
Appendix 5: Representations

From: A Foster
Sent: 04 February 2020 19:21
To: AHS Licensing
Subject: Licensing Objection - South College Pitcairn Building and John Snow College

Dear Sirs,

I refer to the above applications each for a Club Premises Certificate (the **Application**) made in accordance with the Licensing Act 2003 (the **Act**)

This objection is made by A Foster and E Foster of Sunningdale, Durham, DH1 3WB on the following grounds:

1. There are licensed bars in a number of other colleges in the area and in the main University campus. To allow two further licenses in accordance with the Application would be an over provision of licensed premises;
2. The Application requests opening until 2am. We consider that this is too late for the proximity of the proposed licensed premises in relation to quiet residential areas where there are a number of families with young children including ourselves;
3. We (including our children) have previously been disturbed by loud late outdoor events (**Events**) at neighbouring colleges. We strongly object to a licence permitting three Events in June and July on an annual basis. Such Events should NOT under any circumstances be permitted by the licence and at the very least allowing Events should be judged on a case by case basis (i.e. not included in the licence) each year and Events should be time and noise limited;
4. To allow Events when neighbouring colleges hold similar Events would result in an over provision of Events in proximity of quiet residential areas. On the basis that Events that have been held in recent years have already caused a nuisance and disturbance it does not follow that additional Events should be permitted pursuant to the Application;
5. On the basis that the Act is intended to control, restrict and regulate the sale of alcohol and entertainment we consider that the Licensing Authority should give all proper regard to the concerns and comments made by above and those made by other local residents.

We look forward to hearing from you.

Kind regards

A Foster and E Foster.

Karen Robson

From: E Clish <
Sent: 19 February 2020 11:44
To: AHS Licensing
Subject: Durham University - John Snow College

4 Dickens Wynd
Durham
DH1 3QR

19th Feb 2020

I am writing in strong objection to the application from Durham University - South College Pitcairn Building, with regards to their request to Plays, Films, Indoor Sporting events, Live Music, Recorded Music, Performances, supply of alcohol, anything similar to live music / dancing etc. as per the Licensing Act 2003 applications on the Durham.gov.uk website. All of these requests are for indoor and outdoor licenses from 10am until 2am. This application appears to have utter disregard for the residents in the area, with particular disregard to the families living nearby, of which there are many. It could easily bring harm to children, from noise keeping them awake until long into the night causing tiredness and exhaustion and thus affecting their mental health; and witnessing unruly and inappropriate behaviour from students under the influence of alcohol. Granting the license could bring general public nuisance and poor welfare from noise and general disruption from music/ drinking alcohol/ taxis etc going on long until the night - indeed if an event finishes at 2.00am then inevitably the attendees will not leave until after that time. With excessive alcohol comes increased crime and poorer safety for the public and especially for the residents in the near by area. Residents may not feel comfortable going out into their own neighbourhood when there is 'partying' nearby, and it is known that we can feel insecure and frightened in the presence of groups of young people late at night. The university has plenty of bars and event spaces in the city already. I suggest whoever looks further into these applications visits the site and the local area to see for themselves the affects which granting the license would cause.

Regards.

E Clish

Karen Robson

From: J Bland
Sent: 19 February 2020 11:46
To: AHS Licensing
Subject: Fw: Licencing application Objection - South College, Pitcairn Building. South Road. Durham City. DH1 3TQ

Dear Durham Licensing team,

Re: Licencing application submitted by Durham University - South College, Pitcairn Building. South Road. Durham City. DH1 3TQ

I wish to object to this application, in its current form, as I do not believe it conforms with the following licensing objectives:

1. **Prevention of Public nuisance:**

This building (and also another new building for which a licence has been requested) is in very close proximity to the Mount Oswald residential housing estate – approximately 400 meters.

Durham County Council Statement of Licensing Policy 2019 to 2024 indicates that opening hours for premises licensed for the sale of alcohol for consumption on and off the premises e.g. pubs, social clubs and nightclubs should be 07.00 to 00.00 weekdays and 07.00 to 01.00 on weekends.

Sales of alcohol on and off premises and for music recorded or live indoors and outdoors, until 2am, 7 days a week, will undoubtedly result in detrimental disturbance to local residents including families with children and also to the students who reside in the colleges themselves.

Disturbance – specifically disturbance to sleep - may be in the form of noise from loud music, vibrations from bass music, bottle/refuse disposal and/or from people attending these functions or departing from these functions through residential streets and footpaths. There is a large student population in Nevilles Cross. Not all students who are part of this college will live in. As such it is not unreasonable to expect foot traffic through the residential areas of Mount Oswald, Merryoaks and the Nevilles Cross area.

The Durham County Licensing Policy 2019-2024 states that the “licensing policy aims to balance the legitimate needs of businesses and public demand for leisure and cultural activities alongside the need to mitigate against potential adverse effects.”

By submitting this application for 7 day a week operation until 2am the applicant appears to be negating the purpose for which the building permission was granted i.e. as purpose built student accommodation for people who wish to learn and gain higher education qualification. I do not argue that there is not a need for a leisure facility of this type but the extremely late hours, every day of the week requested in the licence application are not balanced against the purpose of the accommodation or the needs of the local residents.

Music, vibrations from such and noise from late night revellers or even just late night groups having light hearted discussion is not conducive to a good nights sleep and as such, not conducive a learning environment or to the needs of residents of the PBSA and the local residential estate to get a good nights sleep.

Late night licences and associated agreed management plans for Student accommodation in residential estates do not work to the mutual benefit of all residents. This has been demonstrated between Ustinov College and residents of Dalton crescent who report regular noise disturbance from students sitting in the outdoor areas, talking loudly and disturbing the sleep of residents late into the night, especially in the summer months.

It would be far more appropriate to have maximum closing time of 11pm (last orders 10.30pm) Sunday to Thursday and midnight (last orders 11.30pm) Friday and Saturday. As with Ustinov college, it could

be agreed that a fixed number of later openings per year are allowed, subject to giving local residents notice of the functions.

To re-iterate – the University is primarily a place of learning not an entertainment complex. I request that the licence granted takes the peaceful lives and needs of all residents in the vicinity into consideration.

2. Prevention of Crime and Disorder

With the other college so close and the introduction of the “Hub” building – licence yet to be applied for – there will potentially be 1000+ people squeezed into a relatively small area. This may lead to alcohol fuelled violence and anti-social behaviour.

Disturbance to lives of residents surrounding the site could even result in violence or antisocial behaviour directed at student residents of the PBSA.

3. Protection of children from Harm

The Durham County Licensing Policy 2019-2024 states that

“The Secretary of State’s Guidance states that health bodies can make representations based on any of the four licensing objectives.• that undermines the physical, moral and psychological of children and vulnerable persons”

There is a high concentration of families with school age children living on the Mount Oswald estate, in Merryoaks & Nevilles Cross. Repeated/regular sleep disturbance from late night/early morning noise could cause harm to the psychological well being of children from families living in the local estates.

Setting a precedent: If this application is granted in it’s present form it would be setting a precedent. It would open up change of condition applications from all other University bars and also from other Licensed businesses in Durham City area.

Whilst I fully understand that the University college and the students themselves feel there is a need for this facility, I respectfully request that the licence granted takes the need for a peaceful existence of all local Residents, including families with children, into consideration.

Yours faithfully,
J Bland,
Dalton Crescent,
Sheraton Park,
Durham,
DH1 4FB

Yvonne Raine

From: AHS Licensing
Sent: 02 March 2020 07:56
To: Yvonne Raine
Subject: FW: Licencing application (as amended 27 Feb 2020) - Objection - South College, Pitcairn Building, South Road, Durham City, DH1 3TQ

-----Original Message-----

From: J Bland <JBland@durham.gov.uk>
Sent: 28 February 2020 15:33
To: AHS Licensing <Licensing@durham.gov.uk>
Subject: Licencing application (as amended 27 Feb 2020) - Objection - South College, Pitcairn Building, South Road, Durham City, DH1 3TQ

Dear Durham Licensing team,

Re: Licencing application submitted by Durham University - South College, Pitcairn Building, South Road, Durham City, DH1 3TQ - as amended and submitted by the University 27th February 2020

I wish to object to this amended application for the following reasons:

1. **Prevention of Public nuisance:**

This building (and also another new building for which a licence has been requested) is in very close proximity to the Mount Oswald residential housing estate – approximately 400 meters.

