

Statutory Licensing Sub-Committee

16th July 2019

Application for the variation of a

Premises Licence

Ordinary Decision



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

Councillor Brian Stephens, Cabinet Portfolio Holder for Neighbourhoods and Local Partnerships

Electoral division(s) affected:

Dawdon

Purpose of the Report

- 1 The Sub-Committee is asked to consider and determine the application for the variation of a premises licence for Alders Bar & Coffee House (formerly the Lounge), 21 North Terrace, Seaham, SR7 7EU.
- 2 A plan showing the location of the premises is attached at Appendix 2.

Executive summary

- 3 The application is for the variation of an existing premises licence for Alders Bar and Coffee House 21 North Terrace, Seaham. On 21st May 2019 the premises licence was transferred to Harbour Contract Services Ltd (Mr Anthony Woollett named as the Director) and on 6th June 2019 Mr Anthony Woollett become the designated premises supervisor.
- 4 The variation application is to update the current internal plan, extend the hours for recorded music indoors and extend the sale by retail of alcohol on a Thursday for one hour and on a Sunday for 90 minutes. The applicant had requested the removal of a condition relating to the order of alcohol being ancillary to a substantial meal, which has now been withdrawn.

For information purposes, this premise was previously a late night refreshment house and in February 2017 the existing licence holder voluntarily added several conditions to the premises licence in relation to 'delivery' of food and alcohol 'off' the premises.

As part of this variation application Mr Woollett had requested to remove the condition that stated customers must purchase a substantial meal with a minimum order value of £10. He was unaware that this related to 'delivery' of food and alcohol 'off' the premises. The condition should not be attributed to any licensable activities other than deliveries. Mr Woollett has confirmed he will not be offering a delivery service and has requested not to pursue the removal of this condition as part of this application.

- 5 Durham Constabulary, County Durham & Darlington Fire and Rescue Service, Durham Safeguarding Children Partnership, Durham County Council Environmental Health have responded to the consultation with no comments.

Recommendation(s)

- 6 The Sub-Committee is asked to determine the application with a view to promoting the licensing objectives.
- 7 The Sub-Committee is recommended to give appropriate weight to:
- (a) The steps that are appropriate to promote the licensing objectives;
 - (b) The representations (including supporting information) presented by all parties;
 - (c) The Durham County Council Statement of Licensing Policy. The relevant parts of the policy are attached at Appendix 6.
 - (d) The Guidance issued to local authorities under Section 182 of the Licensing Act 2003 (as amended April 2018). The relevant parts of the guidance are attached at Appendix 7.

Background

- 8 Background information

Applicant	Harbour Contract Services Ltd	
Type of Application:	Date received:	Consultation ended:
Variation of a premises licence	21st May 2019	18th June 2019

Details of the application

- 9 An application for the variation of a premises licence was received by the Licensing Authority on 21st May 2019. A copy of the application is attached together with information supplied by Mr Woollett of Harbour

Contract Services Ltd at Appendix 3, this includes a copy of the existing premises licence for information purposes.

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

11 The current licensable activities are as follows:

Current Licensable Activities	Days & Hours
Sale by Retail of Alcohol (on and off sales only)	Monday to Thursday 11:00 hrs -22:00 hrs Friday & Saturday 11:00 hrs – 23:00 hrs Sunday 12:00 hrs -22:00 hrs
Recorded Music (indoors)	Monday to Thursday 11:00 hrs -22:00 hrs Friday & Saturday 11:00 hrs – 23:00 hrs Sunday 12:00 hrs -22:00 hrs
Opening Hours	Monday to Thursday 09:00 hrs -22:00 hrs Friday & Saturday 09:00 hrs – 22:00 hrs Sunday 12:00 hrs -23:00 hrs

12 The applicant has proposed conditions and the steps that they intend to take in order to promote the four licensing objectives, which are outlined within the application form.

13 The applicant has requested the following variations, see below:

Proposed Licensable Activities	Days & Hours
Sale by Retail of Alcohol (on and off sales only)	Thursday 11:00 hrs – 23:00 hrs Sunday 11:00 hrs - 22:30 hrs
Recorded Music (indoors)	Monday to Wednesday 07:00 hrs -22:00 hrs Thursday to Saturday 07:00 hrs – 23:00 hrs Sunday 07:00 hrs - 22:30 hrs
Opening Hours	Monday to Wednesday 07:00 hrs -22:30 hrs Thursday to Saturday 07:00 hrs – 23:30 hrs Sunday 07:00 hrs -23:00 hrs

The Representations

14 The Licensing Authority received three letters of representation, from Mr Thompson, Dr Aylott, Mr and Mrs Duncan (other persons) during the consultation period.

15 The Licensing Authority deemed the representations as relevant, relating to the following licensing objectives:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance

A copy of the representations are attached as Appendix 4.

16 Responses were received from the following Responsible Authorities, confirming that they had no comments to make in relation to the application:

- Durham Constabulary
- County Durham and Darlington Fire and Rescue Service
- Durham Safeguarding Children Partnership
- Durham Council's Environmental Health Department

Copies of these responses are attached at Appendix 5.

The Parties

17 The Parties to the hearing will be:

- Mr Anthony Woollett - (Applicant)
- Mr Thompson (other person)
- Dr Aylott (Other person)
- Mr & Mrs Duncan (other persons)

Options

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

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

- (e) To reject the application.

Main implications

Legal Implications

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

See Appendix 1.

Consultation

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

See Appendix 1

Conclusion

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

Background papers

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

Other useful documents

- None

Contact: Karen Robson

Tel: 03000 265104

Appendix 1: Implications

Legal Implications

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

In this case it was summed up that:

