
*[number of existing licence, if any]*

for

**The Impeccable Plg (formerly the Hope Inn)  
Front Street  
Sedgefield  
Stockton on Tees  
TS21 3AT**

.....  
*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

Ramside Estates Limited

*[name of applicant]*

concerning the supply of alcohol at

The Impeccable Pig (formerly known as the Hope Inn)  
Front Street  
Sedgefield  
TS21 3AT

*[name and address of premises to which application relates]*

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

*[insert personal licence number, if any]*

Personal licence issuing authority

Durham County Council, County Hall, Durham, DH1 5UJ

*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed

Name (please print)

JOHN ADAMSON

Date

28<sup>th</sup> February 2018









## **APPENDIX 3 – ENVIRONMENTAL HEALTH MEDIATION**

**Carol Graham - Licensing Assistant (N'hoods)**

---

**From:** Susan Gallimore  
**Sent:** 29 March 2018 11:22  
**To:** Carol Graham - Licensing Assistant (N'hoods); AHS Licensing  
**Subject:** RE: Licensing - new premises licence application received

Hello Carol,

Please note that I have no adverse comments to make about this application after the amendments made by emails between you and the applicant on 22-03-18 (copies below).

Kind Regards,

Susan Gallimore MCIEH DipIOA  
Senior Public Protection Officer  
Neighbourhood Services

T:  
M:  
E:

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

Hi Alison

I confirm that you wish to remove "outdoor" live and recorded music from the application and this will be amended as per your request..

Thanks

**Carol Graham**  
**Licensing Assistant**  
Environment, Health & Consumer Protection  
Adult and Health Services  
Durham County Council  
Annand House  
Meadowfield  
Durham  
DH7 8RS

Direct: 03000 261016  
Switchboard: 03000 260000  
E-mail:

Web: [www.durham.gov.uk](http://www.durham.gov.uk)

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Follow us on linkedin.com/company/durham-county-council  
Follow us on Instagram @durham\_county\_council

**From:** Alison Dunn  
**Sent:** 22 March 2018 10:09  
**To:** Carol Graham - Licensing Assistant (N'hoods) <  
**Cc:** Richard Wormald 'Terry Hamer'  
**Subject:** Impeccable Pig, Front Street, Sedgefield, TS21 3AT (RAM6/70) Your Ref: 066797

Dear Carol,

Terry Hamer has recently spoken to Environment Health who point out that none of the other premises have a licence for Music outside the premises. Our client does not want this to stand in the way of its substantive application and therefore we have instructions to withdraw its application for music "both" inside and outside the premises and to proceed with "inside the premises" only.

Just for the avoidance of doubt this amendment applies to our applications under:

Section 10 of 21 – Live Music  
Section 11 of 21 – Recorded Music

We have copied in Mr Richard Wormald of Environment Health as subject to this concession we understand there would be no objection or representation from his department.

Could you please let us know if you require us to take any further steps in relation to this issue.

Kind regards,

Alison

**Alison Dunn**  
Paralegal



[swinburnemaddison.co.uk](http://swinburnemaddison.co.uk)

**swinburnemaddison**<sup>LLP</sup>

Legal solutions that fit



**APPENDIX 4 – REPRESENTATION FROM  
SEDFIELD TOWN COUNCIL**



# Sedgefield Town Council

Dr Jane Ayre (Town Clerk)  
Tel. Sedgefield  
Fax:

Email:

Council Offices  
Sedgefield  
Co. Durham  
TS21 3AT

28<sup>th</sup> March 2018

Ms Carol Graham  
Licensing Assistant,  
Environment, Health and Consumer Protection  
Adult and Health Services  
Durham County Council  
Annand House  
Meadowfield  
Durham DH7 8RS

Dear Carol

**New Premises Licence Application - The Impeccable Pig, Front Street, Sedgefield:**

The above New Premises Licence Application was considered by Sedgefield Town Council at its Environment Committee meeting held on Monday 19th March 2018. Sedgefield Town Council wishes to object to the closing hours requested in this application. The Impeccable Pig premises are in an area which has residential properties attached, near and surrounding it at High Street, The Square, Rectory Row, White House Drive and Homebryth. These premises have had various planning applications and now the site has approval for a large extended restaurant and public bar as well as a new 10-bedroomed hotel block at the rear which is under construction. The plans submitted and approved show seating for 190 internal and 25 external, and if you allow for standing round the bar areas then there is a possibility of 236 people in the premises. It could be possible that this number would be exiting the building from 1am to 1.30am. The centre of Sedgefield, a Conservation Area, is very quiet at this time of night and due to the unique shape, layout and construction of the buildings, noise is echoed and carried all-round the centre.

Sedgefield Town Council own and manage the Parish Hall, also on Front Street at a distance of 100 metres away from The Impeccable Pig, this has a maximum capacity of 160 and has restrictions imposed with regard to entertainment hours due to the residential area, having had

problems in the past. The other licensed premises in Sedgefield also have limited licensing times with regard to alcohol and entertainment, the last such instance being that of Durham House on West End.

Sedgefield Town Council considers that a reduction of one hour from the proposed closing times would be more acceptable and would like the opportunity to speak about these concerns at any future Licensing Committee meeting.

I look forward to hearing from you in due course.

Yours sincerely,

Dr Jane Ayre  
Town Clerk

**APPENDIX 4 – REPRESENTATION FROM  
MR M M CARR**



The Square,  
Sedgefield,  
County Durham  
TS21 2AB

30/03/2018

**The Licensing Committee Durham County Council,**

**Premises – The Impeccable Pig (Hope Inn) Sedgefield TS21 3AT**

I wish to object to the hours applied for in the application.