Late night licences and associated agreed management plans for Student accommodation in residential estates do not work to the mutual benefit of all residents. This has been demonstrated between Ustinov College and residents of Dalton crescent who report regular noise disturbance from students sitting in the outdoor areas, talking loudly and disturbing the sleep of residents late into the night, especially in the summer months. These issues are documented as having been discussed most recently at the last Nevilles cross PACT meeting.

Disturbance – specifically disturbance to sleep - may be in the form of noise from loud music, vibrations from bass music (even when played within the building) bottle/refuse disposal and/or from people attending these functions or departing from these functions through residential streets and footpaths. There is a large student population in Nevilles Cross. Not all students who are part of this college will live in. ie. They will not be contained in the college as the university has indicated. As such it is not unreasonable to expect foot traffic through the residential areas of Mount Oswald, Merryoaks and the Nevilles Cross area.

The Durham County Licensing Policy 2019-2024 states that the “licensing policy aims to balance the legitimate needs of businesses and public demand for leisure and cultural activities alongside the need to mitigate against potential adverse effects.” I do not believe that operating to midnight with extra drinking up time, on Sundays and week days is balanced against the purpose of the accommodation, the need of the residents of that accommodation or the needs of the local residents.

It is accepted that most students are good, peaceful members of the community. But with the best will in the world Cafe Bar managers/staff will be powerless to prevent nuisance in the form of noise from club members who are not cognisant of other people around them, when sitting outside socialising or exiting the facility to return to their accommodation either within the college grounds or in the wider residential estates. It would be far better to have a licence in place that controls this from the front end by limiting the hours of operation.

I request that the licence granted takes the peaceful lives and needs of all residents in the vicinity into consideration. It would be far more appropriate to have maximum closing time of 11pm (last orders 10.30pm) Sunday to Thursday and last orders at midnight Friday and Saturday. As with Ustinov college, it could be agreed that a fixed number of later openings per year are allowed, subject to giving local residents & authorities notice of the functions.

2. Prevention of Crime and Disorder

As stated on my last submission of 19 Feb 2020, with the other college so close and the introduction of the "Hub" building – licence yet to be applied for – there will potentially be 1000+ people squeezed into a relatively small area. This may lead to alcohol fuelled anti-social behaviour or even violence.

Disturbance to lives of residents surrounding the site could even result in violence or antisocial behaviour directed at student residents of the PBSA.

3. Protection of children from Harm

As stated on my last submission of 19 Feb 2020, The Durham County Licensing Policy 2019-2024 states that "The Secretary of State's Guidance states that health bodies can make representations based on any of the four licensing objectives.• that undermines the physical, moral and psychological well being of children and vulnerable persons"

There is a high concentration of families with school age children living on the Mount Oswald estate, in Merryoaks & Nevilles Cross. Repeated/regular sleep disturbance from late night/early morning noise could cause harm to the psychological well being of children from families living in the local estates.

Whilst I fully understand that the University college and the students themselves feel there is a need for this facility, I respectfully request that the licence granted takes the need for a peaceful existence of all local Residents, including families with children, into consideration.

Yours faithfully,

J. Bland,

Dalton Crescent,

Sheraton Park,

Durham,

DH1 4FB

Yvonne Raine

From: J Bland <
Sent: 28 February 2020 17:15
To: Yvonne Raine
Subject: Re: Club Premises Certificate Application for Durham University South College

Dear Yvonne,

Thank-you for your email.

My objection submitted today is in relation to the amended proposal. Although it is better than previous it does not alleviate my concerns and my objection still stands.

Kind regards,

J Bland

Sent from my iPad

Karen Robson

From: N Ramchurn
Sent: 19 February 2020 21:55
To: AHS Licensing
Subject: Objection to Durham University South College Pitcairn building License application
Attachments: DU South College Pitcairn Building Objection to licence application.pdf

To whom it may concern,

I am a resident at The Drive at Mount Oswald residential estate and have serious concerns with the regards to the above license application. I detail my concerns in the document attached.

I feel these need to be taken into serious consideration by the licensing committee.

Yours sincerely,

Dr N Ramchurn

19th February 2020

**OBJECTION TO DURHAM UNIVERSITY SOUTH COLLEGE PITCAIRN
BUILDING LICENSING APPLICATION**

I wish to object to the above Licensing Application on the following grounds:

1. My main concern is with regards to Prevention of Public Nuisance and Prevention of Crime and Disorder.

- The proposal to grant a club premises Licence (*for Plays (indoor and outdoor), Films (indoors and outdoors) Live and Recorded Music, Performance of dance and anything of similar description to live music, recorded music and dance (indoors and outdoors) – all Monday to Sunday 10 a.m. and 2.00 a.m.)* is totally unreasonable - this in my opinion will be deemed a Public Nuisance which will adversely affect the lives of Residents of this Residential Estate and the proposed hours are unreasonable, intrusive and unacceptable. Should this be granted, we would potentially be subjected to noise and public nuisance almost 24/7, three hundred and sixty-five days a year.
- The proposal to supply alcohol (**on and off the premises**) Monday to Sunday 10.00 a.m. to 2.00 a.m. is also totally unreasonable and unacceptable, particularly so close to a Residential Estate where many young families reside.
- The hours proposed are outside the framework times recommended in the DCC Statement of Licensing Policy 2019 – 2024 which suggests that the terminal hours for premises selling alcohol on and off the premises should be 7 to midnight on weekdays and 7.00 – 1.00 a.m. weekends.
- I feel that 10:30pm weekdays and 23:30 at weekends is more reasonable because of the direct proximity to the residential estate.
- I feel residents will be subjected to Public Nuisance and Crime and Disorder in terms of noise, anti-social behavior, alcohol related behaviour for the proposed hours, all of which will be outside of my personal control and the sheer scale of which I am not prepared to accept.

2. Public Safety:

The huge scale of the proposals will lead to instances of breach of Public Safety in terms of points already mentioned above, particularly as residents' only access to the Residential Estate is directly past the site in question. Having inebriated individuals potentially within the hours applied may pose a public safety concern, such as to residents who drive, walkers and cyclists including children, etc.

3. Access:

In addition, there is no mention of how the University intends to deal with the flow of traffic for all the events proposed for the hours proposed. The Drive is the only access to and from the Estate for cars and there is no mention of how this would be controlled so that the safety of Residents and their access is not hindered in their daily lives. This would constitute Public Nuisance and breach to safety.

4. Parking:

There appears to very limited parking on the University Site and the application does not address this at all. With individuals attending the proposed events at all the hours proposed, I feel this will become a public nuisance. The inference is that Residents will be subjected daily to potential illegal parking and potential restriction of access to their properties with uncontrolled street parking by attendees. The Licensing Committee should have this clarified.

5. Management and Control of Events and Emergency Contacts

The University has not detailed any Management Plan to control Events, nor advised who will be the 'Responsible Person' at these events, nor have Residents been given any information about 24/7 contacts and responses if they do have problems. The student population of the two colleges is planned to be 1000, with a further 850 planned with further building, which gives a picture of the scale of their proposal.

6. Setting Precedents:

Should the current Licensing Application be agreed in its entirety, I feel this would set an undesirable precedent in this City.

Yours sincerely,

Dr N Ramchurn

Yvonne Raine

From: N. <
Sent: 28 February 2020 19:09
To: Yvonne Raine
Subject: Re: Club Premises Certificate Application for Durham University South College

Dear Miss/Mrs Raine,

Thank you for your response.

My full name is Dr N. R. Ramchurn and my address is St Georges Way, Durham, DH13WE.

Following this amendment, I still have concerns regarding the number of events which from this email appears to be 6 in total as well as the end times for licensable activity. I continue to have concerns regarding noise when users will be leaving the premises at such late hours as well as parking and behaviour causing public nuisance and safety concerns on our single access route into and out of the estate and on the estate itself. I feel finish and close times for Sunday-Thursday should be 11pm and Friday and Saturday midnight at the latest.

I will very much welcome being able to attend the committee hearing.