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

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

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

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

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

Consultation

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

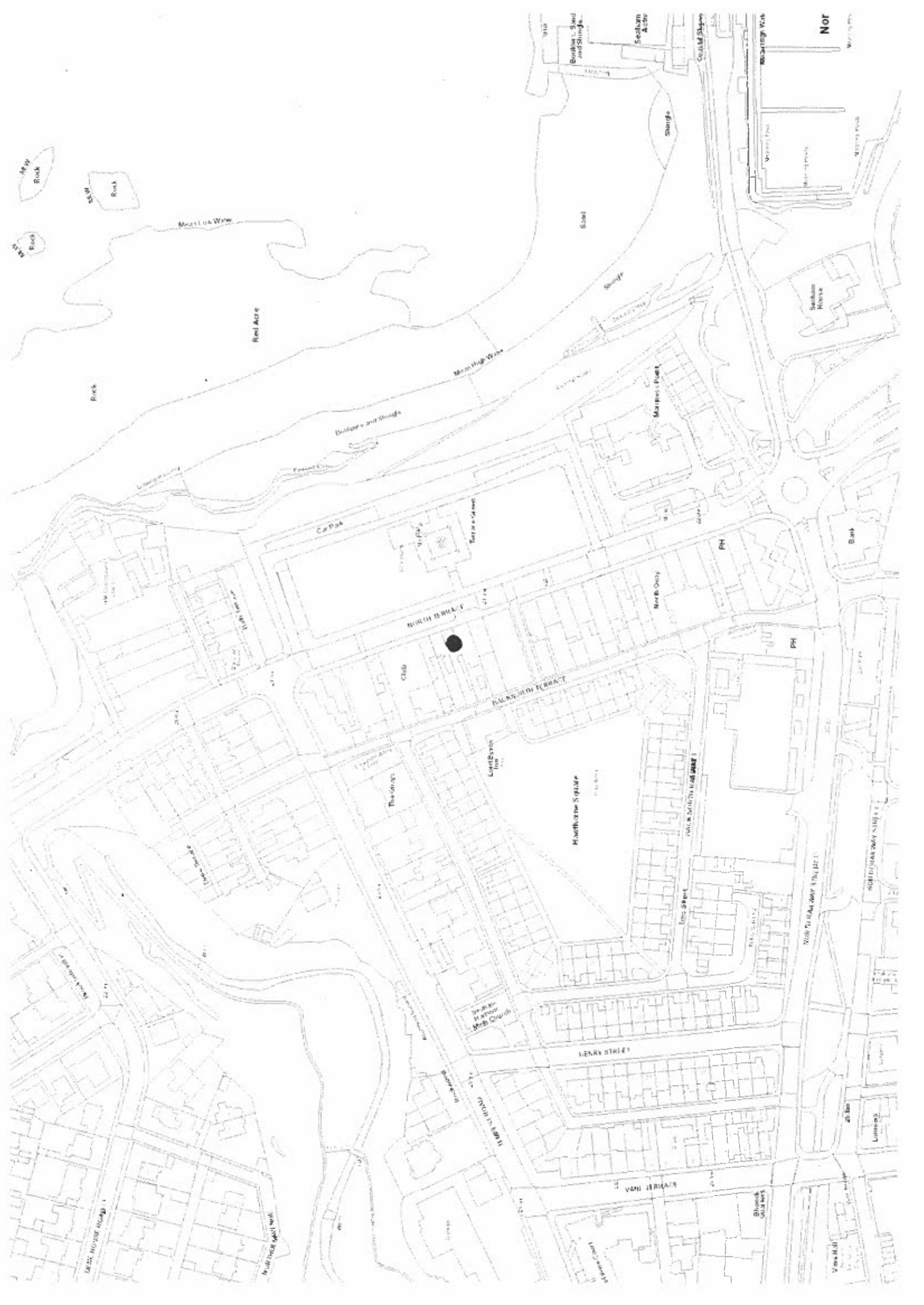
The Responsible Authorities were consulted on the application.

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

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

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

Appendix 2: Location Plan



Appendix 3: Application & Premises Licence

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We HARBOUR CONTRACT SERVICES LTD
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number DCCC/PLA0312

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Alders Bar & Coffee House (Formally The Lounge) 21 North Terrace			
Post town	Seaham	Postcode	SR7 7EU

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

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	Sunderland
Postcode	SR2 7TQ

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes

N
U

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Variation to premises opening hours as below — *See updated plan*
Current permitted opening hours are: Mon-Thur: 09:00hrs - 22:00hrs Fri-Sat 09:00hrs-23:00hrs Sun 10:00hrs-22:00hrs
Requested opening hours: Mon-Wed 07:00hrs - 22:30hrs Thur-Sat 07:00hrs-23:30hrs Sun 07:00hrs-23:00hrs
As our main daytime retail will be hot beverages (coffees/teas) and food, opening earlier will allow the business access to breakfast customers. The request for evening extension of hours is to allow patrons 30 mins drinking up time.

Variation Recorded Music Indoors
Able to play recorded music (background ambient only) to suit requested opening hours as above

Variation Sale by Retail Alcohol
Extension of sale of alcohol to be permitted Thursday until 23:00hrs and Sunday 22:30hrs only

Variation Conditions Annex 2
We request that the condition relating to the order of alcohol be ancillary to a substantial meal be removed. Our business will cater for light bites and sharing platters between the hours of 07:00hrs-19:00hrs and will not provide substantial meals. During evenings (after 19:00hrs) light bar snacks will accompany all beverage orders. The culture we wish to encourage and promote is that of a continental café. A relaxed, easy atmosphere that continues from daytime to evening without any noticeable change.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both</u> please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	<u>Please give further details here</u> (please read guidance note 5)		
Tue			
Wed	<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur			
Fri	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat			
Sun			

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both - please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	.....	.....	
Tue	.....	.....	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed	.....	.....	
Thur	.....	.....	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	.....	.....	
Sat	.....	.....	
Sun	.....	.....	

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue	.....	.....
Wed	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Thur	.....	.....
Fri	
Sat	.....	.....
Sun	.....	.....

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	.....	.....	
Tue	.....	.....	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed	.....	.....	
Thur	.....	.....	<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	.....	.....	
Sat	.....	.....	
Sun	.....	.....	

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	.....	.....	
Tue	.....	.....	State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed	.....	.....	
Thur	.....	.....	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	.....	.....	
Sat	.....	.....	
Sun	.....	.....	

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	07:00	22:00	<u>Please give further details here (please read guidance note 5)</u> Low level background ambient music only to be played through fitted sound system. Decibel level will be monitored to ensure noise levels are not considered a nuisance.		
Tue	07:00	22:00			
Wed	07:00	22:00	<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Thur	07:00	23:00			
Fri	07:00	23:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat	07:00	23:00			
Sun	07:00	22:30			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	<u>Please give further details here</u> (please read guidance note 5)		
Tue			
Wed	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur			
Fri	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat			
Sun			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon	.....	.....		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	.....	.....	<p><u>Please give further details here</u> (please read guidance note 5)</p>		
Wed	.....	.....	
Thur	.....	.....	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)</p>		
Fri	.....	.....	
Sat	.....	.....	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)</p>		
Sun	.....	.....	

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)	
Mon	.....	.....
Tue	.....	.....	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)	
Wed	.....	.....
Thur	.....	.....	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)	
Fri	.....	.....
Sat	.....	.....
Sun	.....	.....

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	07:00	22:30	
Tue	07:00	22:30	
Wed	07:00	22:30	
Thur	07:00	23:30	
Fri	07:00	23:30	
Sat	07:00	23:30	
Sun	07:00	23:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Variation Conditions Annex 2 - General and Public Safety
 We request that the condition relating to the order of alcohol be ancillary to a substantial meal be removed. Our business will cater for light bites and sharing platters between the hours of 07.00hrs-19.00hrs and will not provide substantial meals.