The premises are in the centre of the conservation area of Sedgefield with a number of residential premises attached or in the immediate and local area.

There is no fixed time for the customers to leave the premises this could be in the early hours.

The premises have been licenced before and noise from music and customers have caused many problems in the past, this will be on record.

The size of the site/premises have been increased to three times the original and will generate greater footfall.

Public transport is limited to many areas and stops well before midnight, particularly weekends, therefore cars and taxis would possibly be used.

The application is also for external use in the patio areas.

I would ask that the above points are taken into account and the permitted closing hours are reduced by one hour, 11.00pm Sunday to Thursday, Friday and Saturday midnight, with outside use reduced to 2200 hours any night of the week.

Yours sincerely,

Mr M M Carr

**APPENDIX 4 – REPRESENTATION FROM  
MRS E A WILLIAMS**

High Street,  
SEDFIELD  
Stockton-on-Tees  
TS21 3AR

27<sup>th</sup> March 2018

Ms. Carol Graham,  
Licensing Assistant,  
Adult and Health Services,  
Durham County Council,  
County Hall,  
Durham.

Dear Ms. Graham,

Application for a new Premises Licence – Ramside Estates Limited  
The Impeccable Pig (formerly The Hope Inn) Front Street,  
Sedgefield TS21 3AR.

I refer to the above matter and in particular the application for the sale of alcohol, regulated entertainment & late night refreshment between the hours of 08.00 – 00:00 Sunday to Thursday and 08:00 - 01:00 Friday and Saturday. 24 hours alcohol sales for residential guests only.

My name is [redacted] and I live at High Street, Sedgefield, and my bedroom is attached to The Impeccable Pig and, as I read it, my sleep is going to be affected every night of the week which, to my mind, ought not to be allowed.

Previously the Hope Inn had an alcohol license but no entertainment or late night (i.e. after 11 p.m.) license. This could be heard in my house on occasion and also felt, due to the vibrations. To reinstate this would be bad enough as the building renovations were supposed to be for a restaurant.

Extending the hours and introducing live music with accompanying drinking would not only do myself and the local residents a dis-service, but the village as a whole.

It is inconceivable, unless very thorough soundproofing has been undertaken, that this will have anything but a detrimental effect on my frail health. I live here alone, and am not only diabetic, but have had three falls in the last three years resulting in fractures including a replacement hip. I need not point out that avoidable adverse effects on much needed rest can have a rapid and negative effect on my well being, particularly when it comes to diabetes, sugar levels and possible fall incidents.

If this late license for music and drink is to be considered I would like sound tests to be conducted and readings to be taken in my bedroom. This is the only way I can see of ascertaining whether or not the expected sound levels will have a negative effect on my property and the residents both now and in the future.

Obviously I am willing to allow access to my property for this work to be carried out and it will, if done correctly, offer protection for all parties concerned. This should include a guaranteed maximum penetrating noise level into my property.

I also own the house attached to my bungalow, which is tenanted, and my tenant has a 2 year old son who may also be affected, in which case I am likely to lose my tenant and probably have difficulty finding a new one. If this happens I will lose a large part of my income.

I would also like to mention the fact that at the beginning of planning for this development I understood that there were going to be two houses built at the back of the plot which I said I wouldn't object to so long as there were no windows overlooking my garden. Now these houses have not been built but a lot of other single occupant flats have been built with windows overlooking my garden.

I have tried to be reasonable about this development all along but this latest development has really upset me and I feel it is unnecessary. Please take mine, and other local residents, well being into consideration when making your decision.

E.A. Williams (Mrs)

**APPENDIX 5 – LETTER FROM RAMSIDE ESTATES  
(APPLICANT)**

Mrs E A Williams

Our Ref: TPH/ALD/RAM6/70  
Your Ref:  
Date: 09 April 2018  
Direct Dial:  
E-mail:  
We do not accept service by e-mail

Dear Mrs Williams

**Premises Licence Application**  
**Our Client: Ramside Estates Limited**  
**The Impeccable Pig, Front Street, Sedgfield**

We act on behalf of the applicant for the new licence at the above-premises.

We acknowledge receipt of your letter of objection on the above application and do not by any means take it lightly. We are able to advise that there are in total 3 objectors with the other 2 asking for the hours to be limited whereas if we have read your objection correctly you are more worried about the potential for nuisance and disturbance from our client's property?

When we deal with the statutory authorities i.e. the Police, Environment Agency and Fire Authority etc. they tend to raise their concerns within the consultation period and we try our best to resolve them without going to a formal hearing. In these circumstances we think it would be extremely useful if we could arrange a meeting with you in a similar manner as we would with the Police or Fire Authority and see if we can try to settle your worries and ameliorate your concerns if at all possible.

We are obviously reluctant about just "knocking on your door" and have therefore asked the Licensing Authority to pass this letter on to you with our contact details.

The fee earner in this case is Mr Terry Hamer who can be contacted on \_\_\_\_\_ or his PA, Alison Dunn on \_\_\_\_\_

We very much hope that we can speak, even if "ultimately we cannot agree a way forward".