Thank you and yours sincerely,

N Ramchurn

Sent from my iPhone

18th February 2020

**OBJECTION TO DURHAM UNIVERSITY SOUTH COLLEGE LICENSING
APPLICATION**

I wish to object to the above Licensing Application on the following grounds:

1. My main concern is with regards to Prevention of Public Nuisance and Prevention of Crime and Disorder.

- The proposal to grant a club premises Licence (*for Plays (indoor **and outdoor**), Films (indoors **and outdoors**) Live and Recorded Music, Performance of dance and anything of similar description to live music, recorded music and dance (indoors **and outdoors**) – all Monday to Sunday 10 a.m. and 2.00 a.m.)* is totally unreasonable - this in my opinion will be deemed a Public Nuisance which will adversely affect the lives of Residents of this Residential Estate and the proposed hours are unreasonable, intrusive and unacceptable. Should this be granted, we would potentially be subjected to noise and public nuisance almost 24/7, three hundred and sixty-five days a year.
- The proposal to supply alcohol (**on and off the premises**) Monday to Sunday 10.00 a.m. to 2.00 a.m. is also totally unreasonable and unacceptable, particularly so close to a Residential Estate.
- The hours proposed are outside the framework times recommended in the DCC Statement of Licensing Policy 2019 – 2024 which suggests that the terminal hours for premises selling alcohol on and off the premises should be 7 to midnight on weekdays and 7.00 – 1.00 a.m. weekends.
- I feel that 10:30pm weekdays and 23:30 at weekends is more reasonable because of the direct proximity to the residential estate, as well as possibly a limited number of 'outdoor' events during the year. I believe Ustinov College have just such a Licence which works well.
- I feel residents will be subjected to Public Nuisance and Crime and Disorder in terms of noise, anti-social behaviour, alcohol related behaviour for the proposed hours, all of which will be outside of my personal control and the sheer scale of which I am not prepared to accept.

2. Public Safety:

The huge scale of the proposals may lead to instances of breach of Public Safety in terms of points already mentioned above, particularly as residents' only access in and out of the Residential Estate is directly past the site in question.

3. Access:

In addition, there is no mention of how the University intends to deal with the flow of traffic for all the events proposed for the hours proposed. 'The Drive' is the only access to and from the Estate for cars and there is no mention of how this would be controlled, so that the safety of Residents and their access is not hindered in their daily lives. This would constitute Public Nuisance and breach of safety.

4. Parking:

There appears to very limited parking on the University Site and the application does not address this at all. With individuals attending the proposed events at all the hours proposed, I feel this will become a public nuisance. The inference is that Residents will be subjected daily to potential illegal parking and potential restriction of access to their properties with uncontrolled street parking by attendees. The Licensing Committee should have this clarified.

5. Management and Control of Events and Emergency Contacts

The University has not detailed any Management Plan to control Events, nor advised who will be the 'Responsible Person' at these events, nor have Residents been given any information about 24/7 contacts and responses if they do have problems. The student population of the two colleges is planned to be 1000, with a further 850 planned with further building, which gives a picture of the scale of their proposal.

6. Setting Precedents:

Should the current Licensing Application be agreed in its entirety, I feel this would set an undesirable precedent in this City.

7. Original Planning Application:

I understand all of these proposals were not covered in the original Planning Application – this is of huge significance, since had Residents been aware of these proposals, they may have decided they did not wish to purchase a residential property in the middle of an '24/7 Entertainment Complex' which will have an enormous effect on their daily lives and wellbeing, as we are such close proximity to the Site.

For all the above reasons, I feel the Licensing Committee have a responsibility to address these concerns as my right to a peaceful life has not been considered at all in the current Licensing Application.

From: Mrs P A Bland, St Georges Way, Durham, DH1 3WE.

Yvonne Raine

From: P. Bland <
Sent: 28 February 2020 16:39
To: AHS Licensing
Subject: Comments on DU Amendment to Licence application South College Durham and John Snow College
Attachments: Licensing - Durham University South College Application Amendments 27.02.2020.docx; Licensing - Durham University John Snow Application Amendments 27.02.2020.docx; DU Comment on Amendment to John Snow Licencing application..docx; DU Comment on Amendment to South College Licencing application..docx

Durham County Council Licensing Services
P O Box 617
Durham
DH1 9H

Dear Sirs,

I submitted my objections to the above Licence applications on 20th February, 2020. I have been advised this afternoon that the University has submitted an amendment to each application (attached) and it on these amendments my attached document comments.

Please note - all other comments/objections in my objections dated 20th February, 2020 still stand. It should also be noted that my property is directly opposite the new University Buildings and therefore the nearest street to the new University Colleges. Indeed when they build the additional 850 bed accommodation block, it will be a mere 25 metres from my house.

Kind regards
Mrs P Bland

28th February 2020

**OBJECTION TO DURHAM UNIVERSITY SOUTH COLLEGE LICENSING
APPLICATION AMENDMENT**

I wish to object to the above Amendment to the Licensing Application on the following grounds:

The new hours they propose are:-

Licensable activities 10 am to Midnight Sun – Thursday (indoors only)

Licensable activities 10 am – 1 am Fri and Sat (indoors only).

My Comment:

I believe that the hours 10 a.m. to Midnight should be 10 am to 22.30 - Monday – Thursday (indoors only) .

10 am – 23.30 Friday, Saturday and **Sunday**

Licensable activities 3 times per year – now asks for 10 a.m. – 2 a.m.

My comment: –

I believe these hours should be on these 3 occasions 10 a.m. – 1 a.m.

Please note, I am unable to comment at this point on their 'Additional information provided to support the application as this has only been advised this afternoon and I do not have the full detailed Plan which I assume supports this.

From: Mrs P A Bland, St Georges Way, Durham, DH1 3WE.

Yvonne Raine

From: P Bland <
Sent: 03 March 2020 16:54
To: Yvonne Raine
Subject: Re: Comments on DU Amendment to Licence application South College Durham and John Snow College
Attachments: Mrs PA Bland University college illustration.pdf

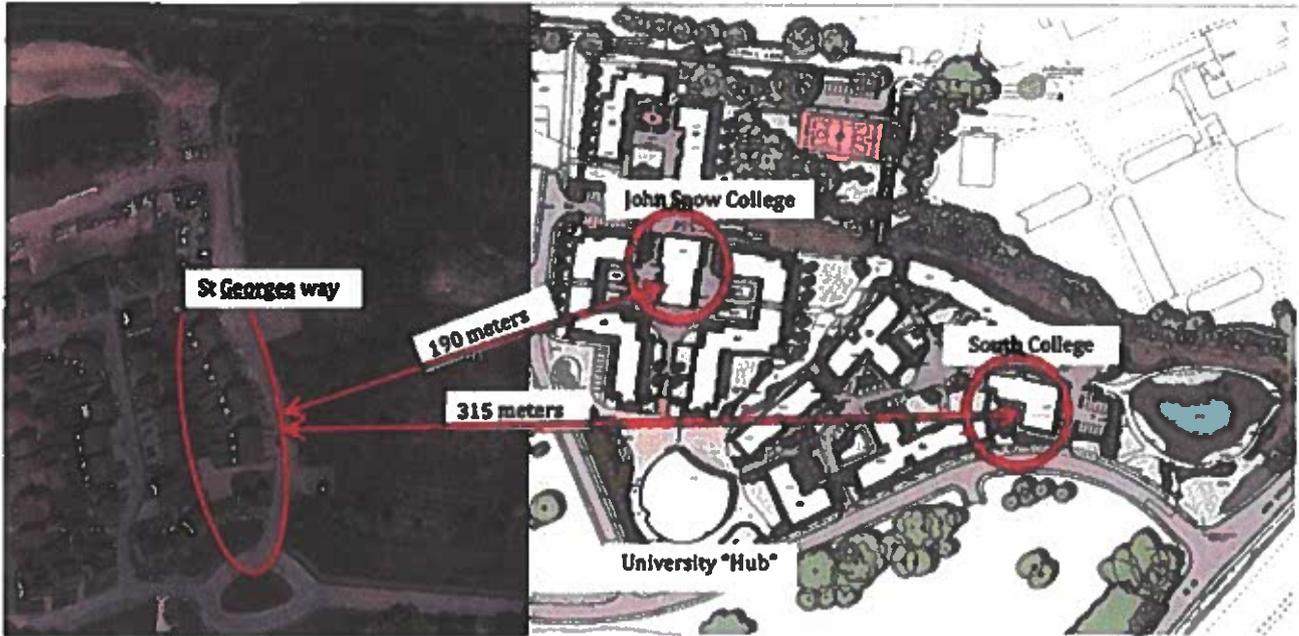
Good afternoon

Further to your email of yesterday, I attach a document to support my objections to the amended Licence applications for South College Durham and John Snow College. This clearly illustrates the close proximity between St Georges Way and the two Colleges which have applied for the Licences. I would appreciate if these could be submitted to support my reasons for my objection.

