

Statutory Licensing Sub-Committee

26th November 2019

Application for the grant 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: Bishop Auckland Town

Purpose of the Report

- 1 The Sub-Committee is asked to consider and determine the application for the grant of a premises licence for 17 Chester Street, Bishop Auckland, Co Durham DL14 7LP.
- 2 A plan showing the location of the premises is attached at Appendix 2.

Executive summary

- 3 The application requests the granting of a Premises Licence for a new establishment and was submitted to the Licensing Authority on 23rd September 2019 by Mr David Garnett of Bishop Brewing Limited.
- 4 The initial application was for the Sale of Alcohol Monday to Sunday 08:00 hrs until 00:00 hrs with an extension until 01:00 hrs between 1st June to 30th September for Kynren and Good Friday, plus one hour for all other bank holidays, an additional hour to be added to the terminal hour of the day preceding a bank holiday.
- 5 Since the application was submitted the applicant has mediated with Durham County Council Environmental Health Department and amended the application as follows:

Sale of Alcohol (off sales) Monday to Sunday 08:00 hrs until 23:00 hrs
Sale of Alcohol (on sales) Monday to Sunday 10:00 hrs until 23:00 hrs
Removal of the extension for sale of alcohol until 01:00 hrs for Kynren between 1st June to 30th September.

- 6 Durham Constabulary, Durham County Council Public Health, Durham Safeguarding Children Partnership and County Durham and Darlington Fire Safety Authority have all responded to the consultation with no comments.
- 7 Durham County Council Planning Authority responded to the consultation with no representation. This information in relation to planning permission was forwarded to the applicant.

The licensing authority received six letters in opposition to the application from 'other persons', namely Mr Brown, Mr Hallam, Mr Tranter, Mr Dobson, Mr & Mrs Singlewood and Bishop Auckland Town Council.

Recommendation(s)

- 8 The Sub-Committee is asked to determine the application with a view to promoting the licensing objectives.
- 9 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 8;
 - (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 9.

Background

- 10 Background information

Applicant	Mr David Garnett	
Type of Application: Grant of a premises licence	Date received: 23rd September 2019	Consultation ended: 29th October 2019

Details of the application

- 11 An application for the grant of a premises licence was received by the Licensing Authority on 23rd September 2019. A copy of the application is attached at Appendix 3.

- 12 The application is deemed by the Licensing Authority to be correctly served and advertised in accordance with the Licensing Act regulations.
- 13 The activities requested are now as follows:

Licensable Activities	Days & Hours
Sale of Alcohol (consumption on the premises)	Monday to Sunday 10:00 hrs – 23:00 hrs
Sale of Alcohol (off the premises)	Monday to Sunday 08:00 hrs – 23:00 hrs Good Friday until 01:00 hrs One additional hour for be added to the terminal hour of the day preceding the bank holiday
Proposed Opening Times	Monday to Sunday 08:00hrs – 00:00 hrs

- 14 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.
- 15 On 10th October 2019, following mediation with Durham County Council Environmental Health, the applicant amended the timings for licensable activities, namely the sale of alcohol, see Appendix 4.

The Representations

- 16 The Licensing Authority received six representations during the consultation period from, Mr Brown, Mr Hallam, Mr Tranter, Mr Dobson, Mr & Mrs Singlewood and Bishop Auckland Town Council (other persons).

The licensing authority deemed the representations as relevant, relating to the following licensing objectives:

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

Copies of the representations and supporting information are attached at Appendix 5.

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

- Durham Constabulary
- Durham County Council Public Health
- Durham Safeguarding Children Partnership
- County Durham and Darlington Fire Safety Authority

Copies of these responses are attached at Appendix 6.

A response was received from Durham County Council Planning Department not amounting to a representation, for information only. This information was forwarded to the applicant. See Appendix 7.

The Parties

- 18 The Parties to the hearing will be:

- Mr Brown – E & E Corn Supplies (other person)
- Mr Hallam – T H Motor Services (other person)
- Mr Tranter – Exhaust Mania (other person)
- Mr Dobson (other person)
- Mr & Mrs Singlewood (other persons)
- Bishop Auckland Town Council (other persons)

Options

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

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

- (c) To exclude from the scope of the licence any of the licensable activities to which the application relates;
- (d) To refuse to specify a person on the licence as the Designated Premises Supervisor;
- (e) To reject the application.