Yours faithfully

Terry Hamer  
Consultant  
Swinburne Maddison LLP

## **APPENDIX 6 – RESPONSES FROM RESPONSIBLE AUTHORITIES**

## **Carol Graham - Licensing Assistant (N'hoods)**

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**From:** Mark O'Sullivan  
**Sent:** 08 March 2018 12:03  
**To:** Carol Graham - Licensing Assistant (N'hoods)  
**Subject:** Premises License at the Hope Inn, Sedgefield

Hello Carol,

Further to your recent consultation regarding an application for a premises license at the former Hope Inn, Sedgefield, I would have no comments to make at this time.

Kind regards

**Mark O'Sullivan BA(Hons)DipTP MRTPI  
Planning Officer**

**South West Area Team  
Durham County Council  
Room G73-82  
County Hall  
Durham  
DH1 5UZ**



**Valerie Craig**

---

**From:** Sean Barry  
**Sent:** 14 March 2018 16:29  
**To:** AHS Licensing  
**Subject:** RE: Licensing - new premises licence application received The Impeccable Pig, Front Street, Sedgefield. TS21 3AT

**Categories:** Carol

Good Afternoon

I have received a new premises application for the establishment: The Impeccable Pig (formerly The Hope Inn), Front Street, Sedgefield. TS21 3AT

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

My Ref: SB/2018/016

Thanks  
Sean

## **Carol Graham - Licensing Assistant (N'hoods)**

---

**From:** Daniel Darnton ·  
**Sent:** 22 March 2018 10:12  
**To:** Carol Graham - Licensing Assistant (N'hoods)  
**Subject:** FW: Licensing - new premises licence application received  
**Attachments:** Impeccable Pig - plan.pdf; Impeccable Pig - DPS consent.pdf; Impeccable Pig - new premises.pdf

Good Morning,

Durham Constabulary have no objections to the below application.

Thanks  
Dan

---

Dear Sir/Madam

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

**Les - please can you check the blue notice**

1

Application Type - Application for a new Premises Licence

Applicant: - Ramside Estates Ltd

Premises - The Impeccable Pig (formerly The Hope Inn), Front Street, Sedgefield. TS21 3AT

Date of Application - 6 March 2018      Last date for representations - 3 April 2018

Please note the last date for representations

**Carol Graham**  
**Licensing Assistant**  
**Adult and Health Services**

T:  
E:

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**Carol Graham - Licensing Assistant (N'hoods)**

---

**From:** Stuart Thew <  
**Sent:** 28 March 2018 13:54  
**To:**  
**Cc:** Carol Graham - Licensing Assistant (N'hoods)  
**Subject:** The Impeccable Pig, Sedgefield (prem licence)

Hi Carol

No representations will be made by CDDFRS regarding the above licence application.

**Stuart Thew Fd FSI, G.I.Fire E**  
**Senior Business Fire Safety Officer (Bishop Auckland/Newton Aycliffe/Wear and Tees)**  
Tel: 0845 2234221  
Mob:  
Email  
[www.cddfire.gov.uk](http://www.cddfire.gov.uk)

**Safest People, Safest Places**

2 or 3 breaths of toxic smoke and you're unconscious Don't drown in toxic smoke Test your smoke alarm today

County Durham and Darlington Fire and Rescue Authority Belmont Business Park, Durham,  
DH1 1TW.

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## **APPENDIX 7 – STATEMENT OF LICENSING POLICY**

## **DURHAM COUNTY COUNCIL 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 or supply of alcohol (community centres, village halls)	07.00 to 00.00	07.00 to 01.00	Good Friday Plus 1 Hour For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday

			(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).
For licences authorising late night refreshment as the primary licensable activity (takeaways)	01.00	02.00	<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 8 – SECTION 182 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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**Statutory Licensing Sub-Committee**

**24<sup>th</sup> April 2018**

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




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

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**Name and Address of Premises: J & L News, 23 Willowtree Avenue, Gilesgate, Co Durham DH1 1EA**

**1. Summary**

The Sub-Committee is asked to consider and determine the application for the grant of a premises licence for J & L News, 23 Willowtree Avenue, Gilesgate, Co Durham received from Mr David Horner on behalf of Ms Hollie Pallister.

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 5<sup>th</sup> March 2018. A copy of the application is attached as Appendix 2.

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

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

<b>Activities</b>	<b>Days &amp; Hours Requested</b>
Sale of Alcohol (off the premises) Opening Hours	Monday to Sunday: 09:00 – 22:00 hrs Monday to Sunday: 06:00 – 22:00 hrs

Ms Pallister has included additional conditions to the application on 14<sup>th</sup> March 2018 following discussions with Durham Constabulary.

Details of these additional conditions proposed by the applicant are attached at Appendix 3.

**3. The Representations**

The Licensing Authority received five letters during the consultation period in relation to the premises licence application.

Mrs Robinson submitted a letter on 19<sup>th</sup> March 2018 and subsequently withdrew the letter after receiving information from the licensing authority in relation to the applicant's operating schedule, which alleviated her concerns.

Mr Inglis submitted a letter on 20<sup>th</sup> March 2018 which did not detail sufficient information to be deemed relevant. The licensing authority contacted Mr Inglis to explain the process and how to submit a relevant representation but no further submission was received.

Mr Smith submitted a letter on 21<sup>st</sup> March 2018 but confirmed it was not his intention to submit a formal objection and did not want to pursue it further.

The remaining two letters were deemed relevant representations from the following, namely 'other persons':

- Mr & Mrs Ramshaw (other persons)
- Mr Cornforth & Ms Elliot (other persons)

The two relevant representations relate to the following licensing objectives:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from harm

A copy of the outstanding representations are attached as Appendix 4.