I have enclosed the premises licence

Please tick as appropriate



J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) <u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Mon	.....	.....	
Tue	.....	.....	
Wed	.....	.....	
Thur	11:00	23:00			
Fri	.....	.....	
Sat	.....	.....	
Sun	11:00	22:30			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

In addition to mandatory conditions included within the premises licence our staff will receive specific training prior to employment focused towards underage sales prevention, drugs awareness for premises staff, conflict management and DPS level 2 for those staff that hold a personal licence, of which we will have several. Immediate implementation of Challenge 25 scheme. All staff will receive training towards challenging persons that look under 25, and will be able to identify the appropriate ID, spot fake ID and take appropriate action as necessary. The scheme will be advertised on the premises and will be included within our policies. Procedures, roles and responsibilities will be written in an easily understandable format and will be included within our staff induction. Alcohol will not be served to anyone suspected of being under the age 18 years, nor will it be served to any persons that display behaviours associated with drunkenness or intoxication.

b) The prevention of crime and disorder

We will promote this licensing objective through partnering with the licensing authorities, police, health authorities, environmental authorities, trading standards, child protection bodies and any other relevant organisations, as well as local residents. We will also seek to join any relevant local pub watch schemes and community partnership schemes. CCTV is installed in the premises and will be maintained to Home Office standards. CCTV will record 24hrs daily with recording kept for 28 days and will be made available to relevant authorities upon request. Training in the operation of the CCTV system will be delivered to key staff member.

Staff will receive conflict management training on how to deal with aggressive/anti-social behaviour and will understand our procedures and escalation points.

c) Public safety

Good housekeeping will be included within our general environmental policy, with public areas kept free from obstructions and slip/trip hazards, with regular routine inspections performed. Routine inspection of all equipment used by the public will be undertaken to ensure equipment is safe to use and in good working order. Staff will receive training focused towards environmental health and will be tailored for our particular sector.

A log book will be kept including but not limited to - visit log, training record, refusal record, DPS details, noise meter levels and incident record, as well as quick contact numbers for local authorities and police.

d) The prevention of public nuisance

Noise levels within the premises will be monitored to ensure neighbours are not disturbed, with records of noise levels kept within premises log book. Deliveries will be coordinated and scheduled to cause minimum disturbance. Removal of waste and rubbish will be managed so as not to cause increased noise levels and will be done during hours considered not to be anti-social wherever possible, such as prior to 11.00pm.

As noted earlier, we will join the local pub watch scheme, engaging with other local business towards prevention of public nuisances.

- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

Current licence under Westlea Catering Company Ltd enclosed. Application for premises licence transfer to Harbour Contract Services Ltd is pending

e) The protection of children from harm

As noted earlier, we will operate a challenge 25 scheme with notices displayed on the premises. Any person under the age of 18 will not be allowed to consume alcohol on the premises at any time which will also be advertised along with challenge 25. Training will be delivered to staff on the aforementioned and will also include child exploitation training. As will all training, records will be kept within the premises log book. A refusals register will also be maintained and kept within the premises log book.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	15/5/19
Capacity	APPLICANT.

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

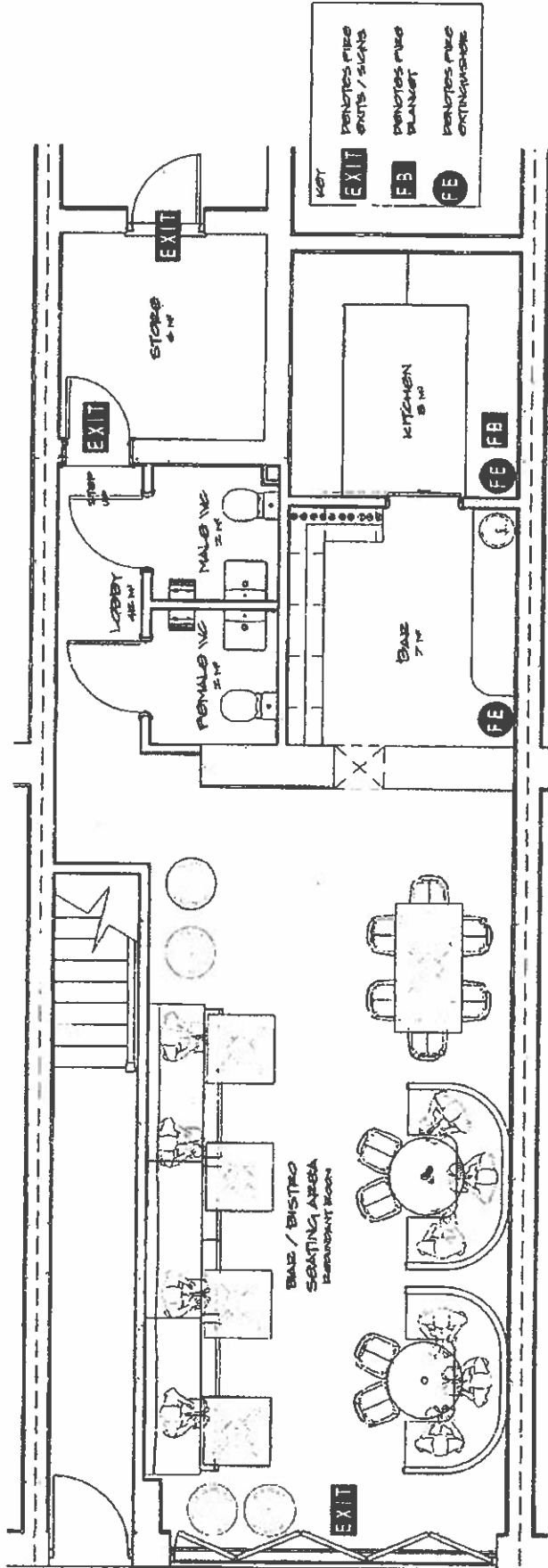
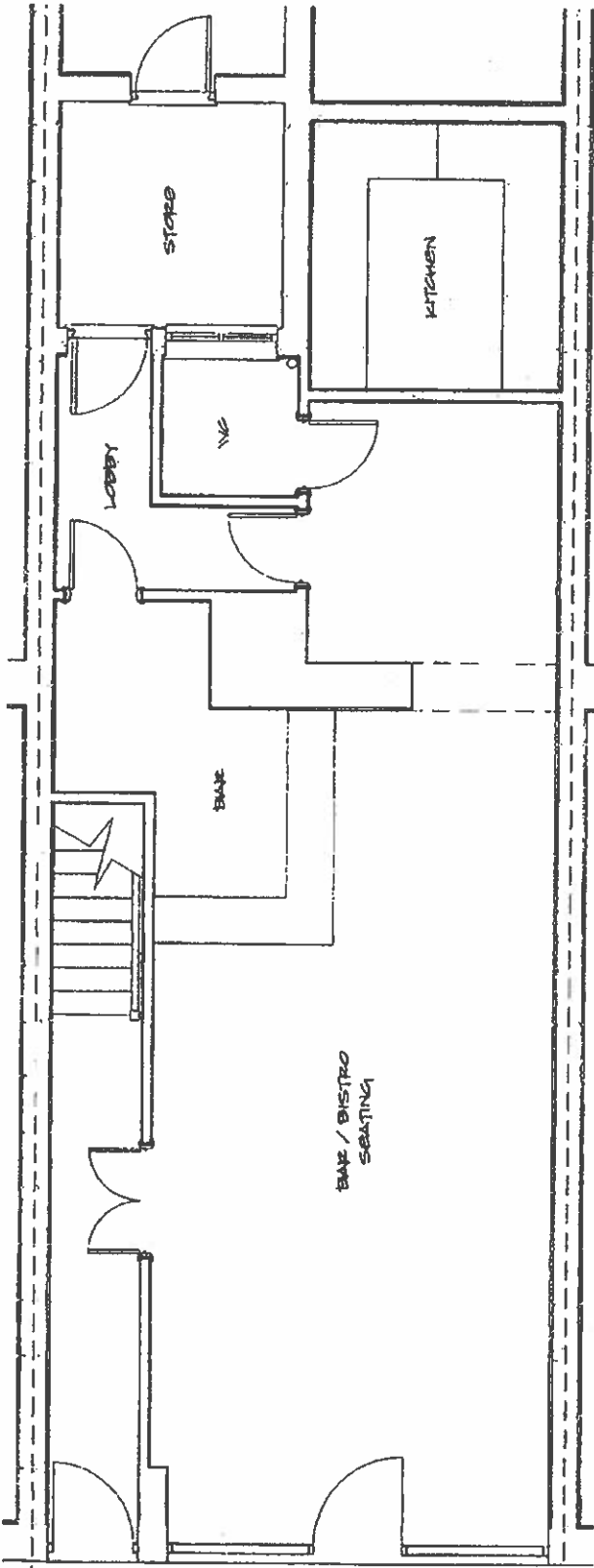
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Anthony Woollett			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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.