Kind Regards,

Mrs F Bland

To-scale aerial illustrations showing the distance in meters between:
St Georges Way and John Snow College Café bar "heart" building, and
St Georges Way and South College Café Bar Pitcairn building



Photograph illustrating proximity of the college buildings to St Georges Way



Karen Robson

From: F Lamb ·
Sent: 21 February 2020 08:32
To: AHS Licensing
Cc:
Subject: Licensing application Durham Uni John Snow college & Pitcairn

Good morning,

My partner and I are VERY concerned about the above application. We are a retired couple and have recently moved to Durham.

Whilst we were aware of new buildings for student accommodation when we made the purchase of our new home on The Drive, Mount Oswald. We did not expect/anticipate that there could be a potential situation for licenses to allow students to 'party' 10-2 AM in the close proximity to the development!!

The Durham students are wonderful, very well mannered etc. - we are partial to the odd glass of wine and attend concerts ourselves so do not consider ourselves to be 'prudes'. We are fortunate to be at the back of the development so may not be effected by early hours music and joviality.... however our neighbours with young children are!!

We were under the impression that the original application was only for three outdoor events during June/July. This was acceptable. However the application now appears to be Monday to Sunday 10 till two.... so we are now very concerned and do NOT think this is acceptable!!

I look forward to your attention to our concerns and your reply.

Kind regards,

F Lamb

Sent from my iPhone

Yvonne Raine

From: F Lamb <
Sent: 03 March 2020 18:11
To: Yvonne Raine
Subject: Re: Club Premises Certificate Application for Durham University South College

Hello Yvonne,

Many thanks for your email.

After attending a meeting last Friday 28th February, the Principle and several of his colleagues put forth a positive spin on the whole matter. He was happy to hand out business cards with his details should the application be successful, and at any events, if issues of misconduct arise, he can be personally available.

M and I reside to the rear of the estate so we are not next to The Hub. Any disturbances/noise may not directly effect us. But we can support our neighbours with their concerns who will be overlooking The Hub and it's surrounding green belt. (there are concerns that in good weather students will set up BBQ's etc!!).

I look forward to receiving information about the meeting, and will attend if able.

Kind regards,

F Lamb
Turnberry Walk
The Drive
DH1 3UY

Sent from my iPhone

Valerie Craig

From: i
Sent: 22 February 2020 14:13
To: AHS Licensing
Subject: OBJECTION TO DURHAM UNIVERSITY SOUTH COLLEGE LICENSING APPLICATION

Categories: Valerie

22nd February 2020

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

Dear Sir / Madam

Reference:

Durham University	Durham University South College Pitcairn Building South Road Durham City DH1 3TQ	<p>Application to grant a club premises certificate.</p> <p>Plays (indoors and outdoors) Monday to Sunday 10.00am to 2.00am.</p> <p>Films (indoors and outdoors) Monday to Sunday 10.00am to 2.00am.</p> <p>Indoor sporting events Monday to Sunday 10.00am to 2.00am.</p> <p>Live music (indoors and outdoors) Monday to Sunday 10.00am to 2.00am.</p> <p>Recorded music (indoors and outdoors) Monday to Sunday 10.00am to 2.00am.</p> <p>Performance of dance (indoors and outdoors) Monday to Sunday 10.00am to 2.00am.</p> <p>Anything of a similar description to live music, recorded music and dancing (indoors and outdoors) Monday to Sunday 10.00am to 2.00am.</p> <p>Supply of alcohol (on and off the premises) Monday to Sunday 10.00am to 2.00am.</p>	28 February 2020
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		Up to a maximum of three outdoor events during June and July.	

I write in connection with the above planning application. I have examined the licensing applications and I know the site well.

Mount Oswald is a residential area, Residents have purchased homes in order to enjoy the beautiful city we live in in peace.

I wish to object to the above Licensing Application on the following grounds:

1. My main concern is with regards to Prevention of Public Nuisance and Prevention of Crime and Disorder.

- The proposal to grant a club premises Licence (for Plays (indoor and outdoor), Films (indoors and outdoors) Live and Recorded Music, Performance of dance and anything of similar description to live music, recorded music and dance (indoors and outdoors) – all Monday to Sunday 10 a.m. and 2.00 a.m.) is totally unreasonable - this in my opinion will be deemed a Public Nuisance which will adversely affect the lives of Residents of this Residential Estate and the proposed hours are unreasonable, intrusive and unacceptable. Should this be granted, we would potentially be subjected to noise and public nuisance almost 24/7, three hundred and sixty-five days a year.
- The proposal to supply alcohol (on and off the premises) Monday to Sunday 10.00 a.m. to 2.00 a.m. is also totally unreasonable and unacceptable, particularly so close to a Residential Estate where many young families reside.
- The hours proposed are outside the framework times recommended in the DCC Statement of Licensing Policy 2019 – 2024 which suggests that the terminal hours for premises selling alcohol on and off the premises should be 7 to midnight on weekdays and 7.00 – 1.00 a.m. weekends.
- I feel that 10:30pm weekdays and 23:30 at weekends is more reasonable because of the direct proximity to the residential estate. Also any outdoor entertainment to cease at 9.00pm.
- I feel residents will be subjected to Public Nuisance and Crime and Disorder in terms of noise, litter, anti-social behaviour, alcohol related behaviour for the proposed hours, all of which will be outside of my personal control and the sheer scale of which I am not prepared to accept.

2. Public Safety:

The huge scale of the proposals will lead to instances of breach of Public Safety in terms of points already mentioned above, particularly as residents' only access to the Residential Estate is directly past the site in question. Having inebriated individuals potentially within the hours applied may pose a public safety concern, such as to residents who drive, walkers and cyclists including children, etc.

3. Access:

In addition, there is no mention of how the University intends to deal with the flow of traffic for all the events proposed for the hours proposed. The Drive is the only access to and from the Estate for cars and there is no mention of how this would be controlled so that the safety of Residents and their access is not hindered in their daily lives. This would constitute Public Nuisance and breach to safety.

4. Parking:

There appears to very limited parking on the University Site and the application does not address this at all. With individuals attending the proposed events at all the hours proposed, I feel this will become a public nuisance. The inference is that Residents will be subjected daily to potential illegal parking and potential restriction of access to their properties with uncontrolled street parking by attendees. The Licensing Committee should have this clarified.

5. Management and Control of Events and Emergency Contacts

The University has not detailed any Management Plan to control Events, nor advised who will be the 'Responsible Person' at these events, nor have Residents been given any information about 24/7 contacts and responses if they do have problems. The student population of the two colleges is planned to be 1000, with a further 850 planned with further building, which gives a picture of the scale of their proposal.

6. Setting Precedents:

Should the current Licensing Application be agreed in its entirety, I feel this would set an undesirable precedent in this City.

7. Original Planning Application:

I understand all of these proposals were not covered in the original Planning Application – this is of huge significance, since had Residents been aware of these proposals, they may have decided they did not wish to purchase a residential property in the middle of an entertainment complex which will have a huge effect on their daily lives and wellbeing.

For all the above reasons, I feel the Licensing Committee have a responsibility to address these concerns as I feel that my right to a peaceful life and as individual that pays high levels of council tax has not been considered at all in the current Licensing application.

Residents understand that the Parish Council also share these concerns.

Address:

Turnberry Walk
Durham
DH1 3UY

Kind Regards

A Batey

Tel:

From: a

Sent: 29 February 2020 10:58

To: Yvonne Raine <

Subject: RE: Club Premises Certificate Application for Durham University South College

Dear Yvonne

Thank you for the information and I am very pleased to hear that the situation is being taken seriously by the council in relation to the College being extremely near to residential areas.

Following this amendment, I still have concerns regarding the number of events which from this email appears to be 6 in total as well as the end times for licensable activity.

I am still concerned regarding unacceptable levels of noise when users will be leaving the premises at such late hours and during the working week where some residents work shift patterns as well as parking and poor behaviour causing public nuisance on our single access route into and out of the estate and close to our homes where children are sleeping from early in the evening.

I feel finish and close times for Sunday-Thursday should be 10.30pm and Friday and Saturday latest 11.30pm. With regard to outdoor activities my opinion is that this should be restricted to a maximum of 3 events per year.

I very much hope to be able to attend the committee hearing, however depending on the timing I might not be able to due to work commitment, I therefore wish my views above to be taken into consideration.

I read repeatedly regarding the needs of students and an inclusive environment however I am a high council tax payer and in my view should have the right to live in a peaceful and tranquil environment, in accordance with my Human rights I feel that residents needs for rest, fairness, equality and respect should be acknowledged; the university has many building and events facilities which are further away from residential areas which in my view could be utilised for outdoor activities involving entertainment and alcohol, whereby the students can enjoy themselves freely; in my view and experience if the University are selling alcoholic beverages up to a certain time then this has the potential to encourage activities for additional time frames over and above the hours stipulated.