Ms Hollie Pallister submitted a letter to the licensing authority on 27<sup>th</sup> March 2018 and this has been forwarded to Mr & Mrs Ramshaw and Mr Cornforth & Ms Elliot, to date there has been no response. See attached Appendix 5.

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

- Durham County Council Environmental Health (Noise Action Team)
- Durham County Council Planning Department
- Durham County Council Local Safeguarding Children Board
- County Durham Fire and Rescue Service

Copies of these responses are attached at Appendix 6.

#### **4. Parties**

The Parties to the hearing will be:

Mr David Horner (Licensing Agent)  
Ms Hollie Pallister (Applicant)  
Mr & Mrs Ramshaw (other persons)  
Mr Cornforth & Ms Elliot (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:

- 7.0 The Prevention of Crime and Disorder
- 8.0 Public Safety
- 9.0 Prevention of Public Nuisance
- 10.0 Protection of Children from Harm
- Appendix B - Framework Licensing Hours

Relevant information is attached as Appendix 7.

## **6. Section 182 Guidance**

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

- 2.1 – 2.6 Crime & Disorder
- 2.7 – 2.14 Public Safety
- 2.15 - 2.21 Public Nuisance
- 2.22 – 2.32 Protection of Children from Harm

Relevant information is attached as Appendix 8.

## **7. For Decision**

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

### **Background Papers:**

- Durham County Council's Statement of Licensing Policy
- Guidance issued under section 182 of the Licensing Act 2003 (as amended April 2017)

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**Contact: Karen Robson**

**Tel: 03000 265104**

**Email: karen.robson2@durham.gov.uk**

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## APPENDIX 1 – LOCATION PLAN





## APPENDIX 2 – APPLICATION FORM



\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

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

Is the applicant's business registered outside the UK?  Yes  No

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Applicant Business Address**

Building number or name

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

**Agent Business**

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

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

Is your business registered outside the UK?  Yes  No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

## Section 2 of 21

### PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

#### Premises Address

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

Address     OS map reference     Description

#### Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

#### Further Details

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

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

**Section 4 of 21****INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Hollie

Family name

Pallister

Is the applicant 18 years of age or older?

- Yes  No



Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	<input type="text" value="British"/> Documents that demonstrate entitlement to work in the UK

## Section 5 of 21

### OPERATING SCHEDULE

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

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Local community mini market, looking to provide the sale of alcohol for retail for consumption off the premises. The

*Continued from previous page...*

business is currently open shorter hours than on the application, however the applicant is considering these to be extended over the coming weeks in line with the application if it is successful.

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

**Section 6 of 21**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**



Continued from previous page...

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

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

See guidance on regulated entertainment

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

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 09:00

End 22:00

Start

End

SUNDAY

Start 09:00

End 22:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

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

Name

First name Hollie

Family name Pallister

Date of birth  /  /   
dd mm yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

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

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

**TUESDAY**

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**WEDNESDAY**

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**THURSDAY**

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**FRIDAY**

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SATURDAY**

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SUNDAY**

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

*Continued from previous page...*

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

The premise license holder and the DPS have carried out a risk assessment with consideration of the four licensing objectives. Steps to be taken are detailed below.

All staff will be trained to understand their responsibilities with regard to the retail sale of alcohol.

Records of all staff training will be maintained and updated accordingly every 12 months.

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

A 4 camera CCTV system is in place covering all licensed areas including a single camera focusing on the public entry and exit point. This will enable good facial recognition of people entering and exiting the premises

The CCTV system shall continually record whilst the premises is open for licensable activities and during all times customers remain on the premises. All recordings shall be stored for a minimum of 31 days and can be accessed on site. Viewings of any recordings shall be made available immediately upon the request of Police or any authorised officer.

The premises licence holder will undertake to ensure the system is maintained at regular intervals to ensure the system is working correctly.

The supply of alcohol at the premises shall only be for off sales and no alcohol will be consumed on the premises.

A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of any refusals, detailing the member of staff who refused the sale. This would be made available to the police or an authorised officer of the Council at all times when the premises are open.

**c) Public safety**

The premises will be maintained in a safe manner at all times.

All exits will be clear of hazards.

All staff will be trained in emergency procedures and records maintained.

**d) The prevention of public nuisance**

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

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

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

Staff will be trained in the understanding of this policy and training records maintained for inspection if requested by the police or any other responsible authority.

**Section 19 of 21**

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

*Continued from previous page...*

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

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

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK (please see note below about which sections of the passport to copy).
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

*Continued from previous page...*

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**



*Continued from previous page...*

In terms of specific regulated entertainments please note that:

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



Continued from previous page...

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

#### Section 21 of 21

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/Index.htm](http://www.voa.gov.uk/business_rates/Index.htm)

Premises licence fees can be calculated by visiting the Department for Culture Media and Sport website at [http://www.culture.gov.uk/what\\_we\\_do/alcohol\\_and\\_entertainment/3193.aspx](http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/3193.aspx)

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time.

Details of these additional fees can be found on the website [http://www.culture.gov.uk/what\\_we\\_do/alcohol\\_and\\_entertainment/4040.aspx](http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4040.aspx)

\* Fee amount (£)

100.00

#### DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership]. I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

David Horner

\* Capacity

Authorised Agent

Continued from previous page...

\* Date

/  /   
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...