Main implications

Legal Implications

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

See Appendix 1.

Consultation

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

See Appendix 1

Conclusion

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

Background papers

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

Other useful documents

- None

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.

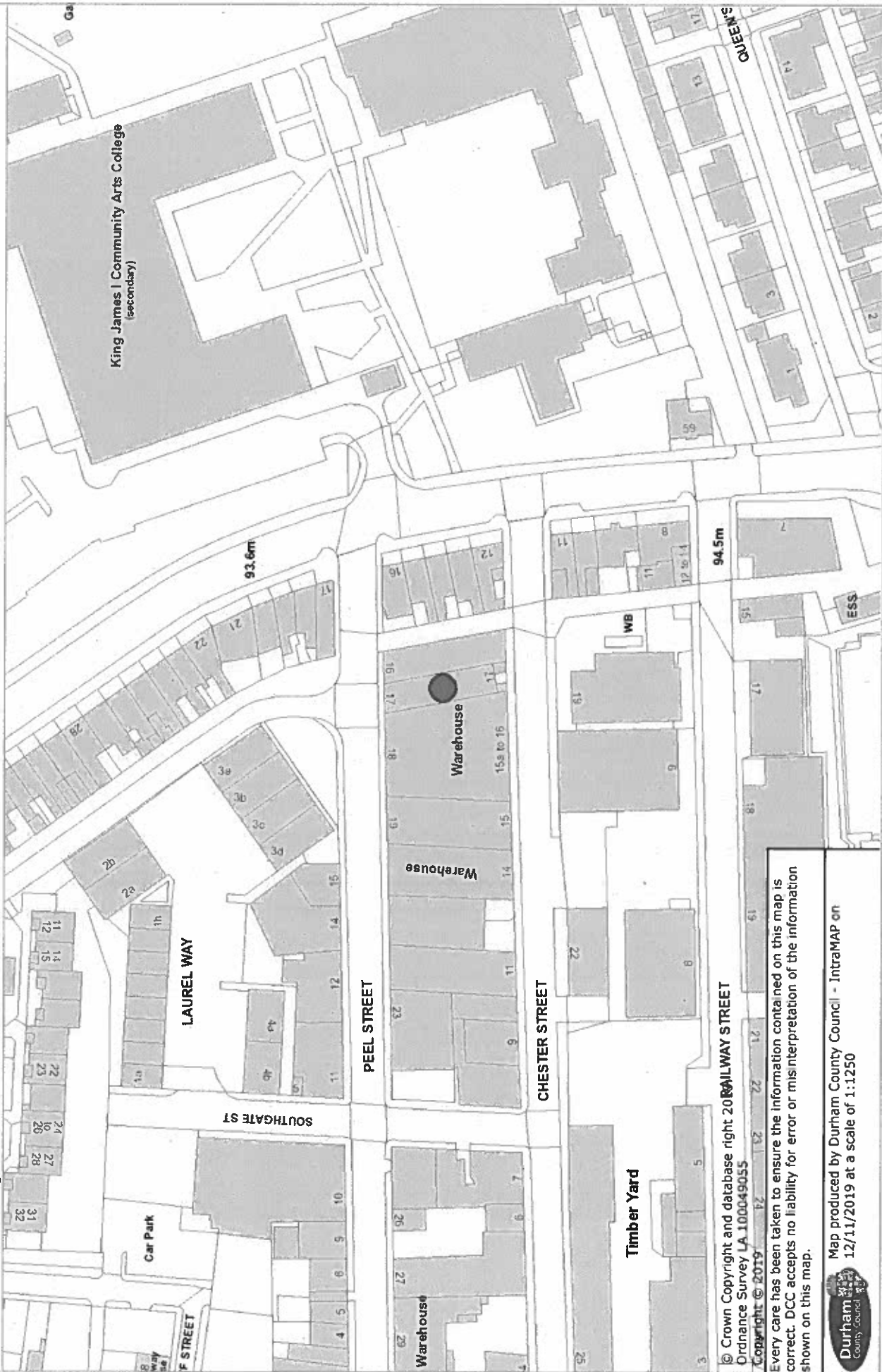
The notice of application was displayed on the premises for a period of 28 days.

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

Durham County Council - IntraMAP



Appendix 3: Application



County Durham
Application for a premises licence
Licensing Act 2003

For help contact
licensing@durham.gov.uk
Telephone: 03000 261016

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

Brewery

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

David

* Family name

Garnett

* E-mail

1

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

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

Registration number

Business name

Bishop Brewing Ltd.

