

Statutory Licensing Sub-Committee

24th March 2020

Application for the grant of a Club Premises Certificate

Ordinary Decision



Report of Geoff Paul, Corporate Director of Regeneration and Local Services

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

Electoral division(s) affected:

Durham

Purpose of the Report

- 1 The Sub-Committee is asked to consider and determine the application for the grant of a Club Premises Certificate for John Snow College, South Road, Durham. DH1 3TQ from Mr Ricky Cohen of Durham University.
- 2 A plan showing the location of the premises is attached at Appendix 2.

Executive summary

- 3 The application requests the granting of a new Club Premises Certificate for a new residential university college for Durham University was submitted to the Licensing Authority on 31st January 2020.
- 4 The application originally requested the Supply of Alcohol for consumption on and off the premises and the provision of Regulated Entertainment from 10:00 hrs until 02:00 hrs Monday to Sunday.
- 5 The original application also requested permission for up to 3 outdoor events per year during June or July involving the provision of alcohol and regulated entertainment.
- 6 On 27th February 2020, Mr Cohen the applicant amended the application to revise the timings for licensable activities. Mr Cohen also provided some additional information in support of the application.

- 7 Twenty four objections from `other persons' were received during the consultation period. 5 of these objections were later withdrawn as the applicant's amendments to the application alleviated their initial concerns. There remains nineteen objections to the application.
- 8 Durham County Council's Planning Department, the Durham Safeguarding Children Partnership, Durham Constabulary and Durham County Council's Environmental Health Authority all responded to the consultation with no comments.

Recommendation(s)

- 9 The Sub-Committee is asked to determine the application with a view to promoting the licensing objectives.
- 10 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 7;
 - (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 8.

Background

- 11 Background information

Applicants	Durham University	
Type of Application:	Date received:	Consultation ended:
New Club Premises Certificate	31st January 2020	28th February 2020

Details of the application

- 12 An application for the grant of a new Club Premises Certificate was received by the Licensing Authority on 31st January 2020. A copy of the application and supporting documents are attached at Appendix 3.
- 13 The application is deemed by the Licensing Authority to be correctly served and advertised in accordance with the Licensing Act regulations.

- 14 Following the applicant's amendments to the application on 27th February 2020, the activities requested, and the revised timings are now as follows:

Qualifying Club Activities	Days & Hours
Supply of Alcohol - Indoors (consumption on and off the premises)	Sunday to Thursday: 10:00 to 00:00 hrs. Friday and Saturday: 10:00 to 01:00 hrs. On up to 3 occasions per year notified 28 days in advance to licensing authorities and local residents: 10:00 to 02:00 hrs. Plus 3 college events – see below
Plays, Films, Indoor Sporting Events, Live Music, Recorded Music, Performances of Dance, Similar Entertainment (All Indoors)	Sunday to Thursday: 10:00 to 00:00 hrs. Friday and Saturday: 10:00 to 01:00 hrs. On 3 occasions per year notified 28 days in advance to licensing authorities and local residents: 10:00 to 02:00 hrs Plus 3 college events – see below
Proposed Opening Times for Members and Guests	Sunday to Thursday: 10:00 to 00:30 hrs. Friday and Saturday: 10:00 to 01:30 hrs. On up to 3 occasions per year notified 28 days in advance to licensing authorities and local residents: 10:00 to 02:30 hrs. Plus 3 college events – see below
3 College Events – Predictable and notified 28 days in advance to licensing authorities and local residents	Supply of alcohol and regulated entertainment indoors: 10:00 to 02:00 hrs. Supply of alcohol and regulated entertainment outdoors/in a marquee: 10:00 to 23:00 hrs. Provision of recorded music (using headphones/silent disco) in a marquee: 23:00 to 00:00 hrs

- 15 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 at Appendix 3.

- 16 On 27th February 2020, the applicant also provided some additional information in support the application.

For confirmation of the amended activity timings and full details of the additional information provided by the applicant, please see Appendix 4.

The Representations

- 17 The Licensing Authority initially received twenty four objections from 'other persons' during the consultation period. However, 5 of these objections were later withdrawn as persons making representation were satisfied with the applicant's subsequent amendments to the application.

There remain nineteen objections to the application from the following persons:

- Mr & Ms E Foster (Other persons)
- Ms E Clish (Other person)
- Ms J Bland (Other person)
- Dr N Ramchurn (Other person)
- Mrs P A Bland (Other person)
- Ms F Lamb (Other person)
- Ms A Batey (Other person)
- Ms J Conlon (Other person)
- Mr N & Mrs L Fecitt (Other persons)
- Mr J Barton (Other person)
- Mr M E Harrison (Other person)
- Mrs A B Harrison (Other person)
- Mr & Mrs W Waite (Other persons)
- Mr C M J Allen (Other person)
- Mrs D Dobbin (Other person)
- Ms J & Mr R Phillips (Other persons)
- Mr R & Ms N Metcalfe (Other persons)
- Mr J & Mrs A Benstead (Other persons)
- Ms H Lynch (Other person)

- 18 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 are attached at Appendix 5.

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

- Durham County Council's Planning Department
- Durham Safeguarding Children Partnership
- Durham Constabulary
- Durham County Council's Environmental Health Authority

Copies of these responses are attached at Appendix 6, for information only.

The Parties

20 The Parties to the hearing will be:

- Mr Ricky Cohen, Durham University (applicant)
- Mr & Ms E Foster (Other persons)
- Ms E Clish (Other person)
- Ms J Bland (Other person)
- Dr N Ramchurn (Other person)
- Mrs P A Bland (Other person)
- Ms F Lamb (Other person)
- Ms A Batey (Other person)
- Ms J Conlon (Other person)
- Mr N & Mrs L Fecitt (Other persons)
- Mr J Barton (Other person)
- Mr M E Harrison (Other person)
- Mrs A B Harrison (Other person)
- Mr & Mrs W Waite (Other persons)
- Mr C M J Allen (Other person)
- Mrs D Dobbin (Other person)
- Ms J & Mr R Phillips (Other persons)
- Mr R & Ms N Metcalfe (Other persons)
- Mr J & Mrs A Benstead (Other persons)
- Ms H Lynch (Other person)

Options

- 21 There are a number of options open to the Sub-Committee:
- (a) Grant the certificate 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 certificate 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 certificate any of the qualifying club activities to which the application relates;
 - (d) To reject the application.

Main implications

Legal Implications

- 22 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

- 23 The Club Premises Certificate application was subject to a 28 day consultation.

See Appendix 1

Conclusion

- 24 The Sub-Committee is asked to determine the application for the grant of a Club Premises Certificate 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: Yvonne Raine

Tel: 03000 265256



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 and supporting documents



* required information

Section 1 of 17

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if 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

* Is your business registered outside the UK? Yes No

* Business name

If your business is registered, use its registered name.

* VAT number

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

* Legal status

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

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

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 17

APPLICATION DETAILS

Name of club

The above named club applies for a club premises certificate under section 71 of the Licensing Act 2003 for the premises described in this section 2 (the club premises).

The club is making this application to you as the relevant licensing authority in accordance with section 68 of the Licensing Act 2003.

Postal Address Of Club

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Contact Details Of Club

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

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

Yes No

E-mail

Telephone number

Other telephone number

Name Of Person Performing Duties Of A Secretary To The Club

First name

Family name

Address Of Person Performing Duties Of A Secretary To The Club

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Secretary Contact Details

E-mail

Telephone number

Other telephone number

Non-domestic rateable value of club premises (£)

Are the club premises occupied and habitually used by the club?

Yes No

Section 3 of 17

CLUB OPERATING SCHEDULE

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

Continued from previous page...

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

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

General Description Of Club

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

John Snow College is a residential university college currently being constructed. It is situated within University grounds. A risk assessment has been produced for the risk of public nuisance and the potential level of risk is deemed 'low'. The premises are sufficiently far away from residential areas so as not to constitute a public nuisance due to noise.

The bar will play an integral part in creating a community and will contribute to an inclusive social life that respects and embraces diversity. The bar will be a safe environment for all members of the college community to enjoy a broad range of events, both academic-related and social.

The college undertakes to hold outdoor events within its boundary on no more than three occasions within a calendar year. Where such events are planned, the college will notify the relevant licensing authority no less than 56 days before such an event. The college further undertakes to ensure nearby residents are informed by letter of such events outdoors.

The College will notify the relevant licensing authority no less than 10 days before the event of any event scheduled to run until 2.00hrs.

Section 4 of 17

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start 10:00

End 02:00

Start

End

THURSDAY

Start 10:00

End 02:00

Start

End

FRIDAY

Start 10:00

End 02:00

Start

End

SATURDAY

Start 10:00

End 02:00

Start

End

SUNDAY

Start 10:00

End 02:00

Start

End

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

Indoors Outdoors Both

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

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

Sound associated with any theatrical performance may receive amplification.

State any seasonal variations for performing plays.

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

There may be up to three events where plays may be performed outdoors / within a marquee during June or July.

Non standard timings. Where the club intends to use the premises for the performance of a play at different times from those listed in the column on the left, provide list.

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

N/a

Continued from previous page...

Section 5 of 17

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Indoors Outdoors Both

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

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

Sound associated with any film may receive amplification.

In order to protect children from unsuitable and even harmful content in films and videos and to give consumers
information they may need about a particular film and video before deciding whether or not to view it, the British Board of

Continued from previous page...

Film Classification (BBFC) examines and age rates films and videos before they are released. The college film club shows films of varying classifications and ensures the classifications are published in advance of showing.

State any seasonal variations for the exhibition of film.

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

There may be up to three events where films may be shown outdoors / within a marquee.

Non standard timings. Where the club intends to use the premises for the exhibition of film at different times from those listed in the column on the left, provide list.

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

N/a

~~Section 6 of 17~~

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

N/a

State any seasonal variations for indoor sporting events.

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

N/a

Non-standard timings. Where the club intends to use the premises for indoor sporting events at different times from those listed in the column on the left, provide list.

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

N/a

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes No

Section 8 of 17

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 10:00

End 02:00

Start

End

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

TUESDAY

Start 10:00

End 02:00

Start

End

WEDNESDAY

Start 10:00

End 02:00

Start

End

THURSDAY

Start 10:00

End 02:00

Start

End

FRIDAY

Start 10:00

End 02:00

Start

End

SATURDAY

Start 10:00

End 02:00

Start

End

SUNDAY

Start 10:00

End 02:00

Start

End

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

Indoors Outdoors Both

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

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

Amplified live music will be a feature of numerous events that are held within the bar / common room area.

State any seasonal variations for the performance of live music

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

There may be up to three events where live music may be played outdoors during June or July, these may be amplified
from a constructed purpose built stage (detailed on the attached plan.)

Continued from previous page...

Non-standard timings. Where the club intends to use the premises for the performance of live music at different times from those listed in the column on the left, provide list

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

N/a

Section 9 of 17

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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...

SUNDAY

Start

End

Start

End

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

Indoors

Outdoors

Both

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

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

Recorded music will be a feature of numerous events that are held within the bar and common room area.

State any seasonal variations for playing recorded music

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

There may be up to three events where recorded music may be played outdoors during June or July, these may be amplified from a constructed purpose built stage (detailed on the attached plan.)

Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, provide list

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

N/a

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End
Start End

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

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

Indoors Outdoors Both

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

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

Dance will be a feature of numerous events that are held within the bar and common room area.

State any seasonal variations for the performance of dance

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

There may be up to three events where dance may be preformed outside, including from a purpose built stage.

Non-standard timings. Where the club intends to use the premises for the performance of dance at different times from those listed in the column on the left, provide list

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

N/a

Continued from previous page...

Section 11 of 17

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

Standard Days And Timings

MONDAY

Start 10:00

End 02:00

Start

End

TUESDAY

Start 10:00

End 02:00

Start

End

~~WEDNESDAY~~

Start 10:00

End 02:00

Start

End

THURSDAY

Start 10:00

End 02:00

Start

End

FRIDAY

Start 10:00

End 02:00

Start

End

SATURDAY

Start 10:00

End 02:00

Start

End

SUNDAY

Start 10:00

End 02:00

Start

End

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

Give a description of the type of entertainment that the club will be providing

Comedians, compares, magicians, karaoke, race nights etc.

Continued from previous page...

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

These may be a feature of numerous events that are held within the bar and common room area.

State any seasonal variations for entertainment

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

There may be up to three events where entertainment may be performed outside during June or July, including from a purpose built stage.

Non-standard timings. Where the club intends to use the premises for entertainment at different times from those listed in the column on the left, provide list

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

N/a

Section 12 of 17

SUPPLY OF ALCOHOL

Will you be supplying alcohol by or on behalf of a club to, or to the order of a member of the club?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start 10:00

End 02:00

Start

End

FRIDAY

Start 10:00

End 02:00

Start

End

SATURDAY

Start 10:00

End 02:00

Start

End

SUNDAY

Start 10:00

End 02:00

Start

End

Will the supply of alcohol be for consumption?

- On the premises Off the premises Both

If the club wishes members and their guests to be able to consume alcohol on the premises tick on, if the club wishes people to be able to purchase alcohol to consume away from the premises tick off. If the club wishes people to be able to do both tick both.

State any seasonal variations

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

There will be 30 minutes drinking up time, meaning the licensed areas may remain open until 2.30am.
There may be up to three events per year where supply of alcohol may be provided outdoors during June or July from pop up bars (detailed on the attached plan).

Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, provide list

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

N/a

Section 13 of 17

HOURS CLUB PREMISES ARE OPEN TO THE MEMBERS AND GUESTS

Continued from previous page...

Will you be selling by retail alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

There may be up to three events per year outdoors during June or July.

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, provide list.

Continued from previous page...

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

N/a

Section 14 of 17

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the club 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.

Not required.

Section 15 of 17

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.