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

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

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

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

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="J &amp; L NEWS"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

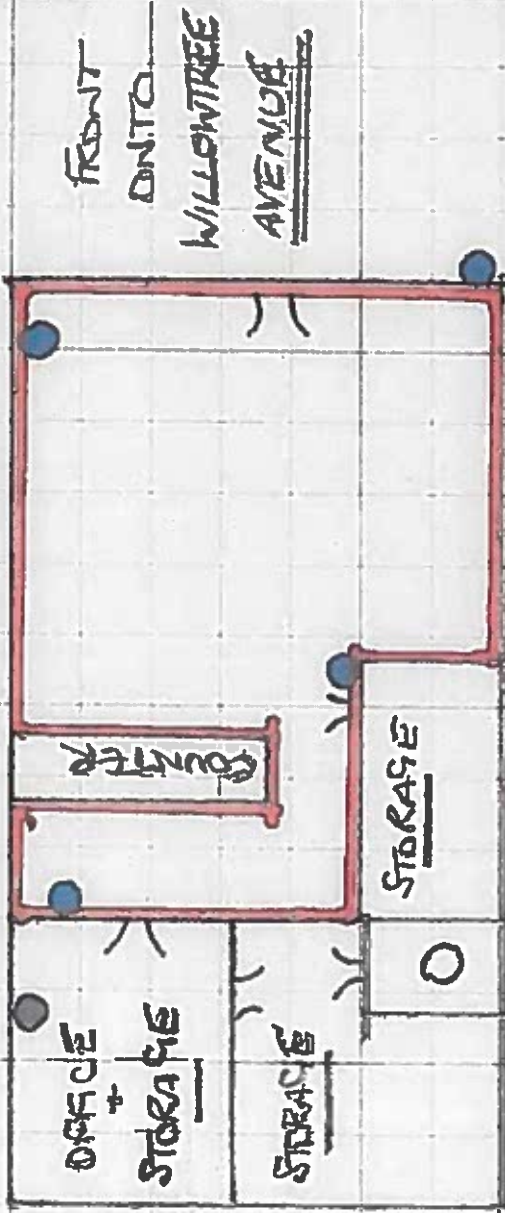
< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >

LICENSING PLAN. JFL NEWS 23 WILLOWTREE AVENUE DH11 1EA

LICENCED AREA.

CCTV CAMERAS.

FIRE EXTINGUISHER.



SCALE: 1:100

## **APPENDIX 3 – DURHAM CONSTABULARY MEDIATION**

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**From:** Yvonne Raine  
**Sent:** 15 March 2018 10:29  
**To:**  
**Cc:** 'Aimee Guest'; Carol Graham - Licensing Assistant (N'hoods)  
**Subject:** RE: J and L News, Willowtree Avenue, Gilesgate, Durham

Good Morning Hollie

Thank you for your e-mail confirming that you agree to the conditions suggested by Durham Constabulary.

These will be added to your application and become conditions on your premises licence should the licence be granted.

Regards

**Yvonne Raine**  
**Senior Licensing Officer**  
Environment, Health & Consumer Protection

**From:** Hollie Pallister [mailto:  
**Sent:** 14 March 2018 23:24  
**To:** Yvonne Raine <Yvonne.Raine@durham.gov.uk>  
**Subject:** RE: J and L News, Willowtree Avenue, Gilesgate, Durham

Hi,

Yes, I do wish to ammend the application in accordance to the conditions suggested.

Regards, Hollie Pallister

Sent from Yahoo Mail on Android

## General

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

## The Prevention of Crime and Disorder

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

## Public Safety

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

## The Prevention of Public Nuisance

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

## The Protection of Children from Harm

- The premise will display posters regarding Challenge 25, Proxy Sales and Operation Aries (tackling underage drinking in Co Durham)

**APPENDIX 4 – REPRESENTATION FROM  
MR & MRS RAMSHAW**

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**From:** jean.ramshaw ·  
**Sent:** 20 March 2018 20:21  
**To:** AHS Licensing  
**Subject:** J & L News, 23 Willowtree Avenue, Gilesgate, Durham, DH1 9HZ

To whom it may concern

I wish to object very strongly to the application to the license of selling alcohol from the above premises. The reasons for my objection are as follows:-

This is a private residential housing estate with many elderly residents who wish to live a quiet peaceful life our lives are going to be changed completely with noise not to mention the litter and rubbish which will be deposited in people's gardens or strewn around the streets. Who's going to clear the rubbish?

The hours for selling as I understand are from 9am to 10pm every day Monday to Sunday, these long late hours will lead to an increase in the amount of young people congregating outside the shop and the surrounding area causing excessive noise and nuisance especially late at night therefore causing concern to residents. Who will monitor the sale of alcohol especially to under age young people?

I live near the play park which is a short walk from Willowtree Avenue shops, in the past when the neighbouring shop -which is now closed and was turned into a flat- sold alcohol the young people came to the park to drink and caused chaos, the police were called on numerous occasions, thankfully when those premises closed the trouble in the park became considerably less.

Will we have more police to call upon if/when any trouble arises?

Why do we need a shop in a residential housing estate selling alcohol when there are ample supermarkets, mini markets and pubs/hotels within walking distance selling alcohol?