If your business is registered, use its registered name.

VAT number

-

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21**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

* Nationality

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

24 / 10 / 2019
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.

Ground floor single storey industrial unit, with a pitched roof. Located on Chester Street, in the heart of Bishop Auckland. You enter through a small outside area with a bin store located here. Once inside there is a store room located to one side and office to the other. It is split into a main production area that is accessible to the public a disabled toilet the rear.

The main public area has brewery production facility and a seating area. It also has a tasting bar and area. The product sold

Continued from previous page...

within the unit are premium high quality, locally produced and small batch craft products. We would like to offer a wide range of take away items and US-style "growler" fills (these are re-usable swing-top bottles that can be filled straight from a keg system in the brewery) as well as gift boxes of the bottled beers. We would also like the customer to be able to consume the premises. As part of the brewery experience we are wishing to provide, our sit in drink start from £4.00 moving up Over £20 for some of our draught products.

Our staff are highly trained and love the small batch artisanal products we sell and would love to pass on their knowledge to the customers. The shop is not a standard bar/off-licence but rather more like a traditional alehouse providing a relaxed and sociable atmosphere for a comparatively small number of customers, meaning it will be attractive to discerning drinkers out for a quiet pint or two.

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

Continued from previous page...

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ 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

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 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.

Activities to be extended to 0100 from the 1st June to 30th September, to cater for the show Kynren.

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.

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

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

Name

First name

David

Family name

Garnett

Continued from previous page...

Date of birth

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.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

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 any seasonal variations

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

Activities to be extended to 0100 from the 1st June to 30th September, to cater for the show Kynren.

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.

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

Continued from previous page...

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.

We will hold the 4 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
Well trained staff will contribute to a responsible approach to the sale of alcohol.
All staff will be advised of licensing law, before they are allowed to sell alcohol.
All staff will be trained for specific on-site policies regarding operation of the business.
A training record will be kept and made available to officers and responsible authorities
No serving of alcohol to any person who appears to be drunk
Full initial staff training to be carried out by the DPS to ensure no alcohol is sold to anyone underage & refresher training carried out every six months
CCTV has been installed covering all internal areas, with the date and time set correctly. Cameras will encompass all entrance and exits of the building and the majority of staff will be trained how to use the system. All footage will be kept for at least 28 days

b) The prevention of crime and disorder

CCTV has been installed covering all internal areas, with the date and time set correctly. Cameras will encompass all entrance and exits of the building and the majority of staff will be trained how to use the system. All footage will be kept for at least 28 days
External lighting has been upgraded.
A door admissions policy, setting out age restrictions and expected dress standards.
Ejecting or refusing entry to person who do not meet admission standards, or are known to be violent or aggressive.
Staff training in conflict management, allowing members of staff to deal with difficult situations. Keep accurate records.
Zero tolerance policies on drugs and weapons.
Drug awareness training.
Lost and found policy will be operated.
Carefully positioned alcohol to prevent theft.
Staff training to deal with drunk customers.
Drink aware posters.

c) Public safety

Internal and external lighting fixed to promote public safety.
Staff trained in adherence to environmental health requirements.
Challenge 25 policy implemented and log book kept with all refusals.
Premise and all fittings & fixtures to be maintained at all times, to a safe and working order.
First aid boxes will be available and maintained.
Means of escape in an emergency are clearly marked.
awareness of requirements regarding health & safety
Incident log will be kept at all times

d) The prevention of public nuisance

A noise management policy will be in place, including shutting windows and doors.
A contact number will be provided for local residents, to report any noise disturbances.
Display prominent notices at exits requesting patrons to leave quietly.
Staff who leave after opening hours, will conduct themselves in a manner to avoid disturbance.
Commercial deliveries and collection of waste will be restricted to normal working hours.

Continued from previous page...

Regular inspections of outside area for litter, will be conducted by staff to clear litter.

External lighting will be turned off, after the premises has closed.

Strict challenge 25 policy will be operated.

Log book will be kept.

Customers will be asked not to stand outside, loudly talking.

Customers will not permitted to the premises, outside opening hours.

Signage will be displayed to encourage customers to leave quietly

A rubbish bin will be place at the entrance of the building and customers encouraged to use it. Staff will ensure the front of the premises and the immediate vicinity are litter free and clean

e) The protection of children from harm

Challenge 25 policy, will be implemented and log book kept. Acceptable forms of Id area a passport, photocard driving licenses and PASS accredited ID.