-John Snow College is fully committed to the licensing objectives outlined within the Licensing act 2003. The following general provisions are used to promote compliance and are regularly reviewed;

-Policy for College Bars, including the purpose of bars, responsibilities and commitment to the Licensing Act 2003 objectives. (copy enclosed.)

-College Bar Handbook, detailing policies and procedures, including; bar strategic aims, responsibilities, licensing objectives, access to the bar, age, capacity, drunkenness, disorderly conduct, drugs, promotions, refusing service, large groups, glass collection, maximum alcohol content, minimum pricing, spiking, public nuisance and noise, active bystander training, accidents and injuries, anti theft, bar crawls, capacity, crime, complaints, drink driving, drugs, ejected persons, external alcohol, fire, first aid, glassware and collections, health and safety and food safety, operating hours, promotions, search policy, security, smoking, spiking, staff consumption and terrorism (copy enclosed.)

-Bar training schedule for bar management, bar leads and all bar staff, including training related to licensing objectives, conditions and enforcement, responsible retailing, H&S and food safety manual, basic cellar skills, fire safety, responding to disclosure of sexual violence, equality, diversity and inclusion, 'Have a Word' alcohol identification and advice training and active bystander training (copy enclosed.)

-A minimum of one committee member trained to National Certificate for Personal License Holder qualification.

-CCTV is provided in the form of a recording system, capable of delivering pictures of evidential quality in all lighting conditions. Cameras shall encompass the inside and outside of the main entrances and exit to the premises, and outside drinking areas of the bar. Equipment will be kept in a secure environment, maintained in good working order (checked and signed weekly), have 24 hours battery back up, be correctly time and date stamped, and recordings kept for a minimum of 28 days and handed to the responsible authorities within a reasonable and agreed time frame. At all times a appointed member of staff will be available and competent to download and view CCTV footage.

Continued from previous page...

-Student Alcohol Awareness and Use Policy, outlining the University's position on alcohol consumption and related issues amongst the student body (copy enclosed.)

-Sexual Violence and Misconduct Policy, outlining the University's position in relation to sexual violence and misconduct (copy enclosed.)

b) The prevention of crime and disorder

-John Snow College is fully committed to the licensing objectives of the prevention of crime and disorder. The following general provisions will be used to promote compliance and are regularly reviewed;

-Policy for College Bars including the purpose of bars, responsibilities and commitment to the Licensing Act 2003 objectives (copy enclosed.)

-College Bar Handbook, detailing policies and procedures (copy enclosed.)

-Bar training schedule for Club Secretary, management and all bar staff (copy enclosed).

-A minimum of one committee member trained to National Certificate for Personal License Holder qualification.

-CCTV is provided in the form of a recording system, capable of delivering pictures of evidential quality in all lighting conditions.

-Student Alcohol Awareness and Use Policy, outlining the University's position on alcohol consumption and related issues amongst the student body (copy enclosed.).

-Sexual Violence and Misconduct Policy, outlining the University's position in relation to sexual violence and misconduct (copy enclosed.)

-Support and back up from the College porter and University security service.

c) Public safety

-John Snow College is fully committed to the licensing objectives of public safety. The following general provisions will be used to promote compliance and are regularly reviewed;

-Policy for College Bars, including the purpose of bars, responsibilities and commitment to the Licensing Act 2003 objectives (copy enclosed.)

-College Bar Handbook, detailing policies and procedures (copy enclosed.)

-Bar training schedule for Club Secretary, management and all bar staff (copy enclosed.)

-A minimum of one committee member trained to National Certificate for Personal License Holder qualification.

-Codes of practice for Durham University, including; common room code of practice, controlled drugs, disciplinary procedures and notification of misconduct to the Police and internal action.

- CCTV will be provided in the form of a recording system, capable of delivering pictures of evidential quality in all lighting conditions.

-Student Alcohol Awareness and Use Policy outlining the University's position on alcohol consumption and related issues amongst the student body (copy enclosed.)

-Sexual Violence and Misconduct Policy outlining the University's position in relation to sexual violence and misconduct (copy enclosed.)

Continued from previous page...

- Support and back up from the College porter and University security service.

d) The prevention of public nuisance

-John Snow College is fully committed to the licensing objectives of the prevention of public nuisance. The following general provisions will be used to promote compliance and are regularly reviewed;

- Policy for College Bars including the purpose of bars, responsibilities and commitment to the Licensing Act 2003 objectives (copy enclosed.)

-College Bar Handbook, detailing policies and procedures (copy enclosed.)

-Bar training schedule for Club Secretary, management and all bar staff (copy enclosed.)

-A minimum of one committee member trained to National Certificate for Personal License Holder qualification.

- CCTV will be provided in the form of a recording system, capable of delivering pictures of evidential quality in all lighting conditions.

- Support and back up from the College Porter and University security service.

e) The protection of children from harm

-John Snow College is fully committed to the licensing objectives of the protection of children from harm. The following general provisions will be used to promote compliance and are regularly reviewed;

-Policy for College Bars, including the purpose of bars, responsibilities and commitment to the Licensing Act 2003 objectives (copy enclosed.)

-College Bar Handbook, detailing policies and procedures (copy enclosed.)

-Bar training schedule for Club Secretary, management and all bar staff (copy enclosed) and a minimum of one committee member trained to National Certificate for Personal License Holder qualification.

-CCTV will be provided in the form of a recording system, capable of delivering pictures of evidential quality in all lighting conditions.

-Student Alcohol Awareness and Use Policy outlining the University's position on alcohol consumption and related issues amongst the student body (copy enclosed.)

-Sexual Violence and Misconduct Policy outlining the University's position in relation to sexual violence and misconduct (copy enclosed.)

-Support and back up from the College Porter and University security service.

Section 16 of 17

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 17 of 17

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.

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

~~To find out a premises non-domestic rateable value go to the Valuation Office Agency site at <http://www.voa.gov.uk/>~~

[business_rates/Index.htm](http://www.voa.gov.uk/business_rates/Index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00

Band E - £125001 and over £635.00

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

I/WE UNDERSTAND THAT 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.

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

Continued from previous page...

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

RICHY COHEN

* Capacity

SENIOR COMMUNITY OPERATIONS MANAGER

Date (dd/mm/yyyy)

30/01/2020.

Add another signatory

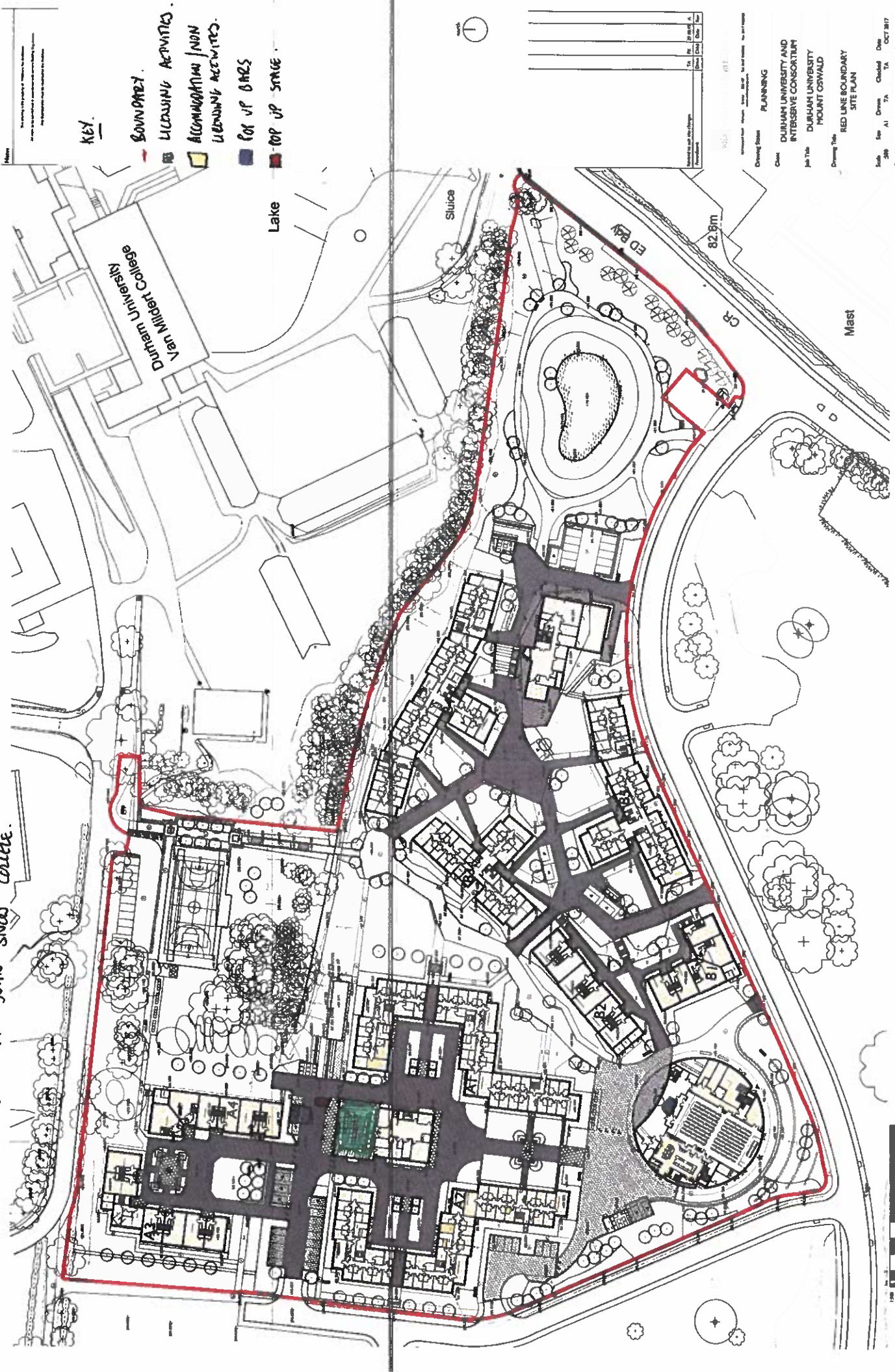
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/club-licensing/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, 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.

DURHAM UNIVERSITY JOHN SNOD GRADUATE COLLEGE



KEY

BOUNDARY

LEISURE ACTIVITIES

ACCOMMODATION / NON
LEISURE ACTIVITIES

FOR UP BARS

FOR UP STAGE

Lake

Sluice

Mast

PLANNING

Client
DURHAM UNIVERSITY AND
INTERTRIVE CONSORTIUM
Job Title
DURHAM UNIVERSITY
MOUNT OSWALD
Drawing Title
RED LINE BOUNDARY
SITE PLAN

Scale
Site
300
Drawing
A1
Date
OCT 2017
Ref
A



NO.	DATE	BY	CHKD	APPD
1				
2				
3				
4				
5				

Durham University John Snow College Club Rules

Updated December 2019

1. Name and address

The name of the Durham University College, which shall be treated as a Club, is Durham University John Snow College

The premises of the Durham University College, which shall be treated as the premises of the Club, is situated at South Road, Durham, DH1 3TQ

2. Objectives

The objective of the College, which is to be treated as the objective of a Club, is to provide a residential and non-residential community which:

Offers a varied and balanced programme of college events which serve the whole college community, enabling the development of skills that support core academic activities and employment prospects and contributing to the collegiate developmental outcomes, those being personal effectiveness, intellectual curiosity and a sense of belonging and responsibility.

3. College Bar & Retail Committee

Every student member of the College (of which there shall be at least 25) shall be a member, with voting rights of one of the constituent bodies of the College (i.e. the Senior Common Room (SCR), the Middle Common Room (MCR) or the Junior Common Room (JCR), which elects representatives to hold office as members of the College Bar & Retail Committee.

The College Bar & Retail Committee shall consist of the Head of College (or a specified College Officer) in the capacity of Chair (ex-officio), Operational Management (ex-officio) and the Presidents and other elected representatives of each of the College's constituent bodies.

There shall be a quorum at any meeting of the College Bar & Retail Committee when five members or not less than one-third of the members (whichever may be the less) are present, providing that those present include at least one College Officer or member of college operational management team.

Any member or members of the College Bar & Retail Committee who may have a personal or pecuniary interest in a particular item or items of business being considered must declare the interest and leave the room during the discussion of such item or items by the College Bar & Retail Committee.

The College Bar & Retail Committee shall not meet less frequently than once in each term. Extraordinary meetings shall be summoned on a written requisition signed by not less than four members of the Bar & Retail Committee. There shall be one meeting each year at which the annual accounts shall be presented and the appointment made of new members elected by the College's constituent bodies.

The College Bar & Retail Committee Chair shall specify a 'Responsible Person' for licensing (the default is the College Community Operations Manager), who has given his/her consent to be specified, to have day-to-day responsibility for licensable activities under the Licensing Act 2003.

4. Membership

All members of the College shall be treated as members of the club. Every member of the College shall be entitled to use and enjoy in common with other members of the College the premises and the facilities

therein, in accordance with the terms of membership set out in its Regulations for the time being in force, issued to members.

All members of the College's constituent bodies (JCR, MCR and SCR), having been duly admitted to or registered with the College at least 2 days prior to being matriculated or received into membership, shall automatically be full members of the College and have voting rights within the constituent body (Common Room) to which they belong. All other members of University staff and alumni shall be associate members of the College without voting rights, along with members of all other Colleges and Societies within the University.

All members and associate members shall carry evidence of their identity (e.g. a current University Campus Card) on admission to the premises.

All bona fide guests or visitors who have booked accommodation or events on the Premises at least 2 days in advance shall be temporary members, without voting rights, so long as they remain current guests or visitors. Temporary members must have evidence of their identity by provision of an official visitor's badge/pass/attendance list on admission to the premises.