Yours

Jean and Fred Ramshaw

Sent from Samsung tablet



**APPENDIX 4 – REPRESENTATION FROM  
MR CORNFORTH & MS ELLIOT**

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**From:** S. Cornforth  
**Sent:** 01 April 2018 20:00  
**To:** AHS Licensing  
**Subject:** J&L News licensing application

To whom it may concern,

I am writing to express my objections in relation to the licensing application made by J&L News of 23 Willowtree Avenue, Gilesgate, Durham Dh1 1ea. The basis for this opposition is that granting a license for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour. As a local resident I am concerned that selling alcohol from these premises will attract underage drinkers and consequently lead to anti-social behaviour in the area around the shops and in the lane behind which leads to Gilesgate Primary School. If groups of youths started to congregate in and around the alley and lane joining Willowtree Avenue to Bradford Crescent then this would create an intimidating environment and would put people off using this route. Furthermore, selling alcohol from 9:00 in the morning around the corner from a Primary School surely cannot be seen as appropriate. I find it hard to see the need for a license to be granted on this occasion as there are already a range of places to purchase alcohol such as Tesco, Sainsbury's and other local convenience stores.

Yours faithfully,  
Stephen Cornforth and Tracey Elliot  
Willowtree Avenue,  
Gilesgate,  
Durham  
DH1 1EA

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**APPENDIX 5 – LETTER FROM HOLLIE PALLISTER  
(APPLICANT)**

FAO Karen Robson  
Senior Licensing Officer  
Durham County Council

I, Hollie Pallister, am writing in response to the representation made against our application for a Premise Licence that would allow the sale of alcohol by retail at J&L News. Please find below my reply to the concerns.

- I have took all the necessary training and am now a personal license holder. I understand my role as the DPS and as such would take all the necessary precautions to ensure the responsible sale of alcohol.
- I would therefore also be responsible for ensuring proper training to all members of our staff, dispersal of congregations outside the premises, ensuring proper recording of refused sales.
- I would like to add, if necessary, I would ensure accurate reporting to the police and other responsible authorities, any suspicious activity regarding the supply of alcohol to minors.
- The store that was mentioned, closed over 10 years ago. Over the last few months we have had customers asking if we sell alcohol and so we decided it would be a positive business move to make.
- Since the advertisement of our plans to sell alcohol have been made public we have had a lot of positive feedback from many of our customers.
- I would also like to point out there are two large council bins outside our building for the proper disposal of any waste and we routinely, on opening, clear up the front of our premises.

I wish to conclude that I have employed the services of a Licensing Agent to assist me with this procedure and have had regular discussions regarding my responsibilities, which I will not take lightly moving forward.

Yours sincerley,

Hollie Pallister  
J&L News.

**APPENDIX 6 – RESPONSES FROM  
RESPONSIBLE AUTHORITIES**

**Carol Graham - Licensing Assistant (N'hoods)**

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**From:** Martin Scott  
**Sent:** 06 March 2018 09:35  
**To:** Carol Graham - Licensing Assistant (N'hoods)  
**Subject:** J & L News, Gilesgate

Dear Carol

Please ignore my last e-mail.

Thank you for consulting the Nuisance Action Team , regarding the New License Application for:

J & L News, 23, Willowtree Avenue, Gilesgate.

Dated: 29<sup>th</sup>, September, 2017

I have no representations to make regarding the application.

Regards

**Mr M Scott**  
**Senior Environmental Health Officer**  
**Adult and Health Services**

## **Carol Graham - Licensing Assistant (N'hoods)**

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**From:** Michelle Hurton  
**Sent:** 14 March 2018 12:11  
**To:** Carol Graham - Licensing Assistant (N'hoods)  
**Subject:** 23 Willowtree Avenue, Gilesgate Moor

Hi Carol

There are no planning implications for the above site.

Kind regards,

**Michelle Hurton BA (Hons) MSc**  
**Assistant Planning Officer**  
Planning Development Management  
Regeneration and Local Services

**Karen Robson**

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**From:** Sean Barry  
**Sent:** 14 March 2018 16:19  
**To:** AHS Licensing  
**Subject:** RE: Licensing - new premises licence application received J & L News, 23 Willowtree Avenue, Gilesgate, Durham. DH1 1EA

**Categories:** Carol

Good Afternoon

I have received a new premises application for the establishment: J & L News, 23 Willowtree Avenue, Gilesgate, Durham. DH1 1EA

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

My Ref: SB/2018/015

Thanks  
Sean





Chief Fire Officer: Stuart Errington

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

Date: 26 March 2018

This matter is being dealt with by: Chris Hockaday

Ext:

Our Ref: 2E41000280

Your Ref: xx

Direct Dial Telephone:

E-mail:

David Horner  
DH Licensing  
51 Michaelson Avenue  
Torrisholme  
Morecambe  
LA4 6SD

Dear Sir

**Licensing Act 2003**  
**Regulatory Reform (Fire Safety) Order 2005**  
**J & L News, 23 Willowtree Avenue, Durham, DH1 1EA**

I acknowledge your application dated 5 March 2017 for a Premises Licence under The Licensing Act 2003 in respect of the above named premises.

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

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

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

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

Yours faithfully

Chris Hockaday  
Fire Safety Section



[www.ddfire.gov.uk](http://www.ddfire.gov.uk)

## **APPENDIX 7 - STATEMENT OF LICENSING POLICY**

## **DURHAM COUNTY COUNCIL STATEMENT OF LICENSING POLICY**

### **7.0 The Prevention of Crime and Disorder**

7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment may sometimes, if not properly managed, become a source of public nuisance, generating crime and disorder problems.

7.2 As a matter of policy, the Licensing Authority will require every holder of a premises licence, club premises certificate or temporary event notice to be responsible for minimising the impact of crime, disorder and anti-social behaviour by their patrons both on and within the immediate vicinity of their premises, including for example on the pavement, in a beer garden or in a smoking shelter.