A log book/ refusals will be kept on the premises at all times. Including proxy sales

Admittance to children will only be permitted if they are accompanied by an adult.

Proxy sale posters will be displayed at premises.

No adverts or promotions for alcohol to appeal to young persons.

Staff will be trained about the challenge 25 policy, and restricting access to children.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

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

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

* Fee amount (£)

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

* Capacity

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 248 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="Brewery"/>
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"/>

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



Bishop Brewing	
COUNCIL DATE PREPARED SIGNED WITNESSED BY	CH - Bishop Brewing - POT 14.03.2019 20.03.2019 1:10 PM T. Maughan Bishop Brewing

[illegible]

Appendix 4: Amended Licensable Activities following mediation with Environmental Health

From: Helen Johnson - Licensing Team Leader (N'hoods)
Sent: 10 October 2019 15:23
To: Tracey Lock
Cc: Mark Anslow
Subject: FW: Bishop Brewing Ltd

Hi Tracey

Please see details below, amendments to this application which have been agreed by the applicant.

Thanks

Helen Johnson
Licensing Team Leader
Community Protection Service
Regeneration and Local Services

Direct:
Mobile:
Email: helen.johnson2@durham.gov.uk

Web: www.durham.gov.uk
Follow us on Twitter @durhamcouncil
Like us on facebook.com/durhamcouncil

From: Alastar Wild <>
Sent: 10 October 2019 11:28
To: Helen Johnson - Licensing Team Leader (N'hoods) <Helen.Johnson2@durham.gov.uk>
Subject: Fwd: Bishop Brewing Ltd

Hi Helen,

Please find forwarded correspondence between ourselves and mark

Regards
David

----- Forwarded message -----

From: Mark Anslow <>
Date: Thu, Oct 10, 2019 at 11:19 AM
Subject: RE: Bishop Brewing Ltd
To: Alastar Wild <

Hi Dave,

Thanks for the email.

For the sake of clarity I would suggest the following matches up with your proposal:

10.00-23.00 Monday to Sunday Standard timings for consumption both off and on the premises

08.00-10.00 Consumption off the premises only (allows for your off sales

08.00-23.00 Hours open to the public

No extended opening for Kynren.

If your happy with the above just forward to Helen advising you would like you application amended to match.

thanks

Mark Anslow

Development Assessment Team Leader

Community Protection Service

Regeneration and Local Services

Durham County Council

Annand House

Meadowfield

Durham

DH7 8RS

Switchboard:

E-mail:

Web: www.durham.gov.uk

Follow us on Twitter @durhamcouncil

Like us at facebook.com/durhamcouncil

Follow us on linkedin.com/company/durham-county-council

Follow us on Instagram @durham_county_council

From: Alastar Wild <>
Sent: 10 October 2019 10:55
To: Mark Anslow <
Subject: Re: Bishop Brewing Ltd

Hi Mark,

After some discussion at our end we don't have a problem with the suggested amendments you proposed. Just to confirm your happy with the hours 8am-11pm? We would like to keep the 8am start for online sales and off sales.

Do we need to contact Helen?

Cheers,

David

On Tue, Oct 8, 2019 at 1:12 PM Mark Anslow <

> wrote:

Hi David,

Thank you for ringing me.

As discussed, my concern is that considering the extended hours you are proposing the licence is more associated with a regular bar/pub type operation, as opposed to the brewery with tastings you stated.

Considering the location, near residential away from existing licenced premises, I have concerns regarding noise associated with visitors coming and going from the premises (including smoking outside), especially during the night-time hours i.e. after 11pm.

Considering this is the first licence the premises has held I would suggest that 11pm would be a more appropriate closing time, and one that I feel I could support considering the mitigation measures you have stated in the application. Should you find that these hours are no sufficient after you have tested the market, then you can apply for a variation of hours, supported hopefully by how the business has operated to date.

Should you agree to the above amendments to the licence then I would as that you contact Helen Johnson - Licensing Team Leader on Helen.Johnson2@durham.gov.uk, requesting the amendments be made to your application.

Alternatively, should you not accept the above suggested changes then as discussed I will make a representation and your application will be considered by the licensing committee.