5. Commission

No person shall at any time be entitled to receive any commission, percentage or similar payment on or with reference to purchases of intoxicating liquor from the Club.

Nor shall any person, other than the Food & Beverage Service Head, Bar Steward (or equivalents) and members working at the bar, in respect of their responsibility allowances, stipend or wages, directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club to members or guests, apart from any benefit accruing to the College as a whole.

6. Bona-fide Guests and Official/Authorised Visitors

Members may introduce guests to the Club. The member introducing a guest must accompany him or her and shall be responsible at all times for his or her guest(s) strictly observing the regulations.

The College may also admit any official or authorised visitors, including members from other Committees of Durham University, persons attending official or authorised courses and conferences held in Durham University and public or private functions taking place upon the premises under the authority of or by permission of Durham University.

7. Application of Profit

No money or property of the Club or any gain arising from the carrying on of the Club shall be applied otherwise than for the benefit of the College as a whole, for the benefit of the members or for the furtherance of the objectives of the College, as stated above.

8. Accounts

Annual accounts of the financial affairs of the bar accounts, as required by The Colleges & Student Experience Bar Committee, shall be made available to members in a timely fashion through their elected representatives.

The College must adhere to any relevant guidelines on accountability and propriety issued from time to time by University Finance and the Colleges & Student Experience Bar Committee.

9. Regulations

A summary of the general provisions governing the conduct of all University College club is set out in the College Bar Policy, College Bar Governance and Responsibilities, Club Rules, College Bar Handbook and associated terms of reference documents. The Colleges & Student Experience Bar Committee may from time to time make, vary or revoke regulations for the internal affairs of the College club.

10. Disputes

Any disputes arising out of or not covered by the above documents shall be referred to the Head of College or, on appeal, to the Chair of the Colleges and Wider Student Experience Bar Committee whose decision shall be final.

11. Financial Arrangements

The Finance Officer shall ensure that the College has a sound system of internal financial management and control, and support the Bar & Retail Committee to monitor progress in managing the budget when set.

The Bar & Retail Committee must have general oversight of funding specifically earmarked to the College Club and especially ensure that specific benefactions are used for the purposes for which they are intended.

The Bar & Retail Committee must ensure that proper arrangements are in place to deliver value for money from College club funds.

The College/Society's accounting period will run from 1 August to the following 31 July.

The Bar & Retail Committee must ensure that the required procedures (as set out in the documents above), College and Wider Student Experience bar Committee recommendations and audit recommendations are complied with.

COLLEGE BAR HANDBOOK
2020-21



Durham University John Snow College

COLLEGE BAR HANDBOOK 2020-21



Contents

Section 1.1	A message from The Principal
Section 1.2	A message from the Common Room President
Section 2	College Café Bar Strategic Aims
Section 3.1	Organisational Structure
Section 3.2	Responsibilities Summary
Section 4	Licencing Objectives
Section 5	Detail of Licence
Section 6	Emergency Contacts
Section 7	Access to The Café Bar
Section 8	Age
Section 9	Capacity
Section 10	Drunkenness
Section 11	Disorderly Conduct
Section 12	Standard Opening Hours
Section 13	CCTV
Section 14	Penalties
Section 15	Drugs
Section 16	Promotions
Section 17	Refusing Service
Section 18	Large Groups
Section 19	Crime
Section 20	Ejected Persons and Problem Groups
Section 21	Durham University College Bar Watch (TBC)
Section 22.1	Glasses
Section 22.2	Glass Collection
Section 23	Smoking/ Vaping
Section 24	Water
Section 25	Drinking Games including Yard Glass
Section 26	Vomit
Section 27	Pay, Shifts and Absence
Section 28	Maximum Alcohol Content
Section 29	Weights and Measures
Section 30	Minimum Pricing
Section 31	Drink Driving
Section 32	Spiking

COLLEGE BAR HANDBOOK 2020-21



Section 33	Staff Consumption or Intoxication
Section 34	External Alcohol
Section 35	Public Nuisance and Noise
Section 36	Cleaning
Section 37	Uniforms
Section 38	Cash
Section 39	Lost Property
Section 40	Conflict Management
Section 41	Buying Drinks and Food on Shift
Section 42	Active Bystander Training- 'Ask for Angela'
Section 43	Search Policy
Section 44	Security Strategy and Anti-Theft Policy
Section 45	Accidents and Injuries
Section 46	Fire
Section 47	Terrorism
Section 48	Diversity and Equality
Section 49	Complaints
Section 50	Reporting Defects

COLLEGE BAR HANDBOOK
2020-21



Section 1.1. A message from the Principal

(To be completed By College Principal – by July 2020)

1.2. A message from Common Room Presidents

(To be completed by the incoming JCR/ MCR / SCR President – by July 2020)

COLLEGE BAR HANDBOOK 2020-21



2. College Café Bar Strategic Aims

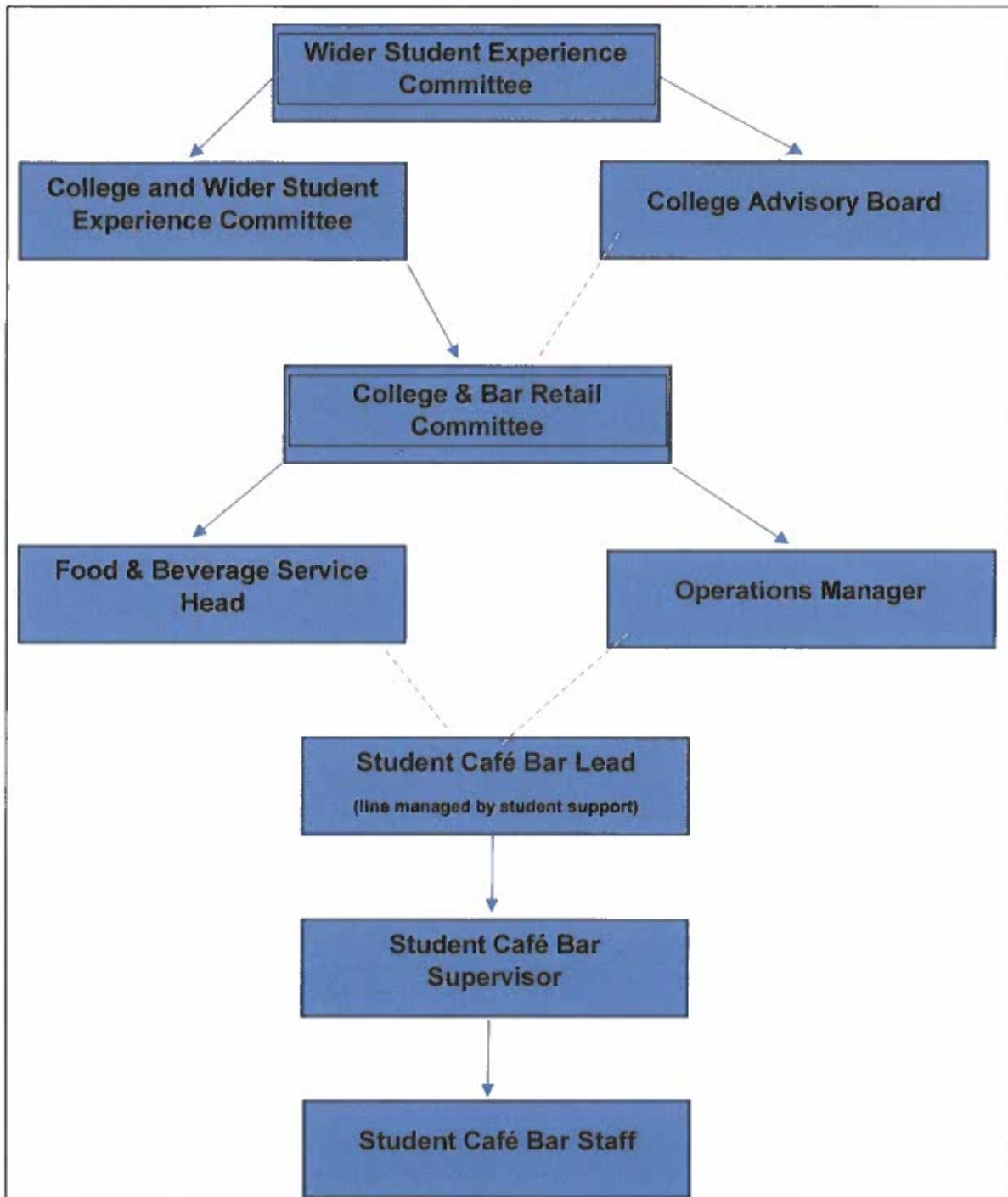
The University is committed to all college cafe bars working towards the following aims:

- To offer an environment for a varied and balanced programme of college events which serve the whole college community, enabling the development of skills that support core academic activities and employment prospects and contributing to the collegiate developmental outcomes, those being personal effectiveness, intellectual curiosity and a sense of belonging and responsibility.
- To encourage the use and enjoyment of the cafe bar by all members of the college community, contributing towards the wider student experience through interaction between all sections of the community – college residents, livers out, members of all Common Rooms, alumni and staff.
- To provide a safe inclusive environment for all members of the college community, free from discrimination, harassment and bullying by promoting equal opportunities and respect.
- To promote a clear and consistent message which discourages irresponsible alcohol use in college cafe bars, at college events and within the wider college community and to promote an atmosphere free from “the pressure to drink” for those who choose not to drink alcohol.
- To foster the development of longer term lifestyle choices that support health and wellbeing.
- To support the University’s development agenda by providing development and employment opportunities for students within the college community.
- To be an asset to the college community, where possible, generating an operating surplus which is returned to benefit the whole college community.
- To meet the needs and demands of their individual college communities, within the parameters of their licence.
- To enable the whole college community to contribute to the development of the cafe bar and its related activities as well as benefiting from it.

COLLEGE BAR HANDBOOK 2020-21



3.1. Organisational Structure



COLLEGE BAR HANDBOOK 2020-21



3.2. Responsibilities Summary

Wider Student Experience Committee

Chaired by the Pro Vice Chancellor Colleges and Student Experience to secure the implementation of the Wider Student Experience Strategy.

College and Wider Student Experience Bar Committee

Representatives from College Officer Teams, Operations Directive, Student Development Programme, Common Rooms, Finance, Human Resources and Health & Safety promoting pan-University compliance with the University's College Bars Policy.

College Advisory Board

Chaired by the Head of College, guiding the strategic direction of the College.

College Bar Retail Committee

Representatives from the local College Officer Team, Operations Manager, Food & Beverage Service Head, Student Cafe Bar Lead, representatives from Common Rooms and Finance promoting local compliance of the University's College Bar Policy.

Food & Beverage Service Head

In line with Job description, responsible for the operational implementation and management of the College cafe bar, including licensing, recruitment, on boarding, training, student development, health & safety, and financial.

Operations Manager

In line with job description, responsible person for licensing (Club Secretary.)

Student Cafe Bar Lead

Support the Food & Beverage Service Head with the operational implementation of the College cafe bar, including; licensing, recruitment, on boarding, training, student development, health & safety, and financial.

Cafe Bar Supervisor

Perform the duties of regular cafe bar staff, and with added responsibility for leading the shift, ensuring that the cafe bar is operating within the licensing conditions and all cafe bar

COLLEGE BAR HANDBOOK 2020-21



policies and procedures. Ensuring that all daily and weekly tasks are completed, cashing up and securing the premises at the end of shift.

Cafe Bar Team

Responsible for operating within all licensing conditions, cafe bar policies and procedures, serving all food and drinks, ensuring that the all cleaning tasks are completed and ensuring that the cafe bar runs in an efficient manner.

4. Licensing Objectives

The sale and provision of alcohol is governed by the Licensing Act of 2003, which provides four key Licensing Objectives. As a licensed premise, we are committed to the licensing objectives and require that all Cafe Bar Staff members comply with and support these objectives:

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

5. Detail of Licence (TBC pending application)

6. Emergency Contacts (TBC)

College Porter	Insert number
University Security	(0191) 33 42222
Food & Beverage Service Head - Office	Insert number
Food & Beverage Service Head - Emergency	Insert number
Community Operations Manager - Office	Insert number
Community Operations Manager - Emergency	Insert number
On call Duty Officer phone	Insert number
Responsible Person (number provided to local residents)	Insert number

7. Access to the Cafe Bar

Only members of the University or bona-fide guests are permitted to enter college cafe bars at Durham. College members of the University are required to carry their campus card with

COLLEGE BAR HANDBOOK 2020-21



them and produce it upon request for identification purposes. All non-college visitors to the cafe bar (including other University members and guests) are required to be signed in.

If a Cafe Bar Staff member suspects that there is a non-member in the cafe bar, they should ask for ID and inform the visitor of this policy. If the person is not a College member, a bona-fide guest of a College member, or a member of the University, the person should be asked to leave the premises. Inform the current Supervisor/team leader who will ask the person to leave or ask the Duty Porter to deal with the situation.

Under no circumstances, during the hours in which the cafe bar is open for trade, is anyone allowed on premises with alcohol that has been supplied elsewhere.

The area behind the cafe bar counter, is for the use of scheduled Cafe Bar Staff only. The only individuals who are allowed access behind the cafe bar while the cafe bar is open are those specifically designated to be working the current shift by management on the staff roster and cafe bar management.

Limited exceptions to this rule include:

- Cafe Bar Staff members who step behind the cafe bar for a few minutes to help with a short-term rush.
- The active Duty Porter, when required by his duties.
- University Security or emergency services personnel when required.

Authorised staff, employed by Durham Police, must be given free access to all parts of the premises, at all reasonable times, for the genuine purpose of inspection to ensure compliance with the terms and conditions of the club premises certificate and to ensure the promotion of the licensing objectives.