7.3 The Licensing Authority recommends that all applicants demonstrate in their Operating Schedules that suitable and sufficient measures, ranging from the design and layout of the premises through to the daily operation of the business have been identified and will be implemented and maintained with the intention of preventing crime and disorder. Procedures to deal with drunken customers, violence and anti social behaviour in and outside premises and the provision of closed circuit 14 television in certain premises should be considered by applicants, licencees and event organisers when addressing this issue.

7.4 The Licensing Authority encourages Personal Licence holders to actively participate in established "Pubwatch" schemes, where issues relating to crime and disorder can be addressed. The Licensing Authority support involvement in "Best Bar None" initiative which enables premises to demonstrate good safe operating procedures. Such schemes have been very successful in reducing the negative impact of alcohol across a range of circumstances.

7.5 The Licensing Authority recognises and promotes effective and responsible management of all licensed and authorised premises through competent and efficient and regular instruction, recorded training, supervision of staff and the adoption of good practice, such as 'Challenge 25'. These are considered to be among the most important control measures for the achievement of all Licensing Objectives. The Licensing Authority will take a positive view of anyone who invests in appropriate training, and in particular nationally accredited qualifications tailored to the Licensing sector. Training records should be kept available for inspection by all enforcement agencies.

7.6 The application for premises licence must identify a Designated Premises Supervisor (DPS) who must also hold a Personal Licence. The DPS does not have to be present on the premises at all times when alcohol is being sold. However, the DPS and Premises Licence Holder remain responsible for the premises at all times. It is important that there is an accountable, responsible person present when alcohol is being sold or supplied to ensure, for example, that alcohol is not sold to persons who have had too much to drink, or to those under the age of 18 years.

7.7 Someone should always be present on premises or at an event during times when licensable activities are taking place who can discuss any problems or

issues arising from the licensable activities offered on the premises with officers from Licensing Authority and Police. The Licensing Authority considers it to be good practice if the DPS or Premises Licence Holder is present in the licensed area of the premises:

- Between 22:00 hours and closing time, when the premises is one that regularly opens after midnight for both regulated entertainment and the sale or supply of alcohol for consumption on the premises.
- At all times when the premises is a "vertical drinking establishment" where little or no seating is provided.
- At times where there is a substantial increase in customers i.e. for televised major sporting events etc.

7.8 The Licensing Authority will only impose a maximum number of people that can attend premises or an event where there is a clear and justifiable need in respect of that particular premises or event. Any such decision will be based on the nature and style of the operation. The Licensing Authority will consider information provided by the applicant and any other body, in particular the Council's Building Control Section, Environmental Health Section and the Durham and Darlington Fire and Rescue Service before setting a maximum number. Applicants will be expected to detail the arrangements that would be put in place e.g. provision of door staff to ensure that the permitted number of people attending the premises or event will not be exceeded.

7.9 Whenever security operatives/door supervisors are employed at licensed premises to carry out security functions they must be licensed by the Security Industry Authority (SIA). If a licensee directly employs security operatives they will need to be licensed by the SIA as a supervisor/manager.

7.10 The numbers of licensed door supervisors, both male and female, required at any premises will be dependant upon the nature of the activities licensed and the characteristics and capacity of the establishment and hours of trading.

7.11 In addition to the requirement of the Licensing Authority to promote the Licensing Objectives, the Council also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can do to prevent crime and disorder in its area and to consider crime and disorder in its decision making process.

**7.12 Toughened/Safety Glass Policy:** Licensed venues that provide the sale or supply of alcohol for consumption on the premises should consider the introduction of toughened/safety glass. This policy expectation applies to those premises that would be considered as carrying a higher risk for potential crime and disorder. In particular it is expected in premises considered to be high volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues (but not premises in those areas that are viewed as low risk in this context).

**7.13 Drugs/Knives/Weapons:** The Licensing Authority will expect licensees to take all reasonable steps to prevent the presence of drugs on licensed premises and to take appropriate steps to prevent drugs changing hands within the

premises in order to prevent tragedies as a result of drug misuse. The Licensing Authority will expect licensees to be familiar with the Home Office Drug Strategy booklet entitled Safer Clubbing (ISBN 1840827807) or other subsequent editions. The Licensing Authority also expects that licence holders will also take steps to prevent the presence of knives and other weapons on their premises and that a log be kept of all drug, knife and weapon incidents. Licence holders should also consider arranging training for their staff on drugs, knives and weapons and to have policies for dealing with the possession of drugs, knives and weapons and the supply of drugs.

## **8.0 Public Safety**

8.2 Applicants are advised to seek advice on such matters from the Council's Occupational Safety and Health team, Health and safety Executive, Durham Constabulary and the Durham and Darlington Fire and Rescue Service, and incorporate any recommendations in their Operating Schedule before submitting their applications.

- First Aid
- Public security
- Event control
- Polycarbonate Glass
- Fire Safety
- Electrical safety
- Building safety
- Transport
- Drink driving issues
- Occupancy levels

## **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.

## **10.0 Protection of Children from Harm**

10.1 While the Act does not prohibit children from having free access to any licensed premises, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from physical, moral or psychological harm and the effects of alcohol on parenting.

10.2 The Act makes it an offence for any child under the age of 16 who is not

accompanied by an adult from being present:

- At any time on pub premises, or other premises being used exclusively or primarily for the supply of alcohol for consumption on those premises; or
- Between the hours of midnight and 05:00 hours on restaurant premises or other premises that supply alcohol for consumption on the premises
- The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to Individual premises where it is necessary to prevent physical, moral or psychological harm.