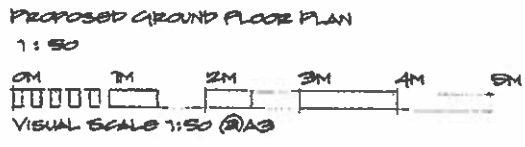


KEY

- EXIT
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LEGEND:

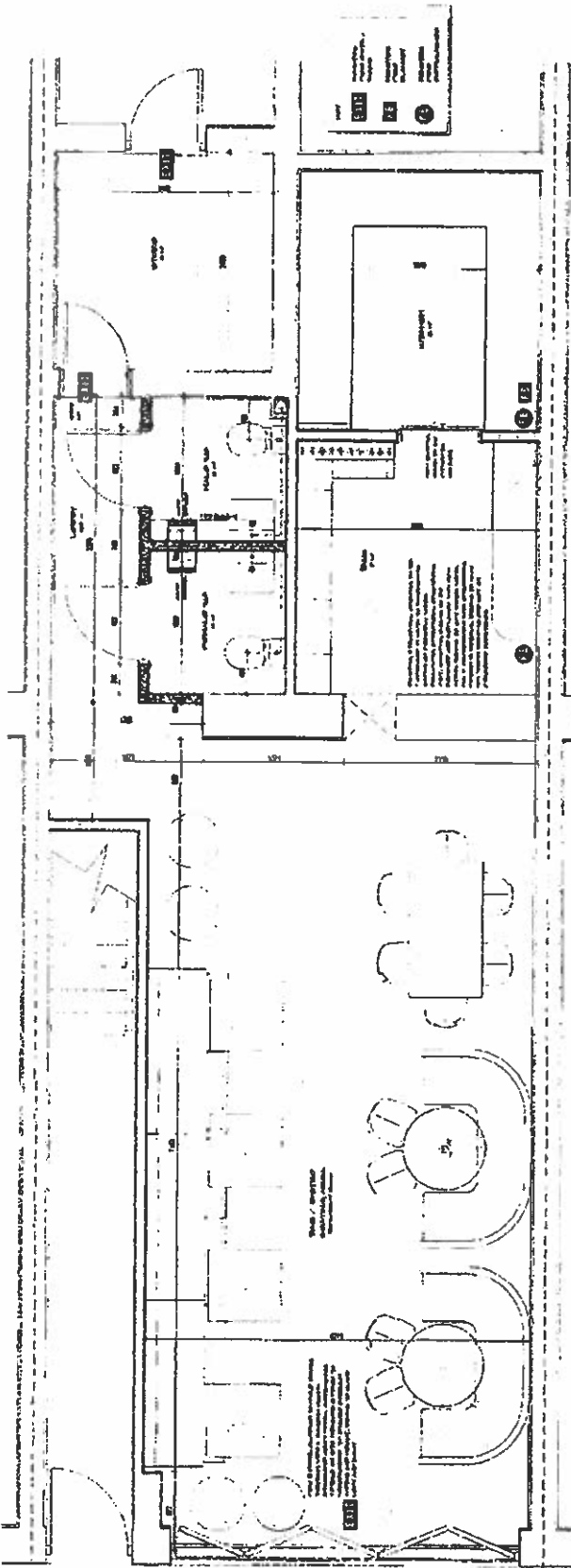
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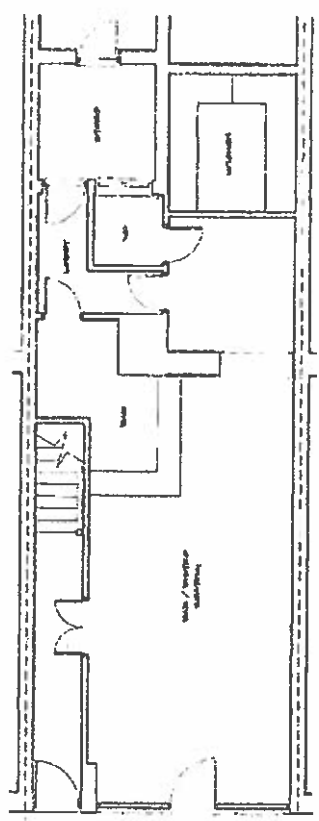
PROPOSED BAR / BISTRO REQUIREMENT AT 21 NORTH TERRACE, CA FLOOR PLANS 1:50 10/27/17 A01

SEAMAN, SKY 76U

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Legend:
 - Door
 - Window
 - Furniture
 - etc.



ALDEPS

Architectural Firm / Studio
 Address: ...
 Phone: ...