There may be community events for local residents, if these include alcohol or regulated entertainment at Club Premises Certificates, local residents will need to sign in.

8. Age

It is illegal to serve alcohol to any person under the age of 18. Offences may be committed by anyone who has authority to prevent:

- The supply of alcohol to a person under 18 years of age.
- The supply of alcohol to a person acting on the behalf of a person under 18.
- The consumption of alcohol by a person under 18.
- The sale of alcohol by a person under 18.
- A person under the age of 16 entering the premises when it is open for the sale or supply of alcohol, unless the under-16 person is accompanied by an adult.

COLLEGE BAR HANDBOOK 2020-21



Further, offences / policy breaches will also be committed by:

- Any person under 18 who consumes alcohol in a cafe bar.
- Anyone who buys alcohol for consumption by a person under 18.

To avoid these offences, it is imperative that all Cafe Bar Staff request valid proof of age for any person whom they suspect to be under the legal drinking age, under the Challenge 25 policy. Valid proofs of ID (the ONLY valid proofs) are:

- Driving license
- Passport
- PASS card
- **Please note – Campus cards are NOT valid forms of ID and some Durham University students are 17 years old.**

If the person cannot, or is unwilling to, provide one of these forms of ID, or if the ID provided is not theirs, Cafe Bar Staff must refuse to serve them alcoholic drinks.

Any ID that is suspected to be false must be retained by the Cafe Bar Staff and turned in to the Duty Porter, who will report this to the Police.

On occasions when under-age visitors are allowed to enter the cafe bar, proof of age ID must be used to identify all guests to ensure that alcohol is only served and consumed by those who are 18 and over. Additionally, on these occasions, strict adherence to a one-drink-per-person policy must be maintained.

Violation of under-18 offences by Cafe Bar Staff or customers must be reported in the Cafe Bar Staff Folder (or Complaint Form if the offence is by a Staff member), to the Duty Porter and to the Police.

9. Capacity (to be completed by individual colleges)

Capacities are as follows:

Café Cafe Bar	75
Common Room	75

It is the responsibility of the Cafe Bar Staff to ensure that this capacity is not exceeded. Allowing the maximum safe capacity to be exceeded can result in a fine of up to £5,000. It is therefore essential to avoid this occurring at any time.

On most nights, we will not exceed this capacity, and the usual cafe bar layout (couches, tables, chairs) and staffing arrangements has been designed to prevent the capacity from

COLLEGE BAR HANDBOOK 2020-21



being reached. This layout is designed for an optimal comfort factor, by which customers will have adequate space, temperatures can be properly controlled, ordering queues are short, and access routes to exits and toilets are free from obstruction. On normal nights, capacity should naturally be kept within reasonable limits, but should be guarded by the active Supervisor and Duty Porter. If the comfort level falls due to large numbers, the Supervisor should take one or more of the following measures:

- Turn on all cafe bar lights (this may cause some customers to leave).
- Turn off the music and/or the television (this, too, may cause some customers to leave).
- Tell any AUTHORISED visiting “cafe bar crawl” visitors that we cannot serve them tonight.
- Ask customers if they could disperse into other areas of the cafe bar to ease congestion, keeping in mind the total cafe bar capacity.
- Ask any groups of non-College members to leave.
- Ask the Duty Porter for assistance in reducing the number of customers.
- Close the cafe bar early.

For event nights, capacity will be managed via more systematic measures:

- All parties or events must be pre-booked with a minimum of 8 weeks advanced notice, events must be booked through an events form giving all relevant detail and gaining approval at College and Retail Bar Committee.
- This allows for a basic risk assessment reviewed by the College Bar & Retail Committee (possibly via email) for proper planning of capacity, etc
- Most events will require the purchase of a ticket or wrist band at the door or in advance
- For events for which capacity is expected to be unusually high, or for which the Management regard as higher risk, external door staff may be hired.

10. Drunkenness

The University recognises that moderate consumption of alcohol can be an enjoyable part of socialising and has no wish to discourage sensible and responsible drinking. However, the University is concerned to make all students aware of the harmful effects of alcohol, particularly as they relate to health, behaviour, safety, and academic performance, and to establish guidelines for its proper use. The University also considers it important to encourage a social life that respects those who choose not to drink alcohol. Overall the University aims to provide a supportive environment which encourages a culture of self-regulation and a respect and care for others. Further details can be found in the [Policy on Student Alcohol Awareness and Use](#).

COLLEGE BAR HANDBOOK 2020-21



Drunkness, defined by the *Oxford English Dictionary* as, "having drunk intoxicating liquor to an extent which affects steady self-control," is a physical state for which Cafe Bar Staff are required to be constantly vigilant. It is a violation of the Licensing Objectives to serve alcohol to someone who is drunk, and it is our policy to refuse service of alcohol to drunk individuals. All Cafe Bar Staff should refuse to serve anyone exhibiting the following symptoms:

Behaviour

- Bad tempered, aggressive
- Offensive language
- Becoming loud, boisterous, or disorderly
- Becoming physically violent
- Becoming incoherent
- Slurring, or making mistakes in speech
- Becoming argumentative.

Lack of Judgment

- Being careless with money
- Being rude or annoying to other persons
- Exhibiting inappropriate sexual behaviour
- Drinking quickly or competitively ('down in one')

Clumsiness & Loss of Coordination

- Swaying
- Staggering
- Difficulty with walking
- Falling down
- Bumping into furniture
- Spilling drinks
- Difficulty in picking up change
- Fumbling for money or other items.

Decreased Alertness

- Drowsiness, dozing or sleeping
- Rambling conversation
- Loss of train of thought
- Difficulty in paying attention
- Not understanding what is said
- Glassy eyes or inability to focus.

Appearance

- Unkempt

COLLEGE BAR HANDBOOK 2020-21



- Dishevelled
Vomit

The louder someone protests your refusal to serve them, the more likely it is that they are drunk, self-justifying your refusal to serve them.

When refusing to serve alcohol to someone, all Cafe Bar Staff members should point the individual out to other Staff working that shift to ensure that no other Staff member serves them once refused. All Staff members should be vigilant to make sure the individual is not getting his/her friends to buy additional drinks.

If a customer refuses to accept your decision to not serve them and becomes aggressive or disorderly, contact the Duty Porter immediately.

You may be fined £80 on the spot for serving a drunk person! Be vigilant and pay strict attention to this policy.

11. Disorderly Conduct

In the case of disorderly conduct by members or guests:

- Try to quickly establish the nature/cause of the problem.
- Identify the offender (and any victim) but keep a safe distance, especially if there is a threat of violence.
- Communicate that disorderly conduct, inappropriate behaviour and/or violence will not be tolerated.
- Contact the Duty Porter
- Keep calm – try to control your feelings and emotions.
- Don't react to provocation – try to reduce the tension without putting yourself at risk.
- Don't issue counter-threats or try to force the offender to lose face.
- As far as is possible, let the issue be handled by the Management, Duty Porter and/or Security and Police. It is not your responsibility to intervene.
- If at all possible, ensure that the offender's campus card is collected and retained. If this is not possible, write down a detailed description of the offender— especially clothing and footwear and any distinguishing marks.
- The Duty Porter will fill out an Incident Report Form and turn this in to the Management.

If the disorderly conduct becomes a crime, follow the procedures outlined for Crime, below.

COLLEGE BAR HANDBOOK 2020-21



The College cafe bar has a zero tolerance policy on disorderly conduct. Offenders will be asked to leave by the Duty Porter and will be escorted from the premises by University Security or Durham Police. College and University disciplinary action may be undertaken, as may police action and prosecution.

All individuals ejected from the cafe bar should be recorded on the cafe bar handover book and reported to the Porter, who will fill out an Incident Report Form.

12. Standard Opening Hours (TBC)

The cafe bar's standard opening hours during term time are detailed below, any amendments are to be agreed in advance at the College Bar and Retail Committee;

Monday: 18:00 - 23:00
Tuesday: 18:00 - 23:00
Wednesday: 18:00 - 23:00
Thursday: 18:00 - 23:00
Friday: 12:00 - 23:00
Saturday: 12:00 - 24:00
Sunday: 12:00 - 24:00

13. CCTV (Delete where appropriate)

CCTV within the cafe bar has been designed so that it covers the inside and outside of the main entrance and exit to the premises and all areas inside the premises where the sale and supply of alcohol occurs. The CCTV incorporates a battery backup system to enable 24 hour continuous recording in case of any power blackout/failure.

The College Porter is trained and capable and competent at viewing and downloading CCTV footage and this be made available to the appropriate authorities in a reasonable timeframe to be determined by the authorities and the College cafe bar management.

14. Penalties

The College cafe bar is subject to the same licensing conditions as commercial operations. Loss of license would hugely impact the college negatively, in terms of loss of licence impacting student experience and reputational damage.

The penalties for breaching the license conditions are severe:

- Immediate closure of licensed premises.
- £20,000 or six months imprisonment.

COLLEGE BAR HANDBOOK 2020-21



- £5,000 for selling to under-18s.
- £80 on the spot fine for member of staff selling alcohol to a drunken person.

You have a responsibility to comply with all licensing conditions, the College cafe bar has essential policies with which all Cafe Bar Staff members must be familiar. These policies must be followed AT ALL TIMES. A copy of these policies can also be found in the Cafe Bar Folder located behind the counter.

15. Drugs

The University and College has a zero tolerance policy regarding the use of illegal drugs on its premises. Bringing drugs onto the licensed premises is a criminal offense. In order to address this important risk, we have instituted the following preventative measures, sanctions and welfare practices which you MUST follow:

- A “Zero Tolerance” warning notice on the cafe bar notices board.
- Cafe bar staff induction training to cover the signs of drug supply, use and abuse.
- A policy requiring vigilance by Cafe Bar Staff for the signs of drug supply, use and abuse.
- Regular checking of toilets during half-hourly glass collections (when possible to check both toilets, based on gender of working staff).
- Reserved right to check bags of people entering the premises (see Search Policy).
- Seizure of suspected drugs by Duty Porter, University Security and/or Police.
- Notification of misconduct to Police as required by University code of Practice.
- Free drinking water available at all times when the cafe bar is open.
- First Aid available through the Duty Porter.

16. Promotions

The cafe bar does not participate in any reduced price or happy hour promotions as these may promote irresponsible drinking. We do specifically advertise new or limited time product offerings such as beer or cocktail of the week but these will be offered at what would be regular pricing.

17. Refusing Service

As it is an offence to serve any person who is drunk or anybody underage, there may be occasions where cafe bar staff are required to refuse service to a customer. Best practice advice for dealing with refusing service is detailed below

- Always be polite.
- Try to give a reason that stresses your legal or professional responsibilities, eg ‘It’s against the law to serve you because....’

COLLEGE BAR HANDBOOK 2020-21



- Try to follow your refusal with some kind of positive. If this is also a question, it helps to provide a distraction, e.g. 'Can I get you anything else, maybe a glass of water?' 'are you with anyone that can help you'
- Be calm and assertive
- Approach the person as soon as possible. If possible, meet them at the door and speak with them. If they do come in, it may be more difficult to persuade them to leave.
- Speak slowly and clearly. Remember that the effect of the alcohol on a drunken person will lessen their ability to think and even to understand.
- Keep your voice neutral. Never raise your voice, shout, make loud threats or show any other signs of aggression or anger. This is likely to provoke an angry response in the drunken person and make the situation more difficult to deal with.
- Choose your words carefully. It is better to say something like 'I think you've had (a little) too much to drink', rather than, 'You're drunk'
- Use the broken record technique. That is, keep repeating the same or similar statements, e.g. 'I'm sorry, I can't serve you... I could lose my job.'

Remember the alcohol means the person is less in control of their emotions, judgement and inhibitions than usual. Their mood can change very quickly, possibly to anger or even to violence.

Remember you are just refusing service of alcohol and not rejecting the person.

It is also important for us to consider the welfare of the person who is being refused so the following best practice should also be used;

- If the patron lives out, offer to ring them 'SU night bus' or a taxi.
- If they are with people, talk to their friends and explain what is going on. Ensure someone sober takes responsibility for them
- If the situation escalates at any point, inform the team leader/supervisor, who may contact the Porter for assistance
- Ask the team leader/supervisor to log the incident

Consider the amount of alcohol served prior to 'last orders' and only serve what is safe and reasonable to consume within the remaining time.

COLLEGE BAR HANDBOOK 2020-21



18. Large Groups

When accommodating larger groups (which is a decision for the College Bar and Retail Committee), staff should be mindful of the impact it may have on premises capacity (and ensuring the capacity isn't exceeded.)

The use of clickers to keep track of numbers is suggested. Where possible consider promoting areas in the cafe bar which lessen the impact on other cafe bar users.

19. Crime

In the event that a crime is committed on the cafe bar premises, please follow these procedures:

- Avoid disturbing anything at the scene of the crime.
- Call police -- dial 999 or (9-999 on University telephone)
- Call University Security (0191 334 2222) and the Duty Porter.
- Instruct Cafe Bar Staff to stop serving, turn off all music, turn on all lights.
- If possible, politely ask everyone except for victims or witnesses to leave in a quiet and orderly manner.
- If possible, secure the area.
- If necessary for protection, lock yourself, members of Cafe Bar Staff, witnesses and any victim(s) inside the cafe bar until assistance arrives.
- Inform the Management and College Officer on duty and the porter will complete an Incident Report Form.

The College cafe bar has a zero tolerance policy on crime. All instances of criminal activity on our premises will be reported to the Police for action and prosecution.

20. Ejected Persons and problem groups

All persons ejected (i.e. asked or forced to leave) from the cafe bar should be recorded on the cafe bar handover book and information given to the Duty Porter, who will fill out an Incident Report Form. All available details about the person(s) should be written down, along with reasons for ejection. If a large group arrives without prior warning and may cause capacity issues or may be unmanageable for the staffing levels present, cafe bar staff should let the group know that they cannot be served on that evening and that they should give advance notice in future.