Kind regards

Mark Anslow

Development Assessment Team Leader

Community Protection Service

Regeneration and Local Services

Durham County Council

Annand House

Meadowfield

Durham

DH7 8RS

Switchboard:

Appendix 5: Representations

E & E Corn Supplies
Chester Street
Bishop Auckland
Co Durham
DL14 7LP
25th October 2019

Licensing
Durham County Council
PO Box 617
Durham
County Durham
DH1 9HZ

Dear Sir's

Ref -- Bishop Brewing Limited Licensing application

We are writing to register our objection to the application for a New premises licence application by Bishop Brewing Limited for 17, Chester Street, Bishop Auckland, DL14 7LP.

The basis for this opposition is that the granting of a licence in the terms it has been applied for is likely to have a negative effect on the four licencing objectives:

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance; and
- The protection of children from harm

Our objection to the application against the four objectives is set out below

The prevention of crime and disorder

17, Chester Street lies within an Industrial/Commercial area, and is close to residential dwellings, the sale and consumption of alcohol both within and outside the premises from 8.00am until midnight and other times beyond midnight is totally against a responsible approach to drink awareness and will only encourage drink related crime, anti-social behavior and public disorder to this area.

The applicant makes no reference to joining any "Pub watch" scheme which promotes the prevention of crime and disorder through expulsion of unwelcome and known troublemakers.

We can only assume that the applicant will allow these undesirable to frequent the area and continue disorder unchecked.

Adding another premises to an area which already has an abundance of alcohol related premises will inevitably lead to challenges and possible changes in the application to maintain profitability. It would appear that the premises are unsuitable for the consumption of alcohol on the premises and this will lead to an increase of drinking within the street and an increase in crime and disorder which is well associated with street drinking

Public safety

The premises are within close proximity to King James 1st Academy and is likely to encourage underage drinking and impact of the vulnerable students.

In addition the premises do not mention parking facilities and therefore this will increase the number of on street parking which will cause severe congestion and hazards to the existing businesses within the area.

It is worth noting that the application makes no reference to the adjacent academy or how they intend to address the parking issues during school opening hours.

Within the application there are a number of references to how the applicant will deal with public safety, however these seem more focused on addressing issues after the event rather than addressing the issue before it occurs

The prevention of public nuisance

Encouraging people to drink outside premises without secluded areas is well known to add to public nuisance, especially relating to increased noise.

The amenities shown within the application seem very limited and this will probably increase the potential for urinating in the street.

The lack of any attention to a smoking policy will obviously lead to smoking outside and the discharge of cigarettes onto the street

The drinking outside the premises will also add to public nuisance as this is a known cause of public disorder and trouble.

The prevention of children from harm

We do not see how the granting of an application to sell and consume alcohol in close proximity to school children can prevent harm. It is well known that persons will purchase alcohol for juveniles and the temptation for this to happen so close has not been considered.

It is very likely that children will be exploited both financially and socially by certain persons through the sale of alcohol or effects of it.

We have tried to limit our concerns to the most immediate effects the granting of this application will have on the local community and the adverse effect it will have to our younger generation and local residents.

We would therefore request look very closely at this application and refuse it in its entirety.

Yours faithfully

P Brown
E & E Corn Supplies

A E Hallam
Peel Street
Bishop Auckland
Co Durham
DL14 7LP
25th October 2019

Licensing
Durham County Council
PO Box 617
Durham
County Durham
DH1 9HZ

Dear Sirs

Ref – Bishop Brewing Limited Licensing application

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Within the application there are a number of references to how the applicant will deal with public safety, however these seem more focused on addressing issues after the event rather than addressing the issue before it occurs

The prevention of public nuisance

Encouraging people to drink outside premises without secluded areas is well known to add to public nuisance, especially relating to increased noise.

The amenities shown within the application seem very limited and this will probably increase the potential for urinating in the street.

The lack of any attention to a smoking policy will obviously lead to smoking outside and the discharge of cigarettes onto the street

The drinking outside the premises will also add to public nuisance as this is a known cause of public disorder and trouble.

The prevention of children from harm

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We would therefore request look very closely at this application and refuse it in its entirety.

Yours faithfully

A E Hallam
T H Motor Services
Peel Street,
Bishop Auckland
DL14 7LF

25th October 2019

Licensing
Durham County Council
PO Box 617
Durham
County Durham
DH1 9HZ

Dear Sir's

Ref – Bishop Brewing Limited Licensing application

We are writing to register our objection to the application for a New premises licence application by Bishop Brewing Limited for 17, Chester Street, Bishop Auckland, DL14 7LP.