Project Name / Title
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Project Name / Title
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From: Tony Woollett < >
Sent: 03 July 2019 06:31
To: Karen Robson
Subject: Alders Bar & Coffee House
Attachments: Licensing - Committee Hearing.zip

Hi Karen,

Please find attached our notice to attend the committee hearing 16th July. Also included are cover letter, food menu, drinks list & prices, and copies of correspondence with local residents (as evidence of our engagement with the local community).

We would also like to invite witnesses to the hearing as noted below, however can I ask if they are unable to attend can we use statements prepared in advance?

Witnesses:

- as a local resident will offer a different view point from representations received.
- as a local resident will offer a different view point from representations received.
- 21 North Terrace landlord, will advise committee of other businesses interested in leasing 21 North Terrace that deemed unsuitable for the local community.

If any questions or further information required please contact me or

Best regards
Tony

Alders Bar & Coffee House
21 North Terrace
Seaham
Co Durham
SR7 7EU

Senior Licensing Officer
Environment, Health & Consumer Protection
Regeneration and Local Services
Durham County Council
Annand House
Meadowfield
Durham
DH7 8RS

Further to Alders Bar & Coffee House application to vary a premises licence, we would like the information included in this correspondence to be considered during the arranged sub-committee hearing 16th July 2019.

We have included our menu and drinks price list as this demonstrates our business strategy, which is to target a daytime trading demographic focused towards families and the more mature customer, and an evening demographic of mature customers that enjoy a more relaxed social setting, very much in line with a continental experience. To further demonstrate our strategy we will provide photographs of Alders Bar & Coffee House (currently being re-fitted) during the meeting, which will very much reflect a continental themed small and intimate setting, focused towards social conversation. You will see from the photographs that the layout has been designed to encourage face to face communication, that seating rather than open spaces have been preferred and our décor further reflects a continental theme.

To evidence our commitment to adding value to the community, as opposed to causing concern/issues, we have proactively engaged with local residents. Our aim being to share our plans, seek residents views, ideas and concerns, so we can not only provide reassurance that Alders Bar & Coffee House will be a fantastic asset to a thriving and growing community, but also to build good relationships with all of our stakeholders with a view to having ongoing inclusive and open communication. This will ensure that together we can successfully integrate Alders Bar & Coffee House into the community.

As a family owned and run business, our ethos is to operate our business underpinned with our shared values, sense of purpose and pride in what we do. It is incredibly important to us that Alders Bar & Coffee House is a success, and we absolutely recognise the importance of our stakeholders in helping us achieve this together.

Objection Responses

G Thompson, no address provided.

Mr Thompson states in his objection that the current planning approval allows the first floor of 21 North Terrace to open from 0800-2300, and the ground floor from 1000-2300. In response to this, I would like to draw your attention to Planning Application DM/18/02359/FPA, which was approved on 03rd August 2018. This approval allows the entire building, both ground and first floors to operate between the hours of 0800-2300.

Mr Thompson has also stated in his objection a concern regarding noise from music played. As described in our application, we will play background ambient music, purely to enhance the atmosphere we are looking to create. As described in our opening letter, we are creating an environment where social conversation is encouraged, however as music will be background music only, customers will not need to raise their voices to have conversations. As we are small intimate venue, the number of customers we can accommodate is small, therefore there cannot be a large number of people within the premises at any one time. We will discourage customers from congregating outside the premises, and as there will always be a Premises License Holder onsite, this will be managed by the PLH in line with the licensing objectives. In terms of noise level, we are committed to measuring the sound pressure level omitted from the premises to ensure it is at a reasonable level as indicated by Environmental Health.

Mr Thompson has also objected to off sale from the premises, however this is not part of the requested variation.

Penny Aylott

Penny has objected to the proposed earlier opening time of 7am, as she feels this will disturb neighbours who live on the street. To reduce the risk of this happening, we will not place tables and chairs on the pavement outside of the premises until 8am, in line with other nearby similar establishments. This will also mean that customers will only be able to sit inside the premises during this period. In addition, we will not discard glass bottles until after 9am. Our request to open earlier is as a result of feedback from local residents, and we expect that our customer base at that time would be working professionals and/or dog walkers, who we are confident will be respectful of our neighbours.

Penny has additionally objected to an application to sell alcohol from 11am, however this is not part of the requested variation.

Mr F Duncan,

Mr Duncan has raised an objection in relation to the sale of alcohol only with a meal, however this has been a misunderstanding on our part. The license states that the 'delivery' of alcohol can only take place with a substantial meal, which we had interpreted as 'delivered' to the table. However, upon investigation, we have had confirmation from Durham County Council, that this refers to a food delivery services to other premises i.e. a customer's home. Therefore, we do not wish to pursue the variation requested for Conditions Annex 2, as we will not offer a delivery service as part of our offer.

Mr Duncan has raised an objection in relation to the extended opening hours, and makes reference to historical instances of noise and anti-social behavior associated with the previous owner of the business.

As the Designated Premises Supervisor for the premises, I and all my staff take the licensing objectives very seriously, and they are a fundamental part of our operating Policy. We will not tolerate any kind of anti-social behavior. All of our staff will receive comprehensive training which meets all legal requirements and duties of the Licencing Act 2003, including age verification, drugs awareness and conflict management. We will not have irresponsible drinks promotions, will operate a Challenge 25 policy, and as mentioned in our opening letter, have a strategy in terms of both food and alcohol which attracts a 30+ demographic.

Where we have requested extended opening hours midweek, this will provide us with the opportunity to deliver themed food nights, which will be in partnership with other small businesses to showcase their products and bring something a little different to the community. The extended hours on a Friday and Saturday evening is not for the sale of alcohol, but rather for drinking up time, enabling a gradual dispersal from the premises ensuring any possible disturbances are kept to a minimum.

There are other premises on North Terrace that have significantly later opening times:
which we would like the committee to take into account when considering our application.

As mentioned previously in our response to Penny Aylott's objection around the earlier opening time of 7am, we will not place tables and chairs on the pavement outside of the premises until 8am, in line with other establishments i.e. This will also mean that customers will only be able to sit inside the premises during this period. In addition, we will not discard of glass bottles until after 9am. Our request to open earlier is as a result of feedback from local residents, and we expect that our customer base at that time would be working professionals and/or dog walkers, who we are confident will be respectful of our neighbours.