21. Durham University College Cafe Bar Watch

TBC

22.1 Glasses

Alcoholic drinks must not be taken off the licensed premises, accommodation blocks are not licensed areas so students MUST be prevented from taking drinks to their rooms. Only

COLLEGE BAR HANDBOOK 2020-21



plastic glasses may be taken outside in designated areas (Please note that some colleges neighbour Public Space Protection Order areas, where it is illegal to take alcohol in open receptacles.)

22.2 Glass Collection

Cafe Bar Staff shall perform a thorough glass/bottle collection every half-hour. This must include all licensable areas along with toilets and corridors. All empty or unattended glass bottles and glasses are to be collected and returned to the cafe bar for washing, and all empty or unattended plastic glasses, straws, napkins, etc. are to be collected for recycling. Glass bottles are to be placed in the bottle bin behind the cafe bar, which should be emptied into the glass recycling bins cellar on a regular basis.

Also due to noise, do not empty glass bins into external main bins before 8am and after 9pm.

23. Smoking / Vaping

It is illegal to smoke anywhere inside the building and smoking is only allowed in designated areas located at least 30 meters away from building entrances. Café Bar Staff will periodically visit any designated smoking areas to promote reduction of noise and returning to the café bar.

24. Water

The cafe bar offers free tap water to all customers and provides jugs of water on the cafe bar counter or a water fountain / cooler.

25. Drinking Games including Yard Glass

Drinking games are not permitted within the cafe bar. The use of a yard / half yard glass or equivalent is expressly prohibited.

26. Vomit

If an incident of vomiting (other than directly into the toilet without a mess) occurs, Cafe Bar Staff should immediately inform the Duty Porter and the porter should attempt to retrieve Campus Card details. There may be welfare issues or the need to implement a fine. (The Colleges have implemented a fine system for cases of vomiting, and the details must be handed in to the Porter for purposes of enforcing this system. If the Duty Porter is available, members of Cafe Bar Staff should not attempt to clean up the vomit, as it falls under the Porter's responsibilities and they receive special compensation for it.)

27. Pay, Shifts and Absence

Shifts will be allocated termly, with a minimum of two weeks' notice. Once shifts have been allocated it is the responsibility of the cafe bar staff members to fulfil their shift. If for any

COLLEGE BAR HANDBOOK 2020-21



reason shifts need to be changed it is the responsibility of the Cafe Bar Staff member to find cover for their own shift and to fill out an absence request form.

For short notice absence such as sickness this should be reported to the Student Cafe Bar Lead immediately and a message sent to the group chat to try and arrange cover.

Staff are responsible for filling out their own timesheets which will be collected and checked by the Food & Beverage Service Head at the end of the month, these are located in the cafe bar folder behind the counter.

28. Maximum Alcohol Content

Short drinks can only contain a maximum of 2x25mls of 40% ABV or equivalent.

29. Weights and Measures

All poured drinks must be served in recognised measures, i.e. multiples of 25ml, pints or half pints.

All cocktails must be identified on a menu, detailing the ingredients, and alcohol content by ingredient.

30. Minimum Pricing

The cafe bar must follow the University minimum pricing policy, summarised below.

Product	Standard Measure	Min/Max Price
Draught beers and ciders	Pint	TBC
Draught beers and ciders (small measure: half pint)	Half Pint	TBC
Bottled beers, ciders and alcopops	330ml	TBC
Spirits (small measure: 25ml)	25ml	TBC
Wine	125ml	TBC
Cream liqueur and fortified wine (including Sourz)	50ml	TBC
Draught non-alcoholic carbonated drinks (excluding high energy drinks)	Pint	TBC

31. Drink Driving

Drink driving is a serious offense and is very dangerous to the driver, passengers and the public. We must make every possible effort to prevent drink driving by our customers. The cafe bar can offer to hold guests car keys, but if these are left at the end of the evening, these MUST be handed in to the College Duty Porter.

COLLEGE BAR HANDBOOK 2020-21



Anyone suspected of drink driving will be reported to the Police.

32. Spiking

The College cafe bar has a zero tolerance policy on drink spiking. Drink spiking is the illegal act of placing a substance into a drink, often with the intention of causing harm to the drinker.

Instances of drink spiking may be prevented by adherence to cafe bar policies on access and glass collection, as well as by careful observation and:

- Providing and encouraging the use of Spikeys in bottles.
- Asking customers to not leave their drinks unattended.
- Educating cafe bar customers regarding the dangers of spiking and how to care for their drinks to prevent becoming a victim.

If you think spiking has occurred, due to the potential legal and Welfare issue contact the Porter and Food & Beverage Service Head immediately.

33. Staff Consumption or Intoxication

All Cafe Bar Staff are prohibited from consuming alcohol or being intoxicated while on duty. Any staff member who appears for work under the influence of alcohol or other drugs will not be allowed to work that day and will be required to seek assistance from a GP/specialist alcohol agency or have their employment terminated. Any second offence will result in immediate termination of employment.

34. External Alcohol

ONLY alcohol supplied by the cafe bar may be consumed in the cafe bar. When the cafe bar is open, **ALL** other alcohol is expressly prohibited, even in unopened containers.

Cafe Bar Staff must inform all offenders of this policy and inform them that all external alcohol needs to be taken off premises immediately. If the offender does not comply with this initial request, Cafe Bar Staff should request assistance from the Duty Porter.

35. Public Nuisance & Noise

We must be aware of and courteous to our good neighbours and the context to where our college cafe bar is operating. In order to prevent public nuisance, noise levels must be kept within a reasonable limit, remembering that what may be reasonable to us may not be the same to our neighbours. This is aided by the following requirements:

COLLEGE BAR HANDBOOK 2020-21



- Periodic completion of the Licensing Act 2003 Self-Assessment Form - Risk of Causing Nuisance. This will be completed initially at various times of the day and for each license activity type that may present a risk of causing noise nuisance.
- All staff must be trained (as detailed on Cafe Bar Induction Facilitators Guide which links to the Bar Handbook) around how to reduce noise.
- Amplified music within the cafe bar is only allowed during the Licensing hours.
- Amplified music or sound is not permitted outdoors after 10:00pm.
- Licensing authorities, Local residents (by letter drop) and University Security must be informed of any large event or when the premises remains open late (such as college days).
- Windows and doors must be kept closed after 10pm.
- All external exits, toilets and designated smoking areas will display signage requesting that patrons are courteous to our neighbours by keeping noise to a minimum and avoiding loitering outside after 10pm, any smoking areas will be overseen by bar teams, by periodic inspection.
- A contact number must be provided to local residents for immediate resolution of problems, including noise.
- Glass bins must not be emptied before 8am and after 9pm.
- Deliveries are to be planned to avoid delivery prior to 8am.
- For large events ending after midnight, management and/or Duty Porter will supervise departure of guests to ensure that they leave in a staggered fashion and are advised to leave quietly.
- There is a 24/7 Porter on duty who will assist with controlling and addressing any large crowds or excessive noise.
- A meeting will be organised if required to troubleshoot any issues, including noise.
- If you hear taxis sounding horns after 10pm, contact the Duty Porter who will file a complaint.

36. Cleaning

Cleanliness and tidiness are extremely important and help to ensure that the cafe bar runs in an efficient and safe manner as well as allowing us to operate within food hygiene guidelines. All staff have responsibility to ensure that the cafe bar is kept clean and tidy and a daily and weekly cleaning rota must be followed and signed off on all shifts.

37. Uniforms

All Cafe Bar Staff will be issued a uniform. This uniform should be worn at all times while working behind the cafe bar.

COLLEGE BAR HANDBOOK 2020-21



38. Cash

When handling cash the University's procedures must be followed at all times as well the following good practice;

- Check £20 and £50 notes with detector pen
- Use the till to calculate change
- In the event that a customer claims they have been short changed do not simply hand over the amount in dispute. Explain instead that you are certain that you have given the correct change. If the customer continues to believe that they have been short changed, take their details and explain that if the tills are up when cashed up at the end of the night, they will be reimbursed.

39. Lost Property

All lost property or unattended items found within the cafe bar are to be taken to the Duty Porter. Lost property items are NOT to be kept behind the cafe bar.

40. Conflict Management

A wide variety of challenging situations may present themselves at some point during a shift and cafe bar staff may be forced to act quickly to something that they not be comfortable. Staff should try the following when dealing with a challenging situation; try to establish what the issue is (can I deal with it myself or do I need a supervisor/ porter/ security to assist), will I be putting myself in danger by trying to deal with it?

When dealing with any sort of challenging situation staff should try to control their emotions and stay calm and appear confident in dealing with the situation. If there is somebody who is intoxicated then they should be refused service but the situation should be handled in an assertive and respectful manner, the following are some dos and don'ts of refusing service;

- Do be polite and avoid value judgements. Use tact - politely inform the patron that you will not be serving them any more alcohol.
- Do point to posters/signs behind the cafe bar to reinforce your decision.
- Do explain the reason for refusal of service (e.g. showing signs of being overly intoxicated).
- Do offer (if appropriate) non-alcoholic beverages instead, or to phone a taxi or a friend to take them home. It is harder to get angry with someone offering to do something for you.
- Do make sure that they leave the premises safely and that they do not hang around outside.

COLLEGE BAR HANDBOOK 2020-21



- Do advise management and other cafe bar staff that the person has been refused service to ensure they are not served alcohol by someone else.
- Don't insult the patron, warn them politely that their behaviour is unacceptable.
- Don't be persuaded to give them 'one last drink' after you have stated that they have had enough.
- Don't raise your voice. If they raise theirs, lower yours.
- Don't put off refusal hoping that the patron will leave after the next drink - act while the patron can still be reasoned with.
- Don't judge other people.
- Don't think the matter is over because you have verbally addressed it make sure the patron is safe and preferably away from the cafe bar, the porter should be used to assist if required
- If you need to escalate a situation; call the Duty Porter, University Security and Police depending on severity.

41. Buying Drinks and Food on Shift

Cafe Bar Staff members are able to purchase food and soft drinks on shift however food must not be consumed behind the counter. If there is more than one staff member on shift then colleagues should put each other's money in the till, if on shift alone then money should be put in the till and receipt kept as proof of purchase.

The cooking of own food behind the cafe bar is not permitted at any time.

42. Active Bystander Training – 'Ask for Angela'

The College cafe bar operates the active bystander 'Ask for Angela' scheme whereby if someone is in a situation they are not comfortable with, for example, a date that is not going well, they can go to the cafe bar and ask if Angela is working. The cafe bar staff know this is a signal to step in as an active bystander and help the vulnerable party. An alternative expression may be someone asking for an 'Angel Shot.'

43. Search Policy

The College cafe bar reserves the right to conduct searches of bags by people entering the premises. These searches will NOT be carried out by members of Cafe Bar Staff but by the Duty Porter, University Security, or external SIA-licensed security staff. Refusal of consent to be searched will result in denied entry to the premises. Body searches may be carried out by the Police if necessary.

44. Security Strategy and Anti-Theft Policy

For certain events, based on risk assessments and Events Request forms, external security staff will be hired. All such security personnel must be SIA licensed.

COLLEGE BAR HANDBOOK 2020-21



45. Accidents and Injuries

In the event of accident or injury, contact the Duty Porter immediately. First Aid boxes are available behind the cafe bar. If possible, take the injured person(s) to the Porter. All porters are First Aid trained, and should be the primary first aid giver. Do not attempt to give advanced care unless you are properly trained. There is porter cover 24/7.

46. Fire

As a member of staff you should:

- Be aware of fire exits
- Be aware of evacuation assembly point and routes to it
- Be aware of the location of firefighting equipment (in cellar and cafe bar). **However, it is not your responsibility to fight fires.**
- Remain vigilant to fire risks when doing patrols of the cafe bar, e.g. lit cigarettes, lamps shining directly onto flammable fabrics.
- Sound an alarm and clearly inform people if you discover a fire

In the event of fire:

- Break-glass at the fire alarm point to sound the alarm and evacuate the premises.
- Call the fire brigade (9-999) and alert the Duty Porter.
- Do not attempt to fight the fire yourself unless it is safe and you are trained to do so. NEVER put yourself at risk.
- Try to identify the cause of the fire or fire alarm (if you were not the one to set the alarm) without putting yourself at risk.
- Do not allow anyone to re-enter the building until the all-clear is given.
- Record all details in the cafe bar handover book and inform the Duty Porter, who will complete the Incident Report Form.

47. Terrorism

If a suspicious item is identified, follow these key steps:

- Do not touch suspicious items.
- Move everyone away to a safe distance.
- Prevent others from approaching.
- Communicate safely to staff, students and the public.
- Do not hand-held radios or mobile phones away from the immediate vicinity of a suspect item, remaining out of line of sight and behind hard cover.
- Notify University Security and the police.
- Ensure that whoever found the item or witnessed the incident remains on hand to brief the police.

COLLEGE BAR HANDBOOK 2020-21



48. Diversity and Equality

Durham University recognises that providing equality of opportunity, valuing diversity and promoting a culture of inclusion are vital to our success.

We want our staff and students to reflect the diversity of the regional, national, and international communities that we serve and influence. We aim to be a place where people can be free to be themselves no matter what their identity or background.

By creating a working, learning and social environment in which individuals can utilise their skills and talents to the full without fear of prejudice or harassment, we aim to create a culture where everyone can reach their fullest potential.

49. Complaints

All Cafe Bar Staff and customers have the right to make complaints against the Cafe Bar, Cafe Bar Staff members or the Management. Procedures are as follows:

- Any complaint must be referred immediately to a Supervisor or the Management.
- The Supervisor/ Management will respond to the complaint immediately and attempt to resolve it informally if possible.
- If an informal resolution is not possible, then the complaint must be treated as a Formal Complaint.
- Complaints around cash short change should be investigated at the end of shift before handing over cash. Take contact details to allow appropriate time to conduct the necessary investigations.