The basis for this opposition is that the granting of a licence in the terms it has been applied for is likely to have a negative effect on the four licensing objectives:

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- Public Safety
- The prevention of public nuisance; and
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It is worth noting that the application makes no reference to the adjacent academy or how they intend to address the parking issues during school opening hours.

Within the application there are a number of references to how the applicant will deal with public safety, however these seem more focused on addressing issues after the event rather than addressing the issue before it occurs

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Encouraging people to drink outside premises without secluded areas is well known to add to public nuisance, especially relating to increased noise.

The amenities shown within the application seem very limited and this will probably increase the potential for urinating in the street.

The lack of any attention to a smoking policy will obviously lead to smoking outside and the discharge of cigarettes onto the street

The drinking outside the premises will also add to public nuisance as this is a known cause of public disorder and trouble.

The prevention of children from harm

We do not see how the granting of an application to sell and consume alcohol in close proximity to school children can prevent harm. It is well known that persons will purchase alcohol for juveniles and the temptation for this to happen so close has not been considered.

It is very likely that children will be exploited both financially and socially by certain persons through the sale of alcohol or effects of it.

We have tried to limit our concerns to the most immediate effects the granting of this application will have on the local community and the adverse effect it will have to our younger generation and local residents.

We would therefore request look very closely at this application and refuse it in its entirety.

Yours faithfully

N Tranter
Exhaust Mania
Peel Street,
Bishop Auckland,
DL14 7LF

South Church Road
Bishop Auckland
DL14 7JY
Tel.
Work.

Dear Sirs,

Ref: Bishop Brewing Limited License Application

I am writing to register my objection to the application for a premises license by Bishop Brewing Limited, 17, Chester Street, Bishop Auckland DL14 7LP. The basis for this opposition is that granting a license for these premises will undoubtedly increase crime and anti-social behaviour.

17 Chester Street lies within a small industrial/commercial area, and is around ten metres from residential dwellings. Enabling the premises to sell alcohol would be totally detrimental to the prevention of drink related crime and anti-social behaviour in the area. It would simply add a further source of alcohol within a town already so heavily populated with licensed premises that crime, disorder, and public nuisance have already reached problem levels for the local police. The application proposes that alcohol will be sold for consumption on or off the premises between 8:00am and midnight, seven days a week, with extensions during the summer and Bank Holidays to 1.00am. Apparently, this extension is to cater for people who have been to the Kynren event. Kynren has a licensed bar, so I would suggest that anyone visiting the Bishop Brewery after Kynren, would not be categorised as '*discerning drinkers out for a quiet pint or two*', as described in section 5 of the application. Granting a license would create levels of noise which would not be acceptable to nearby residents especially those with children at school. The premises are also situated not 30 metres from the entrance to King James 1st Academy. In an already problematic area for under-age drinking it would not be deemed ethical to grant a license to a premises in such close proximity. I am led to believe that licenses to sell alcohol, have already been revoked in the area for supplying school children. In addition, there is a vehicle repair garage next door to the premises. Surely it would not be safe practice to have drinking customers entering and leaving in such close proximity to vehicles being driven in and out of the garage. I would urge the committee to consider existing premises with similar licensing hours in the town. I do not have access to statistics, but believe that the Police are frequently called to deal with anti-social activities in these areas.

The residents in this area already suffer noise nuisance and antisocial behaviour late at night. They accept that there will be noise from traffic and passers-by in the evening, being situated on a main road, but to have to endure yet more drink related behaviour till the small hours, is unacceptable. Regarding the issue of noise, the premise does not appear to be able to provide a smoking area. Does this mean that customers will be stood outside, smoking and holding conversation in the street, increasing the noise, and littering with street with cigarette butts?

On a personal note, I have lived at my current address for over 25 years. We have had more than our fare share of car crime and vandalism, and almost every incident has been due to youths and drink. My daughter attends the Academy in her final year, and I worry about the effects of a licensed premises preventing her from sound sleep in what is a very demanding time.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully,

J Dobson



Karen Robson

From: J Singlewood <j.singlewood@ahs.org.uk>
Sent: 23 October 2019 21:17
To: AHS Licensing
Subject: Licence objection

Categories: Karen

J Singlewood
W Singlewood
South Church Road
Bishop Auckland
Co. Durham
DL14 7JY

We wish to object to the proposed licence to
17 Chester St, Bishop Auckland DL14 7LP.