10.3 The Licensing Authority may consider the following when dealing with a licence application where children may have limited access:

- Limitations on the hours when children may be present.
- Limitations on under 18s
- Limitations or exclusion when certain activities are taking place.
- Requirements for an accompanying adult to be present.
- Full exclusion of people under 18 from the premises when certain licensable activities are taking place (e.g. entertainment of a sexual nature).
- Limitations on the parts of premises to which children might be given access.
- Any other limitations appropriate to the application and according with the four licensing objectives.

10.4 The Licensing Authority will work closely with the Police and the Council's Trading Standards service to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children. Alcohol must not be served to persons under the age of 18, except in limited circumstances allowed by the law, and then only after verifying a person's proof of age e.g. 16 and 17 year-olds may drink beer, wine or cider with a table meal in relevant premises, where accompanied by an adult aged 18 years or over. The currently accepted verifications for proof of age are a passport, a photo card driving licence or a proof of age scheme such as Challenge 25.

10.5 The Licensing Authority is aware of young persons' vulnerability to alcohol and events which are aimed at children under the age of 18 years on licensed premises will not be supported by the licensing authority unless the applicant can demonstrate that all safeguards for children have been addressed such as the removal of alcohol advertising.

10.6 The Licensing Authority, Durham Constabulary Alcohol Harm Reduction Unit and the Local Safeguarding Children Board have produced a "good practice guide" for an event catering for under-18's and mixed events of under and over 18's. This guide is highly recommended by the Licensing Authority and should be adhered to by licence holders and event organisers.

10.7 Recorded staff training programmes, the use of a refusals register, in-store signage and limited access to alcoholic drink can all reduce the likelihood of illegal sales and proxy sales and are to be encouraged.

10.8 The Licensing Authority commends the use of the 'Portman Group' Code of Practice on the naming, packaging and the promotion of alcoholic drinks in all licensed premises.

10.9 Access to Cinemas: In the case of premises requiring an licence to show films, applicants should include in the operating schedule arrangements for restricting access only to those children who meet the required age limit, in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Local Authority.

10.10 The Act provides that it is mandatory for Licensing Authorities to include a condition in all premises licences and club certificates authorising the exhibition of film, for the admission of children to the exhibition of any film to be restricted in accordance with the recommendations given to films either by the British Board of Film Classification or by the Licensing Authority itself.

10.11 Should the Licensing Authority need to adopt its own system of film classification the information regarding such classifications will be published on the Local Authority's website.

10.12 Children and Public Entertainment: Many children go to see and / or take part in an entertainment arranged especially for them. For example, children's film shows and dance or drama school productions, and additional arrangements may be required to safeguard them while at the premises.

10.13 Where entertainment requiring a Licence is specifically presented for children, the Licensing Authority will normally expect the presence of at least one member of staff from the Licensed premises for every 50 children present to ensure their safety and protection from harm and to control their access and egress from the premises. The Council will require those caring for or supervising children to have undergone an appropriate Criminal Record check with the Disclosure and Barring Service.

10.14 With regard to this Licensing Objective, the Licensing Authority considers Durham County Council Safeguarding Children Board to be the competent authority for matters relating to the protection of children from harm. A protocol exists between Durham Local Safeguarding Children Board and Durham Constabulary. All safeguarding concerns identified as a result of premises, personal applications and all variations to licences are covered by this protocol.

10.15 Applicants are advised to seek advice from the Local Safeguarding Children Board and incorporate any recommendations in their Operating Schedule before submitting their applications



**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	<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>
For licences not including the sale or supply of alcohol	07.00 to 23.30	07.00 to 00.30	<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>
For licences not including the sale or supply of alcohol (community centres, village halls)	07.00 to 00.00	07.00 to 01.00	<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>

			(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).
For licences authorising late night refreshment as the primary licensable activity (takeaways)	01.00	02.00	<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 8 – SECTION 182 GUIDANCE**

## **Crime and disorder**

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will

usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

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

## **Public safety**

2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.8 A number of matters should be considered in relation to public safety. These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

## **Ensuring safe departure of those using the premises**

2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

## **Maintenance and repair**

- 2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

## **Safe capacities**

- 2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act<sup>1</sup>, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their

recommendation to the fire and rescue authority which will consider it and decide what the "permitted capacity" of those premises should be.

- 2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

<sup>1</sup> S 177 of the 2003 Act now only applies to performances of dance.



## 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.

## **Protection of children from harm**

- 2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
  - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
  - it is known that unaccompanied children have been allowed access;
  - there is a known association with drug taking or dealing; or
  - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.
- 2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

- 2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
  - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
  - restrictions on the parts of the premises to which children may have access;
  - age restrictions (below 18);
  - restrictions or exclusions when certain activities are taking place;
  - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
  - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.
- 2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

### Offences relating to the sale and supply of alcohol to children

2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

**Table of relevant offences under the 2003 Act**

Section	Offence	Prosecuting Authority
Section 145	Unaccompanied children prohibited from certain premises	Police and/or Licensing Authority
Section 146	Sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147	Allowing the sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147A	Persistently selling alcohol to children	Police and/or Local Weights and Measures Authority
Section 149	Purchase of alcohol by or on behalf of children	Police and/or Licensing Authority
Section 150	Consumption of alcohol by children	Police and/or Licensing Authority
Section 151	Delivering alcohol to children	Police and/or Licensing Authority
Section 152	Sending a child to obtain alcohol	Police and/or Licensing Authority
Section 153	Prohibition of unsupervised sales by children	Police and/or Licensing Authority

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