Any complaints regarding public nuisance can also be directed to the nominated responsible person, whose details have been provided to neighbours in advance.

50. Reporting Defects

If defects are discovered on any equipment then use of the equipment should be ceased and the defect should be reported to FBSH as soon as possible who will arrange for it to be repaired.

51. Inclusivity

The college cafe bar is much more than a cafe bar, it's a safe and inclusive space, where students can relax, socialise, without the need to drink alcohol.

COLLEGE BAR HANDBOOK
2020-21



Policy on Student Alcohol Awareness and Use

1. Purpose

The purpose of this policy is to outline the University's position on alcohol consumption and related issues amongst the student body.

2. Policy Statement

The University recognises that moderate consumption of alcohol can be an enjoyable part of socialising and has no wish to discourage sensible and responsible drinking. However, the University is concerned to make all students aware of the harmful effects of alcohol, particularly as they relate to health, behaviour, safety, and academic performance, and to establish guidelines for its proper use. The University also considers it important to encourage a social life that respects those who choose not to drink alcohol. Overall the University aims to provide a supportive environment which encourages a culture of self-regulation and a respect and care for others.

3. Objectives

The University is committed to achieving the following objectives:

- 3.1 to promote a clear and consistent message which advocates responsible alcohol use at Durham University sanctioned events and activities, and more generally;
- 3.2 to improve awareness of the impact of alcohol and the health risks associated with consumption;
- 3.3 to promote personal responsibility for alcohol consumption and care and support in relation to that of others;
- 3.4 to provide a safe environment for all Durham University sanctioned events and activities that mitigates the risks and reduces the vulnerabilities related to the consumption of alcohol;
- 3.5 to provide an atmosphere free from pressure to drink for those who choose not to drink alcohol;
- 3.6 to offer a balanced social programme with choice and alternatives to drinking alcohol;
- 3.7 to offer appropriate help and support to those who experience problems related to their consumption of alcohol;
- 3.8 to provide appropriate support for those affected by the alcohol-related behaviour and problems of others;
- 3.9 to ensure that University strategies and procedures in this area are consistent with those of appropriate external agencies such as the Government, Students' Union, external support agencies and community stakeholders;
- 3.10 to have clear, appropriate and integrated procedures to deal with problems arising from alcohol use which are both supportive and disciplinary as appropriate;
- 3.11 to challenge behaviours in relation to alcohol consumption where these are identified as posing a risk, for example pre-loading;
- 3.12 to identify, monitor and reduce alcohol-related incidents in so far as they affect our student body.

4. Implementation

The implementation of this policy, through a supporting annual action plan, is overseen by the University Executive Committee Lead on Alcohol, the Pro-Vice-Chancellor and Deputy Warden. The objectives (*above*) will be implemented through:

- 4.1 the dissemination of the Policy on Student Alcohol Use and Awareness to all members of the University community;
- 4.2 clear statements on alcohol which can be used in all University publications, including materials for recruitment, induction and progressing students;
- 4.3 the organisation of educational information, campaigns and events to raise awareness of alcohol together with the behavioural and health risks associated with excessive consumption, and to promote individual and collective responsibility for

alcohol consumption; these should be delivered throughout the year and directed at all students through integrated delivery from appropriate sections of the University together with the Students' Union;

- 4.4 the promotion of Durham University sanctioned events which are inclusive; all events will provide cheaply priced or free non-alcoholic refreshments, or will not involve any alcohol;
- 4.5 University policy not to sanction any events or activities which encourage inappropriate and excessive consumption of alcohol such as drinking games, and a zero tolerance approach towards initiation ceremonies;
- 4.6 the consideration of the appropriateness and inclusiveness of sponsorship from outlets that retail alcohol;
- 4.7 the provision of appropriate and accessible advice and signposting for all students who experience problems related to their own alcohol consumption or that of others; through the College Student Support Offices, the Counselling Service, or the Students' Union Advice and Help Service, and to appropriate specialist external agencies, for example;
- 4.8 the provision of regular training for staff and students to improve awareness and develop skills to address alcohol-related problems;
- 4.9 regular liaison and meetings with appropriate external agencies and community stakeholders (e.g. Health Services, Local Authority, Police, specialist agencies, Residents' Associations);
- 4.10 where appropriate, the effective use of the disciplinary procedures in response to allegations of alcohol-related misconduct;
- 4.11 the assessment of risks associated with alcohol consumption at all Durham University sanctioned events and activities for students, and the implementation of appropriate mitigation to address the vulnerabilities created by drinking alcohol;
- 4.12 the consumption of alcohol during normal working hours only occurring on special occasions, such as presentations, or seasonal gatherings, and with the prior permission of the appropriate Head of College, Department or Section; on such occasions the provision of alcohol should be moderate and suitable non-alcoholic alternatives made available;
- 4.13 the monitoring of alcohol-related incidents at all Durham University sanctioned events;
- 4.14 the regular review of the policy, associated procedures and annual action plan, including input from student representatives.

5. Oversight

The University Executive Committee Lead on Alcohol, the Pro-Vice-Chancellor and Deputy Warden, has oversight of and responsibility for the Policy on Alcohol Awareness and Use and associated annual action plan.

6. Support

The University is a caring community committed to promoting the wellbeing of its members and supporting those who wish to address problems.

We provide appropriate help and advice for students who wish to address issues arising from their own alcohol use, and also provide appropriate help and advice for those adversely affected by the alcohol-related behaviour and problems of others.

Excessive drinking can be the first outward sign that an individual needs help. Students can seek advice from their College Student Support Office, from the Counselling Service or from the Students' Union Advice and Help Service, and will be signposted and assisted to access appropriate external specialist agencies.

As well as offering appointments, the Counselling Service also provides electronic sources of support available through the service website: https://www.dur.ac.uk/counselling_service/.

7. Education

The University, through all appropriate sections and together with the Students' Union,

provides regular education and publicity to raise awareness of the health and other risks associated with the misuse of alcohol and to promote responsible alcohol consumption to all members.

8. Ticketed Events and Activities

Tickets sold for all Durham University sanctioned student events and activities, whether taking place within or outside the University, will always provide a ticket option which does not include any alcohol at all, and if alcohol is included in a ticket price then the amount shall not exceed three units.

9. College Bars

College bars are not merely outlets for alcohol. They provide inclusive social space for college communities and are the focus of a wide range of events and activities that may or may not include alcohol. College bars are safe and supportive environments.

All college bars conform to standard operating procedures.

Colleges have Designated Premises Supervisors and permanent managers are responsible for the operation of the bars. Permanent managers and key student members complete the BIIAB Level 2 Award for Personal Licence Holders along with other relevant training.

A minimum pricing policy is in operation and is reviewed annually. No promotions which encourage the purchase of alcohol through giveaways or reduced prices are permitted.

All college bars are accredited by the Best Bar None Scheme which includes annual inspections. The bars of Durham City colleges are also members of the Durham City Pub watch.

10. Community Liaison

The University is committed to working in partnership with community stakeholders (Emergency Services, Local Authority, Residents' Associations etc.) and regularly liaises to share views on best practice regarding the problems associated with alcohol consumption and to take action where this is identified as being necessary.

11. University Regulations

The University recognises that, regrettably, excessive consumption of alcohol is a common factor when dealing with student misconduct. Consequently the University regulations

https://www.dur.ac.uk/university.calendar/volumei/general_regulations/discipline/

apply in respect of any alleged misconduct, including misconduct which is a consequence of alcohol use. Being under the influence of alcohol is not an excuse for misconduct, offensive, abusive or illegal behaviour, and may be regarded as an aggravating feature. The application of disciplinary procedures always includes the provision of appropriate support.

12. University staff

It is the responsibility of all University staff to promote safe, sensible and responsible alcohol use and to signpost and assist those students who wish to access support for problems arising from alcohol use. The University will provide appropriate training and sources of advice.

13. Monitoring and review

This policy and the achievement of its objectives through the annual action plan will be reviewed annually by the University Executive Committee Lead on Alcohol, the Pro-Vice-Chancellor and Deputy Warden. This review will include receipt of data collected to monitor incidents related to the consumption of alcohol and the use of support services provided to address alcohol-related issues.

COLLEGE BARS POLICY

1. Policy Purpose and Statement

1.1 Purpose

The purpose of this policy is to outline the University's position on the purpose, governance and operation of college bars.

1.2 Statement

College bars play an integral part in creating communities and contribute to an inclusive social life that respects and embraces diversity. College bars are a safe environment for all members of the college community to enjoy a broad range of events, both academic-related and social. College bars also promote the development of students by providing opportunities to develop skills and to engage with stakeholders from the college community, the wider University and outside of the University.

The University recognises that consumption of alcohol can be an enjoyable part of participation in the social life of college communities. The University also recognises that college bars are one of the safest places in Durham for students to drink and socialise in, and as such is committed to encouraging student use of college bars. Importantly, college bars promote the sense of belonging and responsibility that is an intrinsic part of being a member of a college community, differentiating them from commercial bars in the wider Durham area.

The University recognises that the college bars must work with the Licensing Authority and within the licensing conditions to meet the policy objectives and fulfil the policy statement.

2. Scope

This policy is applicable to all members and guests using or benefitting from a college bar and applies to all maintained college bars (Collingwood College, Grey College, Hatfield College, John Snow College, Josephine Butler College, South College, St Mary's College, Stephenson College, St Aidan's College, St Cuthbert's Society, College of St Hild & St Bede, Trevelyan College, University College, Ustinov College and Van Mildert College.)

3. Responsibilities

3.1 Policy Owner

The policy owner is the Senior Community Operations Manager (Food & Beverage,) who is responsible for policy review and update as directed by the Colleges & Student Experience Bar Committee.

3.2 Implementation

Implementation of the policy within each college is the responsibility of the local College Bar & Retail Committee, chaired by the Head of College (or deputy). Implementation is overseen by the Colleges & Student Experience Bar Committee.

3.3 Student Development

Provision of student development direction and procedures is the responsibility of the local College Officer Team, with support from the University's Student Development Programme, the Communities & Development Committee and the Operations Directorate, ensuring alignment with the Durham Inspired Awards.

Implementation of student development is the responsibility of the local Bar & Retail Committee and is overseen by the Colleges & Student Experience Bars Committee.

3.4 Operational

Provision of bar-specific operational policies and procedures is the responsibility of the Operations Directorate, overseen by the Colleges & Student Experience Bar Committee. This includes the Bar Handbook and clarification of operational induction and training requirements.

Operational implementation is the responsibility of the local Bar & Retail Committee, primarily through the local Food & Beverage Service Head, the appropriate Student Officer and local Community Operations Manager.

3.5 Oversight

Policy oversight will be provided by the Pro-Vice-Chancellor (Colleges and Student Experience.)

4. Policy, Procedures and Enforcement

4.1 Aims

The University is committed to all college bars working towards the following aims:

- 4.1.1 To offer an environment for a varied and balanced programme of college events which serve the whole college community, enabling the development of skills that support core academic activities and employment prospects and contributing to the collegiate developmental outcomes, those being personal effectiveness, intellectual curiosity and a sense of belonging and responsibility
- 4.1.2 To encourage the use and enjoyment of the bar by all members of the college community, contributing towards the wider student experience through interaction between all sections of the community – college residents, livers out, members of all Common Rooms, alumni and staff
- 4.1.3 To provide a safe inclusive environment for all members of the college community, free from discrimination, harassment and bullying by promoting equal opportunities and respect
- 4.1.4 To promote a clear and consistent message which discourages irresponsible alcohol use in college bars, at college events and within the wider college community and to promote an atmosphere free from “the pressure to drink” for those who choose not to drink alcohol
- 4.1.5 To foster the development of longer term lifestyle choices that support health and wellbeing
- 4.1.6 To support the University's development agenda by providing development and employment opportunities for students within the college community
- 4.1.7 To be an asset to the college community, where possible, generating an operating surplus which is returned to benefit the whole college community
- 4.1.8 To meet the needs and demands of their individual college communities, within the parameters of their licence
- 4.1.9 To enable the whole college community to contribute to the development of the bar and its related activities as well as benefiting from it

4.2 Implementation

Licensing

- 4.2.1 Colleges will demonstrate a clear commitment to the Licensing Act 2003 objectives: Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm
- 4.2.2 Colleges will hold the appropriate form, or forms, of licence
- 4.2.3 Where colleges operate under a Premises Licence, they will nominate an individual who holds a valid personal licence and is named on the premises licence which authorises the sale by retail of alcohol
- 4.2.4 Where colleges operate under a Club Premises Certificate, they will nominate an individual who holds a valid personal licence to act as Club Secretary, to act in the capacity of the 'responsible person' and maintain a local Bar & Retail Committee, containing members from all of the constituent bodies, which meets no less than 3 times an academic year
- 4.2.5 To contextualise Durham University college bars with a 'Club Premises Certificate': the College is treated as the 'Club' and the College premises is treated as the 'Premises.' The Club Premises Certificate allows the provision of alcohol (along with other licensable activities) to members (members of the college), associate members (other members of University staff and alumni), temporary members (guests or visitors who have booked accommodation or events on the premises at least 2 days in advance) and guests (individuals signed in by members who must assume responsibility for the conduct of their guest when on the premises.)
- 4.2.6 There are some small variances from the above, for example Ustinov College bar holds a "Club Premises Certificate"; the College is treated as the "Club" and the College premises are treated as the "Premises". The Club Premises Certificate authorises the carrying out of the following qualifying club activities; Plays, Films, Live Music, Recorded Music, Performance of Dance, Other Entertainment Similar to Live or Rec Music or dance Performance and Supply of Alcohol provided to members (students and staff of the College) and guests (limited to two per member and signed in by the member who must assume responsibility for the conduct of their guest when on the premises)