Reasons are :

Close proximity to our house, is less than 40 metres
Parking and public nuisance
Poorly lit Chester Street
Unlit back lane
Crime and disorder
Devaluation of our property
Close proximity to school
Public smoking area.

In our opinion this is not a viable application

J Singlewood
W Singlewood

Sent from my iPhone

From: J Singlewood < >
Sent: 25 October 2019 11:32
To: AHS Licensing
Subject: Re: Licence objection

Categories: Karen

We would like to append the licence objection

Close proximity to our house 40 metres, close enough for noise and smoke from outdoor smokers and smells from brewing.

The doors to the proposed bar are approx 12 metres from our back lane which is unlit.

I have security lights in my yard and burglar alarms because of unlit lane.

The bar in our opinion would add to people accessing the lane and causing nuisance.

Can the size of the building properly accommodate the number using toilets and we believe some people will use the lane.

Crime and disorder when patrons who are intoxicated have been put off the premises immediately into the vicinity of our homes and the school.

On 23 Oct 2019, at 21:17, J Singlewood <

J Singlewood
W Singlewood
15 South Church Road
Bishop Auckland
Co. Durham
DL14 7JY

We wish to object to the proposed licence to
17 Chester St, Bishop Auckland DL14 7LP.

Reasons are :

Close proximity to our house, is less than 40 metres
Parking and public nuisance
Poorly lit Chester Street
Unlit back lane
Crime and disorder
Devaluation of our property
Close proximity to school
Public smoking area.

In our opinion this is not a viable application

J Singlewood
W Singlewood

22nd OCT 2019.

MR & MRS W. SINGHWOOD
SOUTH CHURCH RD.
BP. AUCKLAND.
DL14 7JY.

WE WISH TO OBJECT TO THE PROPOSED LICENCE
TO 17, CHESTER ST BP AUCKLAND

REASONS ARE:

CLOSE PROXIMITY TO OUR HOUSE, IS LESS THAN
40 METRES.

PARKING & PUBLIC NUISANCE.

POORLY LIT CHESTER ST & UNLIT BACK LANE.

CRIME & DISORDER. DEVALUATION OF OUR PROPERTY.

CLOSE PROXIMITY TO SCHOOL.

PUBLIC SMOKING AREA.

IN OUR OPINION THIS IS NOT A VIABLE
APPLICATION.

).

From: David Anderson < >
Sent: 29 October 2019 19:36
To: Tracey Lock; Helen Johnson - Licensing Team Leader (N'hoods)
Subject: RE: LICENSING ACTA 2003 - APPLICATIONS RECEIVED - NEW PREMISES LICENCE APPLICATION

The Council considered the application for a new premises licence for 17 Chester Street, Bishop Auckland at its meeting held on 29th October 2019.

The Council was concerned about the opening hours, in particular potentially operating from 8.00 am in the vicinity of a school. The Council considers that operating from 5.00 pm until midnight would be preferable to avoid the ability of selling alcohol in close proximity of a school during school hours and also to minimise potential disturbance to local residents after midnight.

Members were also of the opinion that a temporary licence should be granted until the full impact of a new licenced premises could be assessed.

Regards

David

David Anderson
Town Clerk

Bishop Auckland Town Council
The Four Clocks Centre
154A Newgate Street
Bishop Auckland
Co Durham
DL14 7EH

Customer Notice

We have 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: <http://bishopauckland-tc.gov.uk/legal-information/privacy-statement/>

Appendix 6: Responses from Responsible Authorities

From: Judith Wilkinson ·
Harm Reduction Unit <
Sent: 01 October 2019 14:07
To: Tracey Lock
Subject: RE: LICENSING ACT 2003 - APPLICATIONS RECEIVED - NEW PREMISES LICENCE

01/10/19

To Durham County Council

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

Many Thanks

Judith Wilkinson
Licensing Support

From: Tracey Lock |]
Sent: 23 September 2019 14:47
Subject: LICENSING ACT 2003 - APPLICATIONS RECEIVED - NEW PREMISES LICENCE

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

Les – please check that the blue notice is displayed correctly.