Your faithfully

Tony Woollett
Alders Bar & Coffee House

Documents List

1. Food Menu
2. Drinks List
- 3 Email – engagement with local residents
- 4 Email – engagement with local residents
5. Staff Training Pack (To follow)



ALDERS

BAR + COFFEE HOUSE

Product Retail

Boddingtons Draughtflow 3.5% 50ltr (Bud)	£3.18
Stella Artios 4.8% 10g (Bud)	£3.44
Guinness 4.1% 50ltr (Bud)	£3.89
Hobgoblin IPA 5% 30ltr	£3.81
Magners Original Cider 4.5% 11g (Bud)	£3.25
Magners Dark Fruit Cider 4% 11g (Bud)	£3.48
Becks Vier 4% 11g (Bud)	£3.39
Dortmunder Union 4.8% 50ltr	£3.95

Packaged Alcohol

Budweiser 4.5% 330ml	£3.16
Peroni 5.1% 330ml	£3.33
Becks Blue 270ml	£2.87
Corona 4.5% 330ml	£3.17
Desperado 5.9%	£3.42
Goose Island Midway IPA 5.9% 355ml	£3.95
Modelo Especial 4.5% 355ml	£3.57
Modelo Pacifico 4.5% 335ml	£3.47

Spirits

Sambuca Antica 38% 70cl	£2.50
Baileys 17% 70cl	£2.65
Barcadi Carta Blanca 37.5%	£2.70
Rum Dark 1 - Kracken Spiced 70cl	£2.80
Rum Dark 2 - Havana Club 70cl	£3.00
Rum Dark 3 - Bumbu 70cl	£3.45
Morgan Spiced Rum 70cl	£2.70
Whiskey 1 - Glenlivet 70cl	£3.10
Whiskey 2 - Macallan 70cl	£3.45
Whiskey 3 - Talisker 18 70cl	£3.65
Disaronno Amaretto 28% 70cl	£2.60
Gin 1 - Tanqueray 70cl	£3.00
Gin 2 - Hendricks 70cl	£3.40
Gin 3 - Monkey 47 50cl	£3.90
Gin Liquer 1 70cl	£3.00
Gin Liquer 2 70cl	£3.00
Gin Liquer 3 70cl	£3.00
Gin Liquer 4 70cl	£3.00
Vodka 1 - Smirnoff 70cl	£2.60

Vodka 2 - Grey Goose 70cl	£3.40
Tequila Gold - Olmeca Altos Reposado 70cl	£3.00
Southern Comfort 70cl	£2.70
Jack Daniels 70cl	£2.70
Cognac - Courvoisier 70cl	£2.80
Tia Maria	£2.60
Malibu	£2.65
Cocktails All (1 cocktail)	£5.95
Cocktails All (2 cocktail)	£10.00



ALDERS

BAR+COFFEE HOUSE

Sourdough Toast (VG/GF)

£2.50

Granola, with Greek Yoghurt, fresh berries, pecans, honey & chia seeds (V/GF)

£3.95

Smoked salmon & Cream Cheese toasted bagel with chives

£4.95

Harissa Avocado on toasted sourdough with chilli and balsamic (VG/GF)

£4.50

Flatbread Pizza with Caramelised Onion, Prosciutto Ham, Goats Cheese & Rocket

£6.75

Flatbread pizza, with Pesto, fresh tomato, basil, torn mozzarella
and red onion open flatbread (VG available)

£5.95

Tuna Melt Ciabatta, with red onion and cracked black pepper,
served with rocket & parmesan salad

£4.95

Beech Smoked Air Dried Ham, farmhouse mature cheddar, and chutney,
on Olive Sourdough, with rocket and parmesan salad

£5.75

Charcuterie Sharing Board - Selection of cured meats, cheeses, crackers, olives,
hoummus, breadsticks, pork pie, dipping oil, chutney, breads, and sundried tomatoes
(VG/GF available)

£12 for 1 person £22 for 2 people

We can make vegan alternatives of many of the dishes above, just ask!

MINI'S MENU

Animal Toast - with banana & berries - **£1.95**

Ham or Cheese Sandwich - **£2.50**

Mini cheese & tomato flatbread pizza - **£2.95**

Children's afternoon tea - **£4.95**

Ham and/or cheese sandwich

Fruit skewers

Cupcake



ALDERS

BAR+COFFEE HOUSE

SOMETHING SWEET...

Patisserie - individually priced

Selection of individual cakes/tarts (including VG and GF)

Selection of layer cakes

Scones - fruit/cheese with butter/jam **£2.50**

Fruit scones with clotted cream & jam **£3.50**

Afternoon Tea **£15 per person** - must be booked in advanced as cakes baked to order

Afternoon Tea served with Alders Signature Cocktail **£19 per person**

STACKS

£5.45

Classic (VG)

3 fluffy pancakes drizzled with maple syrup, blueberries and pecans.

Chocoholic

3 fluffy pancakes, smothered in Nutella, with banana, whipped cream, strawberries and chocolate sauce

Mediterranean

3 fluffy pancakes stacked with Greek yoghurt, honey and strawberries

Funcakes

6 mini fluffy pancakes stacked, with white chocolate sauce, whipped cream, marshmallows, and sprinkles

Check the board for guest pancakes

Gluten Free pancakes
available on request

DRINKS

Espresso - **£1.65**

Americano - **£2.20**

Latte - **£2.50**

Cappuccino - **£2.50**

Flat White - **£2.30**

Hot Chocolate - **£3.00**

English Tea - **£1.75**

Flavoured Tea - **£2.00**

Earl Grey - **£2.00**

Syrups 50p each

Speciality Milk + 20p

Milkshakes - **£3.95**

see specials board for details

Juices - **£2**

Still/Sparkling Water - **£1.40**

San Pellegrino - **£1.75**

Coke / Diet Coke - **£2.50**

J2O - **£2.20**

Fever Tree Bottles, Various - **£1.80**



LICENSING ACT 2003 PREMISES LICENCE

Premises Licence Number
Granted
Issued

DCCC/PLA0312
19 August 2016
06 June 2019

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description	Issuing Authority
<p>ALDERS BAR AND COFFEE HOUSE 21 NORTH TERRACE SEAHAM SR7 7EU</p>	<p>DURHAM COUNTY COUNCIL ADULT AND HEALTH SERVICES LICENSING SERVICES PO BOX 617 DURHAM DH1 9HZ</p>
<p>Telephone number:</p>	

<p>Where the licence is time limited the dates N/A</p>

<p>Licensable activities authorised by this licence Recorded Music Sale by retail of alcohol</p>

Opening Hours of the Premises		
		Non-standard/seasonal timings
Mon	09.00-22.00	N/A
Tue	09.00-22.00	
Wed	09.00-22.00	
Thu	09.00-22.00	
Fri	09.00-23.00	
Sat	09.00-23.00	
Sun	10.00-22.00	

<p>Where the licence authorises the sale by retail of alcohol whether these are on and/or off sales: ON AND OFF ALCOHOL SALES</p>
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The times the licence authorises the carrying out of licensable activities (all in 24hr format)

<p>Recorded Music Indoors</p> <p>Mon 11:00-22:00 Tue 11:00-22:00 Wed 11:00-22:00 Thu 11:00-22:00 Fri 11:00-23:00 Sat 11:00-23:00 Sun 12:00-22:00</p>	<p>Further details N/A Non-standard/seasonal timings N/A</p>
<p>Sale by retail of alcohol</p> <p>Mon 11:00-22:00 Tue 11:00-22:00 Wed 11:00-22:00 Thu 11:00-22:00 Fri 11:00-23:00 Sat 11:00-23:00 Sun 12:00-22:00</p>	<p>Further details Non-standard/seasonal timings</p>

Part 2

Name, (Registered) address, telephone number and email (where relevant) of holder of premises licence

HARBOUR CONTRACT SERVICES LTD	
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Registered number of holder, for example company number, charity number (where applicable)

Company no:	
Charity no:	

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

MR ANTHONY WOOLLETT

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

Annex 1 – Mandatory conditions

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

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

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

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

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

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

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

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

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

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

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

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

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

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

(a) a holographic mark, or

(b) an ultraviolet feature.