Thank you for your assistance and understanding with this matter, and I look forward to a solution whereby the Uni and residents can move forward peacefully.

Kind regards

A Batey
Specialist Practitioner Occupational Health

Valerie Craig

From: Ja C
Sent: 24 February 2020 10:41
To: AHS Licensing
Subject: OBJECTION TO DURHAM UNIVERSITY SOUTH COLLEGE LICENSING APPLICATION

Categories: Valerie

24th February 2020

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

Dear Sir / Madam

Reference:

Durham University	Durham University South College Pitcairn Building South Road Durham City DH1 3TQ	Application to grant a club premises certificate. Plays (indoors and outdoors) Monday to Sunday 10.00am to 2.00am. Films (indoors and outdoors) Monday to Sunday 10.00am to 2.00am. Indoor sporting events Monday to Sunday 10.00am to 2.00am. Live music (indoors and outdoors) Monday to Sunday 10.00am to 2.00am. Recorded music (indoors and outdoors) Monday to Sunday 10.00am to 2.00am. Performance of dance (indoors and outdoors) Monday to Sunday 10.00am to 2.00am. Anything of a similar description to live music, recorded music and dancing (indoors and outdoors) Monday to Sunday 10.00am to 2.00am.	28 February 2020
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		Supply of alcohol (on and off the premises) Monday to Sunday 10.00am to 2.00am. Up to a maximum of three outdoor events during June and July.	

As a resident of the Mount Oswald estate I write in connection with the above planning application.

I wish to object to the above Licensing Application on the following grounds:

1. My main concern is with regards to Prevention of Public Nuisance and Prevention of Crime and Disorder.

- The proposal to grant a club premises Licence (for Plays (indoor and outdoor), Films (indoors and outdoors) Live and Recorded Music, Performance of dance and anything of similar description to live music, recorded music and dance (indoors and outdoors) – all Monday to Sunday 10 a.m. and 2.00 a.m.) is totally unreasonable - this in my opinion will be deemed a Public Nuisance which will adversely affect the lives of Residents of this Residential Estate.
- The proposal to supply alcohol (on and off the premises) Monday to Sunday 10.00 a.m. to 2.00 a.m. is also totally unreasonable and unacceptable, particularly so close to a Residential Estate where many young families reside.
- I feel residents will be subjected to Public Nuisance and Crime and Disorder in terms of noise, litter, anti-social behaviour, alcohol related behaviour for the proposed hours.

2. Public Safety:

The huge scale of the proposals will lead to instances of breach of Public Safety in terms of points already mentioned above, particularly as residents' only access to the Residential Estate is directly past the site in question. Having inebriated individuals potentially within the hours applied may pose a public safety concern, such as to residents who drive, walkers and cyclists including children, etc.

3. Access:

In addition, there is no mention of how the University intends to deal with the flow of traffic for all the events proposed for the hours proposed. The Drive is the only access to and from the Estate for cars and there is no mention of how this would be controlled so that the safety of Residents and their access is not hindered in their daily lives. This would constitute Public Nuisance and breach to safety.

4. Parking:

There appears to very limited parking on the University Site and the application does not address this at all. With individuals attending the proposed events at all the hours proposed, I feel this will become a public nuisance. The inference is that Residents will be subjected daily to potential illegal parking and potential restriction

of access to their properties with uncontrolled street parking by attendees. The Licensing Committee should have this clarified.

5. Management and Control of Events and Emergency Contacts

The University has not detailed any Management Plan to control Events, nor advised who will be the 'Responsible Person' at these events, nor have Residents been given any information about 24/7 contacts and responses if they do have problems. The student population of the two colleges is planned to be 1000, with a further 850 planned with further building, which gives a picture of the scale of their proposal.

6. Setting Precedents:

Should the current Licensing Application be agreed in its entirety, I feel this would set an undesirable precedent in this City.

7. Original Planning Application:

I understand all of these proposals were not covered in the original Planning Application – this is of huge significance, since had Residents been aware of these proposals, they may have decided they did not wish to purchase a residential property in the middle of an entertainment complex which will have a huge effect on their daily lives and wellbeing.

As a resident of Mount Oswald that pays high levels of council tax the Licensing Committee have a responsibility to address these concerns.

Residents understand that the Parish Council also share these concerns.

Address:

Turnberry Walk
Durham
DH1 3UY

Kind regards

J Conlon

Valerie Craig

From: AHS Licensing
Sent: 25 February 2020 09:13
To: Valerie Craig
Subject: FW: Durham Univ, South College - licensing objection

From: N Fecitt <
Sent: 24 February 2020 21:08
To: AHS Licensing <Licensing@durham.gov.uk>
Subject: Durham Univ, South College - licensing objection

Dear Sirs,

Re: Durham University, South College, Pitcairn Building, South Road, Durham City DH1 3TQ

We are writing to register our objection to the application for a club premises certificate to Durham University, South College, Pitcairn Building to supply alcohol (on and off the premises) Monday to Sunday, 10:00 am to 2:00 am in addition to showing plays, films, live music, recorded music, performance of dance or anything similar (indoors and outdoors), Monday to Friday, 10:00 am to 2:00 am. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the protection of children from harm, prevention of public nuisance, prevention of crime and disorder and promote public safety.

Granting the application will, in our opinion, potentially have a detrimental impact on the lives of the residents of Mount Oswald, many with young families, with large numbers of people returning to their accommodation at unsociable hours. There are plenty of places in Durham City for the students to satisfy their needs for alcohol and entertainment late into the evening/early morning.

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

Yours sincerely,

Mr. N & Mrs. L Fecitt
Chipchase Grove
Durham DH1 3FA

Yvonne Raine

From: J Barton mail <
Sent: 24 February 2020 18:23
To: AHS Licensing
Subject: Durham University - application for club premises certificates - South College and John Snow College

I cannot see any reference numbers on your web site, but the applications are stated as :

Applicant - Durham University

Premises

1. South College

Pitcairn Building

South Road

Durham City

DH1 3TQ

2. John Snow College

South Road

Durham

DH1 3TQ

Application to grant a club premises certificate.

I am writing to object to these applications on the basis of:-

- the prevention of crime and disorder
- prevention of public nuisance
- the protection of children from harm

These are buildings still under construction on the edge of residential developments - both established and still under construction. The new houses are also family houses, and a late opening club is not compatible with families. The residents have work and school to go to, and disturbance up to 2am potentially EVERY DAY of the week is totally unacceptable. Children will be harmed by being prevented from sleeping, and by growing up with the expectation that late drinking every night is a normal part of University life.

Historically there have been public nuisance problems with noise from University events at St Aidan's College, and at Van Mildert. St Aidans (many years ago after problems in previous years) sent round apology notes in advance, but the events remained too loud. Even one loud event in a year going on past midnight was a Public Nuisance that led to serious complaints. Eventually the college had to move ALL its events indoors because the noise otherwise was too intrusive and disturbing. The two new colleges are closer than St Aidans to the Merryoaks existing development and to the Mount Oswald new developments.

The idea of these two new colleges having outdoor events including 'ANYTHING SIMILAR TO live music, recorded music and dancing' till 2am ANY DAY OF THE WEEK is Public Nuisance in waiting. Is this Woodstock, or Ibiza? The University claimed to consult and benefit locals, but the only thing I have heard or seen about this was an article in the Northern Echo that I happened to read online. Any such events are bound to attract students from elsewhere, which will mean them walking back the worse for drink at 2am through housing estates, potentially causing a public nuisance.

It is as recent as 2015 that the third student died of drowning in the River Wear. The Chief Constable said:
"One thing connected these three young men who died in the river and that was they were so paralytically drunk they were not in control of their bodies.
"They have then walkod or stumbled into the river.

In 2016 Durham University's Champagne Society saw excess drinking and drug taking! The pro-vice chancellor Professor Graham Towl said: "The toxic combination of excessive alcohol and students entering the water at Hardwick Park caused the partnership particular concern in light of previous events."

In 2018, the excessive drinking was still a feature according to this article:
A university student had his 'hair shaved off and cooking oil poured in his eye' during bizarre society 'hazing' initiations. The Durham University fresher almost dropped out after getting forced to drink excessive amounts of alcohol and strip down naked, by senior members of the sports club. The student told university newspaper Palatinate: 'The events of pre-season almost led me to drop out of the University before I had even experienced freshers' week.