1

Application Type - Application for a new Premises Licence

Applicant: - Bishop Brewing Ltd

Premises – 17 Chester Street Bishop Auckland DL14 7LP

Date of Application – 23 September 2019

Last date for representations – 21 October

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.

Tracey Marie Lock
Licensing Officer
Community Protection Service
Regeneration and Local Services
Durham County Council
Annand House

From: Sean Barry
Sent: 27 September 2019 15:20
To: Tracey Lock
Cc: AHS Licensing
Subject: RE: LICENSING ACT 2003 - APPLICATIONS RECEIVED - NEW PREMISES LICENCE

Good Afternoon

I have received a new licence application for the establishment: Bishop Brewing Ltd, 17 Chester Street Bishop Auckland DL14 7LP

I have no comments or objections to make on behalf of County Durham Public Health.

My Ref: PH/2019/110

Thanks
Sean

From: Tracey Lock <
Sent: 23 September 2019 14:47
To:
Subject: LICENSING ACT 2003 - APPLICATIONS RECEIVED - NEW PREMISES LICENCE

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

Les – please check that the blue notice is displayed correctly.

1
Application Type - Application for a new Premises Licence
Applicant: - Bishop Brewing Ltd
Premises – 17 Chester Street Bishop Auckland DL14 7LP
Date of Application – 23 September 2019 Last date for representations – 21 October 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 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.

Tracey Marie Lock
Licensing Officer
Community Protection Service
Regeneration and Local Services
Durham County Council

From: Stephen Winship
Sent: 27 September 2019 10:11
To: Helen Johnson - Licensing Team Leader (N'hoods)
Cc: AHS Licensing; Tracey Lock
Subject: New licence 17 Chester Street, Bishop Auckland

Good Morning,

My Ref: SW/2019/120

I represent the Durham Safeguarding Children Partnership (DSCP) which is a responsible authority under the Licensing Act. I have received a copy of your application for a premises licence for your premises at, 17 Chester Street Bishop Auckland DL14 7LP.

Having considered the steps you have recorded to promote the licensing objectives, in particular the protection of children, I have no comments or objections regarding your application.

Regards

Stephen Winship

Policy & Strategy Officer
Durham Safeguarding Children Partnership

County Hall, Durham
DH1 5UJ



Durham Safeguarding Children Partnership (DSCP)
Keeping Children Safe





Chief Fire Officer: Stuart Errington

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

Date: 27 September 2019

This matter is being dealt with by: Craig Farrage

Ext:

Our Ref: 1B30200320

Your Ref: New Application

Direct Dial Telephone:

E-mail:

Via Email to Licensing

Dear Sir / Madam

Licensing Act 2003

Regulatory Reform (Fire Safety) Order 2005

Bishop Brewing Ltd, 17 Chester Street, Bishop Auckland, DL14 7LP

I acknowledge your application dated 23 September 2019 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 and follow the link to Fire safety at work.

Yours faithfully

C.E Farrage

Craig Farrage
Fire Safety Section



Appendix 7: Response from Planning Dept

From: Hilary Sperring
Sent: 04 October 2019 16:31
To: Tracey Lock
Subject: CON28/19/02638 Application for a new Premises Licence 17 Chester Street Bishop Auckland DL14 7LP

Dear Tracey,

Thank you for your consultation on the above premises licence.

I have reviewed the information provided and it appears unclear from the information submitted with the licence application the intended use of the building in planning terms, as there appears to be some elements of retail and drinking establishment in addition to the brewery aspect.

On this basis the proposal may represent a material change of use of the building for which planning permission may be required.

With this in mind it is recommended that the applicant submits a pre-application enquiry to the planning team in the first instance to assess whether the proposal would involve a change of use, whether planning permission is required and whether any such planning application would be viewed favourably. I have attached the link below to the planning pre-application enquiry service and there would be a fee of £50 for this service.

<http://www.durham.gov.uk/media/3739/Pre-Application-Advice/pdf/PreApplicationAdviceProtocol.pdf>

Unfortunately, we are no longer able to provide informal pre-application advice over the phone and the only way in which it could be confirmed whether the proposed use requires planning permission would be via the above pre-application enquiry process.

I would be grateful if you could please pass this information onto the applicant.

Please do not hesitate to contact me if you have any queries.

Kind Regards,

Hilary

Mrs Hilary Sperring

Planning Officer | Development Management

Durham County Council
Planning Development (South West)
County Hall
Durham
DH1 5UL

Appendix 8: 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