The responsible person must ensure that -

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

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml, and

(iii) still wine in a glass: 125 ml;

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

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

Minimum Price of Alcohol:

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

2 For the purposes of the condition:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula –

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

Where –

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

Annex 2 – Conditions consistent with the premises Operating Schedule

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 reasonable request. Ensure effective leadership and management across the team, so that everyone understands the requirements, (this includes restaurants manager acting as the premises supervisor, ensuring those serving have the appropriate training) Ensure robust techniques/process is in to ensure no selling to underage people (challenge 25) Not tolerating any drunk/disorderly/anti social behaviour on the premises area. Ensure the environment is a safe/friendly environment for children. All staff should undertake an accredited age related sales training course, including 'Proxy Sales', before they start employment, and should undertake 'in-house' refresher training every 6 months. Accredited training should be renewed every 2 years and any new staff should undergo accredited training before commencing duties. All delivery drivers will complete a training package bespoke to their role and sign any relevant documentation to confirm their understanding of their responsibilities before commencement of employment. 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 held 'on-site' and made available to responsible authorities on reasonable request. Alcohol will only be delivered ancillary to the ordering of a substantial meal that has a minimum order value of £10.00. The premises will register with the Information commissioner.

Prevention of Crime & Disorder

CCTV will be installed and maintained to Home Office standards and recording stored for a minimum of 28 days. The system will incorporate a "Battery Back-up" system to enable 24 hr continuous recording on case of any power blackout/failure. The premise will ensure that at least one trained member of staff is available to operate the system at all times the premise is open and download any images requested by an authorised officer at reasonable request. Notices will be clearly displayed at the entrance and around the premise stating CCTV is in operation. The premises will provide suitable devices (USB or discs) for the storage of downloaded images and these devices will be securely stored. These devices will be made available to Responsible Authorities on reasonable request. Staff training to deal with aggressive/anti social behaviour with appropriate escalation points well communicated to staff. Engage with local business as part of the local Pub-Watch scheme to share learning and take a community approach to reducing crime. A body worn camera system will be used by delivery drivers for all deliveries that include the delivery of alcohol and recordings stored for a minimum of 28 days. The premises will ensure that at least one trained member of staff is available to operate the system at all times the premises is open and download any images requested by and authorised officer at reasonable request. The premises will provide suitable devices (USB or discs) for storage of downloaded images and these devices will be securely stored. These devices will be made available to responsible authorities on reasonable request. The premises will ensure that documented receipts of all deliveries of alcohol are made available to responsible authorities on reasonable request. These receipts should be cross referenced with all body worn camera footage of deliveries.

Public Safety

Ensuring customer walk-ways are clear from clutter and well lit. Training for all staff to ensure environmental health requirements and customer areas are as they should be. All customer equipment to be regularly inspected to ensure safe/fit for purpose. Training and implementation of underage ID checks. Ensure up to date premises licence that requires the recording of appropriate information. The log book shall be kept available for inspection when asked. Alcohol will only be delivered ancillary to the ordering of a substantial meal that has a minimum order value of £10.00. The premises will register with the Information Commissioner (For CCTV recordings).

Prevention of Public Nuisance

Deliveries of goods necessary for the operation of the business to be delivered so as not to inconvenience customers or other businesses. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises. Engage with local business as part of the local Pub-Watch scheme to share learning and take a community approach to reducing crime. The premises will not accept cash on delivery sales that involve the delivery of alcohol.

Protection of Children from Harm

No children under the age of 18 years will be able to consume alcohol on the premises at any time. 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/vehicles to challenge anyone who looks under this age to provide ID, if they wish to buy alcohol. All staff involved in the sale/delivery of alcohol shall be properly trained in accordance with the Premises Licence holder's own training programme and staff will complete refresher training every 6 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. All the details provided in Training Record Book available for the restaurant. Not tolerate anti-social behaviour from other customers.

A 'Refusals Register' will be held within the premise and/or in any vehicle the premises uses for the delivery of alcohol and all refusals will be logged along with any behaviour associated with the refusal. All staff will be trained in its use. The Refusal Register will be made available to relevant authorities on request. The premises will ensure that all deliveries that include the delivery of alcohol will be handed over to the named customer who has placed the order and that any relevant Challenge 25 checks are completed and documented. The premises will ensure that customers are reminded of the delivery process via Just Eat and before any order is accepted.

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

None

Annex 4 – Plans attached

Attached

Signature of Authorised Officer
Head of Environment, Health and Consumer Protection

Appendix 4: Representations

From: G Thompson ·
Sent: 12 June 2019 09:34
To: AHS Licensing
Subject: Variation of a premise licence for Alders Bar and coffee house, SR77EU

I disagree with the variation of license application and wish to remind of the delegate report generated by Durham county council for the license change last year on this premise.

"The Local Planning Authority considered the opening hours between 1000hours to 2300hours on the ground floor area and 0800hours to 1700hours on the first and second floor to be an acceptable balance as it would allow the premises to trade effectively in relation to night time uses that are present in the area on the ground floor but would also limit late night impact to residential property in the area".

As this was the decision last year what has changed to allow greater trading hours ?

It is acknowledged the proposed A4 use is more likely to have increased noise level associated with it from both raised voices and music. In addition, it is more likely that there will be increased person(s) entering/exiting and congregating outside the premises. Due to increased comings and goings and noise levels associated with an A4 use, there is an increased likelihood of noise break out when the external doors open. Typically, A4 venues are generally required to be served by a lobby to allow one door to be closed to prevent noise break out.

Is this the case as the application only states recorded music but at what level.

Is there any need for Off sales from the establishment as requested for restaurant/bar application, if items can be taken from the site to another this increases the likelihood for anti-social behavior, litter and crime related issues as there is no control.

Regards Mr Thompson

From: P. Aylott <
Sent: 17 June 2019 14:28
To: AHS Licensing
Subject: 21 North Terrace Seaham

Regarding the application being made for Alders Coffee House, I object to opening hours being extended to 7am. Opening so early will mean that myself (living at number) and my neighbour who lives at number) will be disturbed at an unsociably early hour. My neighbour is a nurse and works night shift and i know she will be disturbed by customers sitting and talking outside so early when she has just returned from a night shift.