Read more: <https://metro.co.uk/2018/09/19/student-had-hair-shaved-and-oiled-poured-in-his-eye-during-hazing-initiation-7958608/?ito=cbshare>

Crime and Disorder has not gone away in this academic year. There is a web site run by the student union <https://www.durhamsu.com/pincident> that tracks harassment, violence, assault and discrimination in Durham City Centre.

These colleges are STUDENT accommodations, where students come to learn. Having late licences EVERY NIGHT until 2am is not part of that. The University's Community Liaison Officer said in March 2019 "If you look at our Code of Conduct for students living in the City, you'll see that 'noise' is linked to respect and neighbourliness. That's certainly how we expressed it at Freshers Fair last October when we introduced students to the resident led "Shh...11pm-7am" campaign."
<https://www.dur.ac.uk/community/updates/?itemno=38112>

Each college is applying for up to 3 outdoor events during June and July. Summer Vacation is 27 Jun 2020 – 27 Sep 2020 . The dates of these applications are NOT part of the University terms, so the potential is that these are for commercial purposes, not for the club (University Students).

Breach of Eligibility criteria

The request to supply alcohol off the premises breaches the Eligibility Criteria shown on your web site for a club. *Alcohol must only be supplied to members on the premises by the club, or on behalf of the club.*

Application process

The rules on your web site state:

Upon submission of your application to us, you must ensure that you take the following steps in order for it to progress.

- *Advertise your application by displaying a public notice at the premises for 28 consecutive days (starting with the day after you submit your application to us).*

The building is surrounded by panelling whilst it is under construction. The only people who can see the notice are contractors building the place. No one else is going to be nearby to see any notice.

Durham University has had a poor reputation for excessive drinking, and whilst the University hierarchy and the student union have policies, the reality is that these are mostly young people who are away from home for their first time, and they push the envelope.

Please reject the applications, or at least limit them to times that fit with the University's own guidelines of "Shh...11pm-7am"

、 Barton

From: J Barton

Sent: 02 March 2020 21:51

To: Yvonne Raine <

Subject: RE: Club Premises Certificate Application for Durham University John Snow College

Dear Yvonne

Apologies. Your emails (two of them) ended up in my SPAM box. I've just done my weekly check of it and found them.

My Full name and address is

J Barton

Nickleby Chare

Durham

DH1 3QX

I have (since my original email) been looking for notices, and have found A4 sheets of paper that have been taped around lampposts nearby. They are difficult to read. One is low down wrapped tightly round a fence post, one on a lamppost near the hockey court. A further instance has them taped above and below a notice that was for a footpath closure in October 2019 – and this is on the opposite side of the Mill Lane footpath to the new developments. If they are going to put them outside the development, at least they could have been flat on the fences where potential objectors could have found them and had a chance of reading them.

Thank you for the updates. Whilst they are marginally less disturbing, they are still way out of line for what is a college for students studying, next to established and new housing estates.

As I understand it, the licence for St Aidans College has a restriction only permitting loud events till 11pm due to reasons particularly of public nuisance. These two new colleges are closer to a residential area that is now significantly bigger. The restrictions should equally apply.

As I read the legislation for Club Premises, off sales are not permitted.

J Barton

Mr M. E. Harrison BSc
St George's Way
Durham
DH1 3WE

Licensing
Durham County Council
PO Box 617
Durham
DH1 9HZ

23rd February 2020

Durham University South College - Application to grant a club premises certificate

Dear Sir/Madam,

I wish to object to the above application for the provision of a club premises certificate for Durham University South College at Mount Oswald.

Having recently moved to the area I was aware there would be two Durham University Colleges built including provisions for a student bar. However, I did not expect there to be 'nightclub' premises with provisions for indoor and outdoor Plays, Films, Sporting events, Live music, recorded music, Performance of dance and 'anything of a similar description to these', with the supply of alcohol (on and off the premises) from 10am to 2am, 7 days a week.

Indeed, I find this to be excessive, so close to a residential area and I believe particularly the sale of alcohol until 2am, 7 days a week is a deep concern. I am particularly concerned about the noise nuisance, since moving to the area my family including two young children have already been disturbed by external noise late into the evening from colleges with similar external events provision at a much further distance than these new colleges. With their proximity to our residential area it surprises me that an outdoor event late into the evening would even be considered. We are deeply concerned about the detrimental effect to the sleep of ourselves and our children.

We also have concerns about public nuisance and low level disorder when people leave the colleges, a license provision until 2am seems late for an outlying college where police coverage would be limited compared with those closer to the town centre and we have concerns about anti-social behaviour caused by people being able to drink until 2am any night of the week - indeed the request seems a little excessive we would have thought a standard 11pm closure would have been sufficient for what I would imagine to have been deemed a social bar rather than "nightclub". Indeed when clarification has been sought from the university they suggested they would be looking at 11pm closure anyway so we feel the license should reflect this to rule out any issues.

I would be grateful if the licensing team would consider my objection and a more sensible licence solution can be found.

Yours Faithfully,

Mr M E Harrison BSc

Mrs A. B. Harrison BSc
St George's Way
Durham
DH1 3WE

Licensing
Durham County Council
PO Box 617
Durham
DH1 9HZ

23rd February 2020

Durham University South College - Application to grant a club premises certificate

Dear Sir/Madam,

I wish to object to the above application for the provision of a club premises certificate for Durham University South College at Mount Oswald.

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We also have concerns about public nuisance and low level disorder when people leave the colleges, a license provision until 2am seems late for an outlying college where police coverage would be limited compared with those closer to the town centre and we have concerns about anti-social behaviour caused by people being able to drink until 2am any night of the week - indeed the request seems a little excessive we would have thought a standard 11pm closure would have been sufficient for what I would imagine to have been deemed a social bar rather than "nightclub". Indeed when clarification has been sought from the university they suggested they would be looking at 11pm closure anyway so we feel the license should reflect this to rule out any issues.

I would be grateful if the licensing team would consider my objection and a more sensible licence solution can be found.

Yours Faithfully,


Mrs A B Harrison BSc

Licensing Durham
County Council
P.O. Box 617
Durham
DH1 9HZ

MR. + MRS W. WAITE
ST GEORGES WAY
DURHAM
DH1 3WE

20/2/2020

OBJECTION TO DURHAM UNIVERSITY
SOUTH COLLEGE - PITCAIN BUILDING
LICENSING APPLICATION.

Enclosed is a letter detailing our
objection to the above licensing application.

Yours faithfully.

18th February 2020

OBJECTION TO DURHAM UNIVERSITY SOUTH COLLEGE LICENSING APPLICATION

I wish to object to the above Licensing Application on the following grounds:

1. My main concern is with regards to Prevention of Public Nuisance and Prevention of Crime and Disorder.

- The proposal to grant a club premises Licence (*for Plays (indoor and outdoor), Films (indoors and outdoors) Live and Recorded Music, Performance of dance and anything of similar description to live music, recorded music and dance (indoors and outdoors) – all Monday to Sunday 10 a.m. and 2.00 a.m.)* is totally unreasonable - this in my opinion will be deemed a Public Nuisance which will adversely affect the lives of Residents of this Residential Estate and the proposed hours are unreasonable, intrusive and unacceptable. Should this be granted, we would potentially be subjected to noise and public nuisance almost 24/7, three hundred and sixty-five days a year.
- The proposal to supply alcohol (**on and off the premises**) Monday to Sunday 10.00 a.m. to 2.00 a.m. is also totally unreasonable and unacceptable, particularly so close to a Residential Estate where many young families reside.
- The hours proposed are outside the framework times recommended in the DCC Statement of Licensing Policy 2019 – 2024 which suggests that the terminal hours for premises selling alcohol on and off the premises should be 7 to midnight on weekdays and 7.00 – 1.00 a.m. weekends.
- I feel that 10:30pm weekdays and 23:30 at weekends is more reasonable because of the direct proximity to the residential estate.
- I feel residents will be subjected to Public Nuisance and Crime and Disorder in terms of noise, anti-social behavior, alcohol related behaviour for the proposed hours, all of which will be outside of my

P.T.O.

personal control and the sheer scale of which I am not prepared to accept.

2. Public Safety:

The huge scale of the proposals will lead to instances of breach of Public Safety in terms of points already mentioned above, particularly as residents' only access to the Residential Estate is directly past the site in question. Having inebriated individuals potentially within the hours applied may pose a public safety concern, such as to residents who drive, walkers and cyclists including children, etc.

3. Access:

In addition, there is no mention of how the University intends to deal with the flow of traffic for all the events proposed for the hours proposed. The Drive is the only access to and from the Estate for cars and there is no mention of how this would be controlled so that the safety of Residents and their access is not hindered in their daily lives. This would constitute Public Nuisance and breach to safety.