Finance

- 4.2.7 Financial arrangements should be in line with all legal and University policies / procedures.
- 4.2.8 Given the specific nature of the Club Premises Certificate licensing condition, all operating surplus generated should be transferred for the collective benefit for all members of the club (the licence recognises individual colleges as 'the club')

Human Resources

- 4.2.9 All human resources arrangements should follow the appropriate University policies and procedures

Training

- 4.2.10 Comprehensive training should be provided for all bar workers including regular refresher training. Key members and permanent managers should complete the BIIAB Level 2 Award for Personal Licence Holders

Responsible Retailing Practice

- 4.2.11 There should be a clear set of regulations to encompass responsible retailing at all times, including guidance on maximum alcohol provision for college events and the sanctions for breaches of these regulations. It should be clear that no organised activities should take place which encourage drinking at an increased or exaggerated rate

- 4.2.12 As part of this, a University wide minimum alcohol pricing policy should be maintained
- 4.2.13 It is expected that college bars should play an active part in the promotion of alcohol awareness within the college and contribute budget specifically for this purpose
- 4.2.14 The standard operating times for college bars, regardless of the licence operating schedule, should operate no later than 11.00pm from Sunday to Thursday and no later than midnight on Fridays and Saturdays, unless authorised by the Head of College and notification to the local College Bar and Retail Committee

Community Best Practice

- 4.2.15 Formal representation on the Durham City Pub-Watch Scheme should be maintained, including as a minimum attendance of the Senior Operations Manager (Food & Beverage) and nominated student representative (or deputised for each role if required)

4.3 Enforcement

Violation of this policy may result in disciplinary procedures in line with the University's Disciplinary Regulations, Non-academic Misconduct Disciplinary Procedure and/or General Regulations for Discipline

5. Equality and Diversity

An Equality Impact Assessment (EIA) will be completed to ensure that proposals, policies, practices and decision-making processes are fair, promote equality and inclusion by meeting the needs of our staff and students, and do not inadvertently discriminate against any group protected by the 2010 Equality Act.

6. Review

This policy will be reviewed annually by the Colleges & Student Experience Bar Committee.

7. Related Information

- 7.1 College bars governance and responsibilities summary document
- 7.2 Terms of reference and agenda for Colleges & Student Experience Bar Committee
- 7.3 Terms of reference and agenda for local College Bar & Retail Operations Committee
- 7.4 College bar handbook (modified to reflect local individualities)
- 7.5 Bar training and induction pack (induction, training records etc.)
- 7.6 Bar Health & Safety system (policy, responsibilities, procedures, risk assessments, safe systems of work, CoSHH, communication flowchart)
- 7.7 Bar staff contractual arrangements, recruitment, contract type (tbc).
- 7.8 University nominated suppliers document (tbc)
- 7.9 Licensing Act 2003
- 7.10 University policy on alcohol and drugs
- 7.11 Student alcohol awareness and use policy
- 7.12 Sexual misconduct and violence policy
- 7.13 Procedure for managing disclosures or reports involving allegations of staff sexual violence and misconduct
- 7.14 University cash management standard operating procedures
- 7.15 Respect at work and study policy
- 7.16 Disciplinary regulations
- 7.17 Non-academic misconduct disciplinary procedure
- 7.18 General regulations for discipline

8. Version Control

Approval date: Oct 2019

Approved by: PVC Colleges & Student Experience

Contact for further information: (Ricky Cohen, Senior Operations Manager (Food & Beverage))

Bar Staff - Induction Training Card



Name	College	Date	Team member signature
Position	Start date		
Pre - First Shift	Induction		
	Purpose of the College Bar (Induction Briefing)		
	Licensing Objectives, Conditions and Enforcement (Induction Briefing)		
	Responsible Retailing (Induction Briefing)		
	Operational Principles (Induction Briefing)		
	Health & Safety (Induction Briefing)		
	Human Resources - Dealing with Complaints, Responsibility and Structures (Induction Briefing)		
	Student Development (Induction Briefing)		
	Bar Handbook (Including Policies and Procedures Document)		
	College Bar & Retail H&S and Food Safety Manual		
Immediate Operational Training	Immediate Learning		
	Sickness and Absence Reporting Procedures (Statement Clarifying Expectations)		
	Personal Hygiene (Statement Clarifying Expectations)		
	Bite Sized Safety (Safe Systems of Work for all Equipment, Processes and Chemicals)		N/A Sign each document
	College Bar & Retail Food Safety (Manual)		
	Cash Handling (Cash Control Principles Document)		
	PDQ / Card Training (Operational)		
	Cashing Up for Supervisors (Operational)		
	Basic Cellar -Changing Kegs, Gas and Postmix (Operational Briefing)		
	Immediate	Health & Safety Induction	
Manual Handling			N/A Sign each document
Fire Safety			N/A Sign each document

SEXUAL MISCONDUCT AND VIOLENCE POLICY

1. Policy Statement

- 1.1 Durham University recognises that incidents of Sexual Misconduct and Violence occur within the University community, and acknowledges that there has been a noticeable increase in the number of incidents disclosed by the student community, a trend that is encouraged and reflected across the Higher Education sector and beyond. Sexual Misconduct and Violence refers to a broad spectrum of behaviours that cannot be divorced from other types of gender-based violence including, but not limited to, intimate partner violence or domestic abuse, coercive and/or controlling behaviour, and stalking. The University acknowledges that Sexual Misconduct and Violence can be experienced by any individual, regardless of their identity. The University is committed to promoting a culture in which any incidents of Sexual Misconduct and Violence will not be tolerated, and will be thoroughly addressed to ensure the preservation of a safe work and study environment.

2. Principles

- 2.1 Durham University holds the following set of Principles to reflect the University's commitment to establishing a culture of support and respect. All members of Durham University have a responsibility for upholding the Principles that are as follows:
- 2.1.1 We will treat all members of our community with dignity and respect at all times, and it is expected that all members of our community will share in this responsibility for creating and sustaining an environment which upholds the dignity of all.
 - 2.1.2 We recognise the significant impact of all experiences of Sexual Misconduct and Violence, and acknowledge the potential detriment to studies and employment, regardless of when the experience occurred.
 - 2.1.3 We strive to maintain equality and diversity within our community, and will work to sustain an equal and safe environment in which a culture of prevention will be promoted through appropriate and consistently applied education and training.
 - 2.1.4 We will actively respond to all Reports of Sexual Misconduct and Violence and, whilst recognising that some experiences may constitute a criminal offence, we will ensure that, in all cases, Reports are carefully and thoughtfully addressed by relevant staff members through a process that is transparent and clearly communicated to the individuals involved. We will respect the right of the individual disclosing an experience to choose how to take forward a Disclosure.
 - 2.1.5 All Reports considered under the accompanying procedures will be assessed on the balance of probabilities in line with General Regulation IV: Discipline, the Non-Academic Misconduct Procedure and sector guidance.
 - 2.1.6 All University staff will have been informed of the Policy and will be trained as appropriate to their roles. All staff involved in the process will act with impartiality and discretion at all times.
 - 2.1.7 We believe that no person should suffer the effects of Sexual Misconduct and Violence alone, and will ensure that there is dedicated specialist support, including free and accessible counselling for all individuals involved.
 - 2.1.8 We will work with local partners and key groups to forge positive relationships to support all our work in this area, from prevention to enquiry and post-incident care.
 - 2.1.9 We are mindful of our civic responsibilities to the wider community.

2.1.10 In addressing experiences and working with both internal and external experts, we will seek to learn from experience, enabling the University to both shape and respond to national and international policy and practice, and to provide regular assurance to Council, Senate, the University Executive Committee and the wider University community, that specific incidents and broader cultural issues are appropriately captured and addressed.

3. Scope of the Policy

- 3.1 This Policy relates to all incidents of Sexual Misconduct and Violence, as well as domestic abuse and coercive or controlling behaviour, complicity, retaliation, vexatious reporting, and malicious reporting as defined in Section 4.
- 3.2 Under this Policy all students and staff members who have experienced Sexual Misconduct and Violence will have equality of access to both internal and external specialist support (e.g. Sexual Assault Referral Centre and Rape Crisis), regardless of when the experiences occurred.
- 3.3 The accompanying procedures to this Policy relate specifically to those experiences which have occurred during the course of study or work at the University, in which the Responding Party is a current student or member of staff of the University. Disclosures and Reports made under this Policy are not limited to University premises or the immediate geography of the University.
- 3.4 Sexual Misconduct and Violence includes a broad spectrum of behaviour. Examples of the types of behaviour that will constitute a violation of this Policy are set out below. Reports of such behaviour will be considered by the University under its internal disciplinary regulations. When the Responding Party is a student the Sexual Misconduct and Violence Policy: Procedure for Students and General Regulation IV: Discipline - Non-Academic Misconduct Procedure will apply. When the Responding Party is a member of staff the Procedure for managing disclosures or reports involving allegations of staff sexual violence and misconduct and the University's Disciplinary Regulations for staff will apply.
- 3.5 Some incidents of Sexual Misconduct and Violence may also constitute a criminal offence under English law. Such incidents may be addressed through criminal proceedings, internal disciplinary proceedings, or, in some cases, both criminal and internal proceedings.
- 3.6 A list of definitions is provided below to clarify the exact scope of the Policy.

4. Definitions

- 4.1 The definitions below have been separated into explanations of the types of behaviour captured under this Policy which amount to Policy breaches and clarification of the terminology used within the Policy.

Types of Behaviour

- 4.2 **Sexual Misconduct and Violence** is defined as any unwanted conduct of a sexual nature which occurred in person or by letter, telephone, text, email or other electronic and/or social media and includes, but is not limited to, the following behaviour:
- 4.2.1 Engaging, or attempting to engage in a sexual act with another individual without consent;
- 4.2.2 Sexually touching another person without their consent;
- 4.2.3 Conduct of a sexual nature which creates (or could create) an intimidating, hostile, degrading, humiliating, or offensive environment for others including making unwanted remarks of a sexual nature;
- 4.2.4 Inappropriately showing sexual organs to another person;
- 4.2.5 Repeatedly following another person without good reason;
- 4.2.6 Recording and/or sharing intimate images or recordings of another person without their consent; and

- 4.2.7 Arranging or participating in events which may reasonably be assumed to cause degradation and humiliation to those who have experienced sexual violence, for example inappropriately themed social events or initiations.
- 4.3 **Domestic abuse and coercive or controlling behaviour** is defined as any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those who are, or have been, intimate partners or family members regardless of gender or sexuality. This can include, but is not limited to, psychological, physical, sexual, financial and/or emotional abuse.
- 4.4 **Complicity** is any act that knowingly helps, promotes, or encourages any form of Sexual Misconduct and Violence by another individual.
- 4.5 **Retaliation** may constitute any words or actions, including intimidation, threats, or coercion, made in response to disclosures or reports made under the Sexual Misconduct and Violence Policy, by any individual including both the Responding Party and the Reporting Party, as well as witnesses, friends, or relatives.
- 4.6 The University recognises that there are potentially additional types of behaviour that will constitute a breach of this Policy and which will therefore need to be considered under the relevant internal disciplinary regulations, although the frequency and likelihood of such breaches are likely to be low:
- 4.6.1 **Vexatious reporting** involves the creation of persistent, unwarranted reports made under the Sexual Misconduct and Violence Policy, or a refusal to accept any reasonable decisions arising from the application of the accompanying procedures to this Policy.
- 4.6.2 **Malicious reporting** occurs when an individual shares allegations of Sexual Misconduct and Violence that the individual knows to lack a basis in fact.

Terminology

- 4.7 **Disclosure** involves an individual choosing to tell anyone who is part of the University community about their experience of Sexual Misconduct and Violence (different from Report).
- 4.8 **Report** is the sharing of information with a staff member of the University regarding an incident of Sexual Misconduct and Violence experienced by that individual for the purposes of initiating the investigation process by the University, as set out in this Policy and the accompanying procedures (different from Disclosure).
- 4.9 **Reporting Party** is the person(s) who has been the subject of the alleged incident of Sexual Misconduct and Violence or other policy breach.
- 4.10 **Responding Party** is the person(s) whose behaviour it is alleged amounted to an incident of Sexual Misconduct and Violence or other policy breach.
- 4.11 **Consent** is the agreement by choice where the individual has both the **freedom** and **capacity** to make that choice. Consent cannot be assumed on the basis of a previous sexual experience or previously given consent, or from the absence of complaint, and each new sexual act requires a re-confirmation of consent as the foundation of a healthy and respectful sexual relationship. Consent may be withdrawn at any time before or during a sexual act.
- 4.11.1 **Freedom to consent:** For consent to be present, the individual has to freely engage in a sexual act. Consent cannot be inferred from a lack of verbal or physical resistance. Consent is not present when submission by an unwilling participant results from coercion, force, threat, intimidation or the exploitation of power.
- 4.11.2 **Coercion or Force** includes any physical or emotional harm or threat of physical or emotional harm which would reasonably place an individual in fear of immediate or future harm, with the result that the individual is compelled to engage in a sexual act.
- 4.11.3 **Capacity to consent:** Free consent cannot be given if the individual does not have the capacity to give consent. An individual is incapacitated when asleep, unconscious, semi-conscious, or in a state of intermittent consciousness, or any other state of unawareness

that a sexual act may be occurring. Incapacitation may occur on account of a mental or developmental disability, or as the result of alcohol or drug use.