I object to the playing of recorded music from such an early hour as well for the same reasons.

I object to the sale of alcohol being extended to a later hour of 11 pm and 10:30 pm because it means that customers will be hanging around outside even later and disturbing the residents. Also, I object to the sale of alcohol from 11 am. Drinking so early in the day should be discouraged when the premises is situated so close to residential properties.

i also object to the sale of alcohol without a substantial meal. There are enough pubs along North Terrace as it is. The cafes selling alcohol have the right balance and Alders 'Coffee House' has an opportunity to continue that.

I work from home tutoring children with Learning Difficulties 7 days a week and need as little street noise as possible. At present it is manageable. Selling alcohol from 11 am without food could mean an increase in anti-social behaviour and therefore have a detrimental affection my livelihood.

Regards,

Dr P Aylott

Resident/homeowner of

From: F. Dunca
Sent: 17 June 2019 17:07
To: AHS Licensing
Subject: Alders Bar and Coffee House, 21 North Terrace Seaham SR7 7EU

Dear Sir/Madam

Re. Alders Bar & Coffee House (formally The Lounge) at 21 North Terrace Seaham, Co. Durham.

We, the residents of No _____ would like to object to the new applicants, request for the lifting of the restrictions that were imposed on this premises, as a result of the numerous complaints of noise, nuisance and anti social behaviour that, we and the other residents of _____ and adjacent properties had to endure. The lifting of the requirement to buy alcohol without food would make this a public bar, which until a couple of years ago was an ordinary residential property which would drastically alter the nature of this part of the street. There are children friendly properties/businesses either side of this premises. Nothing has changed to warrant the lifting of the conditions that were imposed upon this premises, to protect us and the other residents, from the anti social behaviour we had to endure. Also the applicant has requested opening the premises at 7.00 am which would further increase the impact on us, being only 15 feet from the premises. The applicant has also applied install an open front bi-fold doors which would allow more noise to spill outside of the premises. We also object to any later hours of business. We urge you to consider our objections because of the big impact these changes would have on our quality of life. Could I please refer you to DCC Planning Services, Application No. DM/18/02359?FPA
Mr & Mrs. Duncan

Seaham County Durham
17/6/19

Appendix 5: Responses from Responsible Authorities

From: Daniel Darnton < >
Sent: 24 May 2019 14:47
To: Valerie Craig
Subject: FW: Variation of premises licence received
Attachments: Premises Licence.docx; Variation application.pdf; Plan.pdf

Good Afternoon,

Durham Constabulary have no objections to the below application

Thanks
Dan

Daniel Darnton
Harm Reduction Unit
Meadowfield Office tel 101 ext
Darlington Office tel 101 ext



Durham Constabulary
Altogether Better Policing

Dear Sir/Madam

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

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

1
Application Type - Application for a variation of Premises Licence
Applicant: - Harbour Contract Services Ltd
Premises – Alders Bar & Coffee House (Formerly The Lounge)
Date of Application – 21st May 2019 Last date for representations
– 18th June 2019

Please note the last date for representations.

If anyone has any comments to make in regards to the application i.e. additional conditions / changes in times can you please contact Helen Johnson, Licensing Team Leader either by email on helen.johnson2@durham.gov.uk or telephone 03000 265101. Helen will look to see if any other responsible authority has any similar concerns and will look to arrange a meeting with the applicant to discuss further.

Regards

Valerie Craig
Licensing Officer
Environment, Health & Consumer Protection
Regeneration and Local Services
Durham County Council
Annand House
Meadowfield
Durham
DH7 8RS

Direct: 03000 261016
Switchboard: 03000 260000
E-mail: valerie.craig@durham.gov.uk

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Customer Notice

We have recently updated our terms and conditions for all our services including making some important updates to our privacy notices. To find out more about how we collect, use, share and retain your personal data, visit www.durham.gov.uk/dataprivacy

Date: 24 May 2019

This matter is being dealt with by: Stephen McLaughlan

Our Ref: 2E51000275

Your Ref: DCCC/PLA0312

Ext:

Direct Dial Telephone: (

E-mail: smclaughlan@

Valerie Craig
Licensing Officer
Environment, Health & Consumer Protection
Regeneration and Local Services
Durham County Council
Annand House
Durham DH7 8RS

Dear Valerie

Licensing Act 2003
Regulatory Reform (Fire Safety) Order 2005
The Lounge, 21 North Terrace, Seaham, SR7 7EU

I acknowledge your application dated 21 May 2019 for a Variation to 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 and follow the link to Fire safety at work.

Yours faithfully


Stephen McLaughlan
Fire Safety Section

From: DSCP Secure
Sent: 07 June 2019 16:00
To: Valerie Craig
Cc: AHS Licensing
Subject: RE: Variation of premises licence received

Good Morning / Afternoon

I have received an application to vary a licence for the establishment: **Alders Bar & Coffee House (Formerly The Lounge)**

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

My Ref: SB/2019/055

Thanks

Mark Quinn
Quality and Performance Coordinator
Durham Safeguarding Children Partnership

Tel. 03000

County Hall
Durham
DH1 5UJ

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Durham Safeguarding Children Partnership (DSCP)
Keeping Children Safe

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From: Susan Gallimore
Sent: 04 June 2019 12:18
To: Valerie Craig; AHS Licensing
Subject: RE: Variation of premises licence received

Dear Valerie,

Please note that I have no adverse comments to make about this application.

Kind Regards,

Susan Gallimore MCIEH MIOA DipIOA
Senior Public Protection Officer
Regeneration and Local Services
Durham County Council
PO Box 617
Durham
DH1 9HZ

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From: Valerie Craig
Sent: 21 May 2019 14:31

Dear Sir/Madam

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

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

1

Application Type - Application for a variation of Premises Licence

Applicant: - Harbour Contract Services Ltd

Premises – Alders Bar & Coffee House (Formerly The Lounge)

Date of Application – 21st May 2019 Last date for representations – 18th June 2019

Please note the last date for representations.

If anyone has any comments to make in regards to the application i.e. additional conditions / changes in times can you please contact Helen Johnson, Licensing Team Leader either by email on helen.johnson2@durham.gov.uk or telephone 03000 265101. Helen will look to see if any other responsible authority has any similar concerns and will look to arrange a meeting with the applicant to discuss further.

Regards

Valerie Craig

Licensing Officer

Environment, Health & Consumer Protection

Regeneration and Local Services

Durham County Council

Annand House

Meadowfield

Durham

DH7 8RS

Direct: 03000 261016

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E-mail: valerie.craig@durham.gov.uk

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Appendix 6: 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 television in certain premises should be considered by applicants, licensees 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 dependent 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.

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 7: 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 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.