4. Parking:

There appears to be very limited parking on the University Site and the application does not address this at all. With individuals attending the proposed events at all the hours proposed, I feel this will become a public nuisance. The inference is that Residents will be subjected daily to potential illegal parking and potential restriction of access to their properties with uncontrolled street parking by attendees. The Licensing Committee should have this clarified.

5. Management and Control of Events and Emergency Contacts

The University has not detailed any Management Plan to control Events, nor advised who will be the 'Responsible Person' at these events, nor have Residents been given any information about 24/7 contacts and responses if they do have problems. The student population of the two colleges is planned to be 1000, with a further 850 planned with further building, which gives a picture of the scale of their proposal.

6. Setting Precedents:

Should the current Licensing Application be agreed in its entirety, I feel this would set an undesirable precedent in this City.

7. Original Planning Application:

I understand all of these proposals were not covered in the original Planning Application – this is of huge significance, since had Residents been aware of these proposals, they may have decided they did not wish to purchase a residential property in the middle of an entertainment complex which will have a huge effect on their daily lives and wellbeing.

For all the above reasons, I feel the Licensing Committee have a responsibility to address these concerns as my right to a peaceful life has not been considered at all in the current Licensing Application.

20/2/2020

20/2/2020

MR. & MRS W R WAITE
ST. GEORGES WAY
DURHAM
DH1 3WE
9/3/2020

RE: OBJECTION TO DURHAM UNIVERSITY SOUTH COLLEGE
LICENSING APPLICATION

We acknowledge receipt of the Application Amendments and would like our original objection to remain.

We reinforce that licensing to 10:30pm Sunday to Thursday and 11:30pm Friday and Saturday would be reasonable, given a realistic drinking-up time of half an hour, and given the proximity to the residential estate.

With regard to the outdoor college events, the live events and the supply of alcohol should cease at 10:30pm. Even Hyde Park concerts are only licensed to 10:30pm in respect of people living and staying in proximity.

There also needs to be a control on the noise generated by these events, given our experience last year of the noise coming from other outdoor events in the vicinity of St. Aiden's College & Josephine Butler College.

yours faithfully, 1

Blaidwood Drive

DH1 3 TD

24.02.20

D.C.C.

PO Box 617

Durham

DH1 9HZ

Dear Sir,

I refer to the Applications for Licenses by Durham University for the, new, Pitcairn Building and for John Snow College.

These applications seek licenses for outdoor Plays/Films/Sports/Live Music/Recorded Music/Dance and anything else vaguely similar ... until 2am. The application includes the sale of alcohol off premises again until 2am.

It is clear that both D.C.C. and the University have totally lost sight of the fact that there is a Resident Population in Durham City.

In my view to grant a License for the above until 2am is totally unacceptable in the middle of a 'Residential Area'.

Yours faithfully

Mr. C.M.J.Allen

Yvonne Raine

From: Doreen <
Sent: 27 February 2020 14:46
To: AHS Licensing
Subject: Licensing applications MOUNT OSWALD

DURHAM UNIVERSITY JOHN SNOW COLLEGE AND SOUTH COLLEGE PITCAIRN BUILDING

I am a resident of The Drive at Mount Oswald.

I strongly object to the licensing application for the Monday to Sunday 10am to 2am by Durham University at the above premises.

It would be a public nuisance. I was not told this could be a possibility when I purchased my home and it is ridiculous to expect residents to put up with noise until 2am.

I would be grateful if you could keep me updated on this application.

Regards

Mrs D Dobbin

Sent from my iPad

Copperfield
Merryoaks
Durham DH1 3QT

Durham County Council
PO Box 617
Durham
DH1 9HZ

26th February 2020

Re: Licensing Act 2003 Applications for club premises certificates, Durham University South College and John Snow College DH1 3TQ

To whom it may concern:

We strongly object to the "outdoors (10am to 2am)" aspect of the above applications on the grounds that this could potentially impact all households in the Merryoaks and Mount Oswald areas. Local residents are bound to be troubled by regular noise pollution and there is no justification whatsoever for this nuisance to be continuing until 02:00 in the morning. The Applications imply that activities will be 'outdoors' and this would cause continuing nuisance to many neighbourhoods in the surrounding areas – noise travels widely under such circumstances, particularly on still summer evenings when residents' windows tend to be open. Family life could be severely disrupted.

The County Council has encouraged the building of a very large private housing estate adjacent to these new University buildings and it would be cynical in the extreme to contemplate severe and continuing noise pollution and disruption even before these residential developments are complete.

It also seems extraordinary that large new student residence blocks could themselves be affected by noise pollution of this kind – students are there to study as well as to relax; such outdoor noise pollution could well affect their eventual exam performances. The Applications are both illogical and unwanted.

Yours faithfully,

J H Phillips
F B Phillips

P.S. No communication re this application was received locally and only heard about it close to the deadline. There would be many more objections if this had been properly circulated. I am disappointed in Durham University as their developments are massively impacting local residents.

**Copperfield
DURHAM
DH1 3OT**

26 February 20120

Durham County Council
PO Box 617
DURHAM
DH1 9HZ

Dear Sirs,

Licence applications regarding South College and John Snow College

We wish to object strongly to the current licence applications relating to the above premises on the following grounds:

- music is audible at our home when St Aidan's and Van Mildert Colleges have their college dances, and from Josephine Butler College when they have outdoor music; however, these instances occur only a few times a year and are acceptable on that basis;
- the new college premises are much closer to Merryoaks and to the new housing development on the site of the former Mount Oswald golf course, so that there is a reasonable expectation that the music will be more audible to residents;
- the new premises also accommodate far more students, and at a greater density, than the other South Road colleges;
- we also question the need for the licensing to extend to 2.00 a.m. on every day of the year, which seems highly excessive and means that in theory our lives could be disrupted every night;
- while it is arguably none of our business, personal experience from working in the university for many years would suggest that for every student who wants to drink and hear loud music until the small hours, there will be at least one who wants to sleep or work - their needs should also be taken into consideration;
- your Council must recognise that, while until barely a decade ago the University generally built its student accommodation in areas remote from residential areas, in recent years it has given consent for developments close to residential areas, which would seem to put more, rather than less, responsibility on both Council and University to minimise the impact of the accommodation and students who occupy it on local residents;
- I am not sure whether such licences have been granted for Ustinov College in the heart of the Sheraton Park development; if they have been, we would not accept that as a precedent for granting the present applications, as Ustinov is occupied wholly by post-graduates, many of them from overseas, who generally tend to act more responsibly than undergraduates.

For the above reasons, and if your Council is genuinely committed to ensuring that the University and local residents can co-exist harmoniously, we would urge you to reject the current licence applications.

Yours faithfully,

R and N Metcalfe

Yvonne Raine

From: I
Sent: 02 March 2020 10:43
To: Yvonne Raine
Subject: Re: Club Premises Certificate Application for Durham University John Snow College
Attachments: DCC Licence app 02-03-04.docx

Importance: High

Yvonne

Thank you for your e-mails regarding the two college licensing applications. Please find attached our response. I am afraid that the photograph included in the letter has steadfastly refused to appear the correct way up!

As it says in the letter, we are happy for these comments to be submitted in writing without our attending the hearing, unless you advise to the contrary.

Thank you for your attention to this matter and we look forward to hearing the outcome of the application.

Kind regards.

F and N Metcalfe

**Copperfield
DURHAM
DH1 3QT**

2 March 2020

Durham County Council
PO Box 617
DURHAM
DH1 9HZ

Dear Sirs,

Thank you for your e-mail and additional information relating to the licensing applications for South Road College and John Snow College. The comments below relate equally to the applications from both colleges.

Firstly, we should apologise for the fact that there were some comments in our original application based on errors of fact, as the original copy of the application which we saw was incomplete and our submission was written in haste to meet the deadline. We only realised our error when we saw the article about the application in the Durham Advertiser.

We would like to make the point that the advertising of the application to local residents was wholly inadequate: on the Merryoaks estate, residents would only see any notice if they left the estate via the footpath leading past the Business School to Mill Hill Lane: in practice, most residents leave the estate via the exit on to the A167. For this reason, it would not be surprising if there were very few objections to the application. This photograph shows the way the legal notices were displayed, at knee height wrapped round a fence post in Mill Hill Lane, which we regard as totally inadequate.