4.11.4 **Alcohol and/or Drug Use:** Incapacitation arising from alcohol or drug consumption should be evaluated on the basis of how the alcohol/drugs have affected the individual; signs of incapacitation may include, but are not limited to, one or more of the following: slurred speech, unsteady gait, bloodshot eyes, dilated pupils, unusual behaviour, blacking out, a lack of full control over physical movements, a lack of awareness of circumstances or surroundings, and/or an inability to communicate effectively. Intoxication is never a defence for committing an act of Sexual Misconduct and Violence, or for failing to obtain consent. If there is any doubt as to the level or extent of one's own or the other individual's incapacitation, the safest approach is not to engage in a sexual act.

4.12 **Confidentiality** will be maintained, where possible, throughout the Disclosure, Reporting and investigative processes in recognition of the sensitive nature of Sexual Misconduct and Violence matters. As such, information will usually only be shared with relevant individuals/entities (who may be internal or external to the University, e.g. internal counsellors, witnesses, external experts from specialist agencies like Rape Crisis, Sexual Assault Referral Centres or the Police) with the agreement of the Reporting Party. The University reserves the right, and may be under an obligation, to share information in exceptional circumstances where such disclosure is necessary to protect any individual or the wider University community from harm or to prevent a crime from taking place. All individuals involved in any process under this Policy must keep information that is disclosed to them as part of the process confidential. Any unauthorised disclosure of confidential information will be considered a Policy violation and will be addressed accordingly. Throughout all proceedings, the University will act in compliance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

5. Equality and Diversity

5.1 Sexual Misconduct and Violence can be experienced by any individual, regardless of sex, gender, sexual orientation, relationship status, age, disability, faith, ethnicity, nationality and economic status. Women, members of the LGBT+ community, and individuals with disabilities are disproportionately affected by experiences of sexual violence. Experiences of sexual misconduct and violence may intersect with other forms of harassment and discrimination. The University has a Respect at Study Policy and Respect at Work Policy which addresses other forms of harassment, bullying and discrimination.

6. Responsibilities

6.1 The Pro-Vice-Chancellor (Colleges and Student Experience) is the Lead Sexual Misconduct and Violence Officer (LSMVO) and is responsible for the application of the procedures associated with this Policy. The Director of Student Support and Wellbeing is the Deputy Lead Sexual Misconduct and Violence Officer (DLSMVO). The day-to-day management of the *Sexual Misconduct and Violence Policy Procedure for Students* will be overseen by the Student Conduct Office. The key staff contacts are the Sexual Misconduct Prevention and Response Manager and the Head of Student Conduct Office. The Director of HR has key responsibilities for the application of the *Procedure for managing disclosures or reports involving allegations of staff sexual violence and misconduct*.

7. Related Information

7.1 This Policy should be read in conjunction with the following Regulations, Policies and Procedures:

7.1.1 Sexual Violence and Misconduct Policy: Procedure for Students (see below)

7.1.2 Procedure for managing disclosures or reports involving allegations of staff sexual violence and misconduct¹

¹ <https://www.dur.ac.uk/hr/policies/svmprocedure/>

- 7.1.3 General Regulation IV – Discipline²
- 7.1.4 Non-Academic Misconduct Procedure
- 7.1.5 General Regulation VI – Suspension³
- 7.1.6 Respect at Study Policy and Code of Practice and Procedures for Students to make a Complaint about Harassment⁴
- 7.1.7 Respect at Work: Harassment and Bullying Policy and Procedures for Staff⁵
- 7.1.8 Student Behaviour in Appeals and Complaints: A Code of Practice⁶
- 7.1.9 Durham University Safeguarding Children Policy⁷
- 7.1.10 Safeguarding 'at risk' adults policy⁸

7.2 Further information can be found at <https://www.dur.ac.uk/sexualviolence/>.

8. Version Control:

Approval date: 02/04/2019

Approved by: Alex Hopkins

Contact for further information: Student Conduct Office student.cases@durham.ac.uk

² https://www.dur.ac.uk/university.calendar/volumei/general_regulations/

³ https://www.dur.ac.uk/university.calendar/volumei/general_regulations/

⁴ https://www.dur.ac.uk/university.calendar/volumei/codes_of_practice/

⁵ <https://www.dur.ac.uk/hr/policies/respectatwork/>

⁶ https://www.dur.ac.uk/university.calendar/volumei/codes_of_practice/

⁷ <https://www.dur.ac.uk/safeguarding/policy/>

⁸ <https://www.dur.ac.uk/safeguarding/adults/>

Appendix 4: Applicant's amendments and additional information

Durham University John Snow College.

Statement in Support of the Revised Club Premises Certificate Application – March 2020

Following consideration of all feedback, including from the City of Durham Parish Council and local residents, Durham University has amended the Club Premises Certificate application to broadly align with Durham County Council's framework of recommended termination of hours for the retail sale of alcohol.

John Snow College is fully committed to building a good and beneficial relationship with our neighbours and hope that the Committee and residents view the reduced requirements as satisfactory. We would like to thank Durham Constabulary for reviewing the application in detail and the City of Durham Parish Council for considering the amended application and subsequently withdrawing its objections.

Application:

- A) Licensable activities* 10am - midnight Sun – Thurs (indoors only), and 10am – 1am Fri & Sat (indoors only)
- B) Plus licensable activities* 3 times per year 10am – 2am (indoors only and notified 28 days in advance to licensing authorities and local residents)
- C) Plus 3 college events (predictable and notified 28 days in advance to licensing authorities and local residents) with:
 - a. Licensable activities* 10am – 2am (indoors)
 - b. Licensable activities* 10am – 11pm (outdoors / marquee)
 - c. Some licensable activities** 11pm – midnight (marquee only) to provide 'silent disco'.

*Licensable activities - The supply of alcohol (on & off supplies), provision of indoor sporting events, provision of plays, provision of films, provision of live music, provision of recorded music, provision of performances of dance and anything of a similar description to live music, recorded music or performance of dance.

**Some licensable activities – Provision of recorded music (using headphones e.g. a silent disco.)

Additional information provided in support of the application:

College café bars play an integral part in creating communities and contribute to an inclusive social life that respects and embraces diversity. College café bars are a safe environment for all members of the college community to enjoy a broad range of events, both academic-related and social. College café bars also promote the development of students by providing opportunities to develop skills and to engage with stakeholders from the college community, the wider University and outside of the University.

The University recognises that consumption of alcohol can be an enjoyable part of participation in the social life of college communities. The University also has a duty of care to its students and recognises that college café bars are one of the safest places in Durham for students to drink and socialise in, and as such is committed to encouraging student use of college café bars. Importantly, college café bars promote the sense of belonging and responsibility that is an intrinsic part of being a

member of a college community, differentiating them from commercial bars in the wider Durham area. College café bars also help keep students on campus, reducing noise associated with transient students traveling between College and into Durham City to socialise and help prevent groups socialising and drinking alcohol within bedrooms.

Alongside College café bars, college days are central to College identity and essential to give students the full 'Durham experience'. These are limited to a few predictable annual events, usually within June or July. On such days strict controls are in place to promote compliance with the licence, licensing objectives and the University's College Bar Policy. For example a responsible person is identified, control measures are implemented to limit supplied alcohol, all outside activities including amplified sound will terminate at 10pm, events in marquees will operate responsibly (for example by use of a silent disco) until midnight and the café bar area remains open until 2am. And for such events licensing authorities and local residents (by letter drop) will be given 28 days' notice of the event, including date and times.

Whilst the University contributes hugely to the Durham economy, all individual Colleges need to be financially viable, which includes the need to attract students within the context of competition from other undergraduate Colleges, which requires parity of facilities, parity of the 'Durham experience' and parity of club premises certificate conditions.

Café Bar & Common Rooms:

The café bar and common room are located and positioned to minimise nuisance to our neighbours. Also likely travel paths to Durham city avoid neighbouring residential areas.

The College café bar and common room are of limited capacity. The café bar capacity is 75 and the common room capacity of 75. These are linked by an air wall which can be removed on occasions to create a combined maximum capacity of 150.

The café bar includes provision of hot and cold food and hot and non-alcoholic beverages. The design is without a traditional keg cellar and can accommodate a maximum of two alcoholic draft products (fed by small kegs under the counter.)

The café bar and common room will comply with the University's College Bar Policy which stipulates latest closing times of 11pm Sunday to Thursday and Midnight on Friday and Saturday unless there is specific authorisation from the College Principal. However in practice this would only be authorised on a regular basis, if and after genuine consideration by the College Principal, it was deemed that there would be genuine community benefits to disburse students from leaving the premises on mass.

The Building Construction:

Following an acoustic design strategy and report conducted and provided by Apex Acoustics, construction will exceed regulatory minimum acoustic requirements and will achieve the highest requirements required to obtain 3 credits under BREEAM (Building Research Establishment Environmental Assessment Method) which recognise performance levels.

The café bar and common room spaces have a minimum airborne wall sound insulation of 55dB Rw and floor performance of 45/50-60/65 dB absorption. They also have adequate air handling systems to negate the requirement to open external windows.

College Bar & Retail Committee:

In line with the requirements of the Club Premises Certificate, a committee will be established and will provide a forum where representatives including College Officer Team (Head of College), Community Operations Manager, Food & Beverage Service Head, Student Bar Officer and representatives from Common Rooms bring together their knowledge, skills and experience in pursuit of promoting compliance with the licence, licensing objectives and the University's College Bar Policy.

The College Bar Committee would review detail of any non-compliance and escalate where appropriate to the relevant performance management framework.

Prevention of Public Nuisance

Noise:

The café bar team will be trained and records retained on the prevention of public nuisance and the importance of being courteous to our neighbours in the context to where the College café bar is operating. The updated Handbook details the following processes and procedures relating to a noise management plan;

- Periodic completion of the Licensing Act 2003 Self-Assessment Form - Risk of Causing Nuisance. This will be completed initially at various times of the day and for each license activity type that may present a risk of causing noise nuisance.
- All staff will be trained (as detailed on Bar Induction Facilitators Guide which links to the Bar Handbook) around how to reduce noise.
- Amplified music within the café bar will only be permitted during the licensing hours.
- Amplified music or sound will not be permitted outdoors after 10:00pm.
- Local residents, licensing authorities and University Security will be informed of any special events (such as college days).
- Windows and doors will be kept closed after 10pm.
- All external exits, toilets and designated smoking areas will display signage requesting that patrons are courteous to our neighbours by keeping noise to a minimum and avoiding loitering outside after 10pm, any smoking areas will be overseen by bar teams, by periodic inspection.
- A contact number will be provided to local residents for immediate resolution of problems, including noise.
- Glass bins will not be emptied before 8am and after 9pm.
- Deliveries will be planned to avoid delivery prior to 8am.
- For events ending after midnight, management and/or Duty Porter will supervise departure of guests to ensure that they leave in a staggered fashion and are advised to leave quietly.
- There will be a 24/7 Porter on duty who will assist with controlling and addressing any large crowds or excessive noise.
- A meeting will be organised if required to troubleshoot any issues, including noise.

Refusing Service:

The cafe bar team will be trained on refusing service and it will be clarified that it is an offence to serve any person who appears to be drunk or anybody underage. The team will also be trained to consider the amount of alcohol served during 'last orders' and only serve what is safe and reasonable to consume within the remaining time.

Student Induction:

Durham University and its collegiate system is recognised for providing a comprehensive student induction. College students are comprehensively inducted during Induction week, with support from Durham Constabulary and the University's Community Liaison Officer and detail includes building a positive and respectful relationships with our neighbours, alongside clarifying and promoting responsibilities in relation to public nuisance and noise, including the Shh... 11pm – 7am campaign.

Prevention of Crime & Disorder:

The University is not aware of any evidence to suggest that College café bars create or exacerbate crime and disorder, however the University recognises that College cafe bars must work with the Licensing Authority and within the licensing conditions.

Robust policy and procedures are in place, (including the University Bar Policy, Bar Handbook and a College Bar & Retail Committee) to promote compliance with the licence, licensing objectives and the University's College Bar Policy.

The café bar team will be trained on Handbook specifics, including; access to the café bar, age, capacity, drunkenness, disorderly conduct, CCTV, penalties, drugs, promotions, crime, ban of drinking games, minimum pricing, maximum alcohol content, drink driving, spiking, conflict management and active bystander training.

Members and Guests:

Only members, associate members, temporary members or bona-fide guests will be permitted to enter the cafe bar. College members will be required to carry their campus card with them and produce it upon request for identification purposes. All non-college members or guests to the café bar will be required to be signed in to the café bar. If a staff member suspects that there is a non-member in the café bar, they will be trained to ask for ID and inform the visitor of this policy. If the person is not a College member, a bona-fide guest of a College member, or a member of the University, the person will be asked to leave the premises.

There may be community events for local residents, if these include alcohol or regulated entertainment local residents will need to be treated as 'guests'.

Authorised staff, employed by Durham Police, will be given free access to all parts of the premises, at all reasonable times, for the genuine purpose of inspection to ensure compliance with the terms and conditions of the club premises certificate and to ensure the promotion of the licensing objectives.

CCTV:

CCTV within the café bar and common room have been designed so that it covers the inside and outside of the main entrance and exit to the premises and all areas inside the premises where the sale and supply of alcohol occurs. The CCTV incorporates a battery backup system to enable 24 hour continuous recording in case of any power blackout/failure.

The College Porter will be trained and capable and competent at viewing and downloading CCTV footage and this will be made available to the appropriate authorities in a reasonable timeframe to be determined by the authorities and the College café bar management.

Other

Transport:

Given that the café bar and common room will primarily and predominantly be used by students from the college, it is not anticipated that the café bar or common room will contribute to any localised parking concerns. However to limit impact to local residents, work will be completed to identify a designated taxi pick up / drop off location and taxi firms will be requested by use of regular communication to consider public nuisance and avoid the use of horns etc. The University has invested heavily in a pedestrian highway (between the Botanic garden and The New Inn) and students will be encouraged to use this along with public transport.