Having read the University's amended application, we find that acceptable, subject to the following comments:

1. We note that the request for the three major events at each College is in the months of June and July: in practice such college events tend to be held in the 3-4 weeks between the end of exams and end of term: this means that there is a potential for a total of six such events on the one site in a very

short period (in addition to any existing licensed activities at the other adjacent South Road colleges) and we would ask your Committee to consider whether this is reasonable.

2. The notification to local residents should be by letter drop – not by notices stuck to fences and seen by only a minority of residents. St Aidan's College used to deliver a polite letter to each house on our estate about their event each summer: this was appreciated, but this has not happened for a number of years. At the time of such events, students have plenty of spare time to deliver such letters and it would show a genuine commitment to fostering good relations with the local community.
3. The information supplied by the University in support of its application places responsibility for dealing with any problems which might arise at such events on the College Porter and University security patrol: we feel that that is inadequate, given the size of the two Colleges and the fact that the security patrol has to look after 200 or so University properties and complaints about informal student events in residential areas, which peak in June and July. The role of CCTV is emphasised, but this is only of value in monitoring what has already happened, not in preventing any problems. For these reasons, and if the new premises are to be run as Colleges we suggest that there should be a requirement for a member of the College's staff of academic status present to supervise the major events at each College: in practice they are likely to be present, but their role should be made clear.

We hope that you will find these comments helpful: if they can be presented to your Committee in written form, we do not feel it necessary for us to attend any hearing, unless you advise to the contrary.

Yours faithfully

R and N Metcalfe

From: metcalfe <

Sent: 30 June 2020 16:42

To: Yvonne Raine <

Subject: Re: Notice of Licensing Hearings - John Snow College & South Road College, South Road, Durham

Importance: High

Yvonne

Thank you for the notice of the re-arranged Licensing Hearing. We will not be available for the meeting on 9 July, so would just like to reiterate our representation, which is summarised as follows:

- **If the request is still for three extended hours events in June and July, in practice the College events are held on the period between the end of exams and end of term - usually 2-3 weeks in late June-early July, depending on how term dates follow.**
- **Traditionally each college has one "Day" during this period - with music and events during the day and music and dance in the evening. St Aidan's and Van Mildert do this (and Ustinov did at its original site); we hear the music, but find two day's disruption acceptable.**
- **if the two new colleges on the Mount Oswald site can each have three such events in June-July, the potential is for six events in 2-3 weeks in addition to those at the existing colleges, which we do not regard as acceptable**
- **one day-night-post midnight event for each College would be acceptable**
- **there should be a requirement that, for such events at least one senior officer of the College must be present throughout the event: relying on the College Porter and mobile University security service is not adequate: the security patrol, in addition to its regular duties, is generally overstretched in that period dealing with both college events and complaints regarding the numerous student parties held in residential areas during that period.**

These views are based on local experience of events at St Aidan's, Van Mildert and Ustinov (at its original site) and on Raine's own experience as University Director of Estates (who set up what was then called the security Community Patrol which has to deal, among many other things, with these events), discussing safety and security at these events with College officers and regular attendance at college events, both as College Tutor for 35 years and working with the patrol: admittedly that was some time ago, but the events and the problems which can be associated with College events haven't changed that much over the years.

We hope that you will find these comments helpful and that the hearing goes well. We look forward to hearing the outcome.

Kindest regards.

Riaine and N Metcalfe

Nickleby Chare
Merryoaks
Durham DH1 3QX

Durham County Council
PO Box 617
Durham
DH1 9HZ

26th February 2020

Re: Licensing Act 2003 Applications for club premises certificates, Durham University South College and John Snow College DH1 3TQ

To whom it may concern:

We strongly object to the "outdoors (10am to 2am)" aspect of the above applications on the grounds that this could potentially impact all households in the Merryoaks and Mount Oswald areas. Local residents are bound to be troubled by regular noise pollution and there is no justification whatsoever for this nuisance to be continuing until 02:00 in the morning. The Applications imply that activities will be 'outdoors' and this would cause continuing nuisance to many neighbourhoods in the surrounding areas – noise travels widely under such circumstances, particularly on still summer evenings when residents' windows tend to be open. Family life could be severely disrupted.

The County Council has encouraged the building of a very large private housing estate adjacent to these new University buildings and it would be cynical in the extreme to contemplate severe and continuing noise pollution and disruption even before these residential developments are complete.

It also seems extraordinary that large new student residence blocks could themselves be affected by noise pollution of this kind – students are there to study as well as to relax; such outdoor noise pollution could well affect their eventual exam performances. The Applications are both illogical and unwanted.

Yours faithfully,

J Benstead

A Benstead

Nickleby Lane,
Durham City
Durham
DH1 3GX

Dear Sirs,

I cannot attend the meeting, my husband is in his late Eighties, with heart failure. We live next to the Public Right of way (Millhill Lane).

Noise, would be very stressful for him, as he is house bound.

Thank You.

Mrs A

MR & MRS BENSTEAD

Yvonne Raine

From: H Lynch <
Sent: 28 February 2020 18:03
To: AHS Licensing
Subject: South Road College - Application for Club Licence

Categories: Yvonne

My name is H Lynch and my address is St Georges Way, Durham DH1 3WE, which is on the Mount Oswald Development above the University's Pitcairn Building. I understand that my street is one of the closest (if not the closest) residential streets to the building in question.

Please accept this representation as an objection to the University's application for a club licence for the Pitcairn Building. My grounds of objection are that to grant it would be contrary to the licensing objectives to prevent public nuisance and crime and disorder.

The Mount Oswald Development is surrounded by a number of existing colleges, in particular Van Mildert, Collingwood and Josephine Butler. Since I moved into my property in June 2018, I have been periodically disturbed by noise nuisance emanating from college events during the day and night. For example, on one occasion in November 2018, amplified music could be heard inside my house with the windows closed on my return from work at 5pm until 3am and was then superseded by students doing karaoke/football commentary. Last summer there were a number of events where music and general noise continued throughout the day and well into the night. I recall an occasion where jazz music was played for a number of hours, which was so loud it was as if it was being played in my home. These and other instances of noise can be heard both inside and outside the house and impact on my ability to enjoy my garden and on occasion sleep. In addition to music, there is general noise associated with university outdoor events, such as loud cheering, shouting, singing etc. Whilst this noise is less intrusive than music/amplified sound it is still a nuisance.

I understand that the Colleges (which were established before the estate on which I live) will have occasional outdoor events, which may be intrusive. However, the addition of three (possibly six, if the John Snow licence is also granted) further outside events which are in closer proximity to my home is more than likely to impact on my ability to be in the garden, have windows open and sleep without being disturbed.

I also consider that the sale of alcohol on and off premises in such close proximity to a residential area between the hours of 10.00 to 2.00am, Monday to Sunday is excessive and is likely to cause further nuisance as groups of students return to their accommodation at unsociable hours. The extent of the licensing hours is also likely to increase the risk of alcohol related anti-social behaviour, crime and disorder.

Finally, the application does not appear to limit the licensable activity to the three University terms, which equate to 27 weeks a year, which again appears excessive. A licence for 52 weeks is likely to give rise to more public nuisance, anti-social behaviour, crime and disorder than a licence that is restricted to term times only.

Yours sincerely

H Lynch

Yvonne Raine

From: H Lynch <
Sent: 04 March 2020 09:27
To: Yvonne Raine
Subject: Re: Club Premises Certificate Application for Durham University South College

Dear Yvonne,

Thank you for your email. I acknowledge the applicants amendments, which are presumably intended to address my and other residents concerns. However, I wish to maintain my objection.

Whilst the proposed outdoor events have been amended, I still consider them to be unacceptable and a likely cause of public nuisance. I would reiterate my concerns regarding the number of events across all of the colleges in the area and the impact that these have on the peaceful enjoyment of my home and garden as set out in my objection dated 28 February 2020.

Thank you.

H Lynch

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Appendix 6: Responses from Responsible Authorities

Tracey Lock

From: Colin Harding
Sent: 04 February 2020 15:01
To: Tracey Lock
Subject: CON28/20/00279 - Durham University, South College Pitcairn Building

Hi Tracey,

The proposed college bar would be located within a purpose-built building within a newly constructed college. The inclusion of licensed premises in this location was fully envisaged during the evolution of the design of the development, and subsequent decision-making process. Accordingly I would have no objections to this licence application.

Kind regards,

Colin Harding
Senior Planning Officer
Development Management (Strategic Team)
Regeneration and Local Services
Durham County Council
Room 4/123 - 128
County Hall
Durham
DH1 5UL
Direct
Switchboard 03000 26 0000

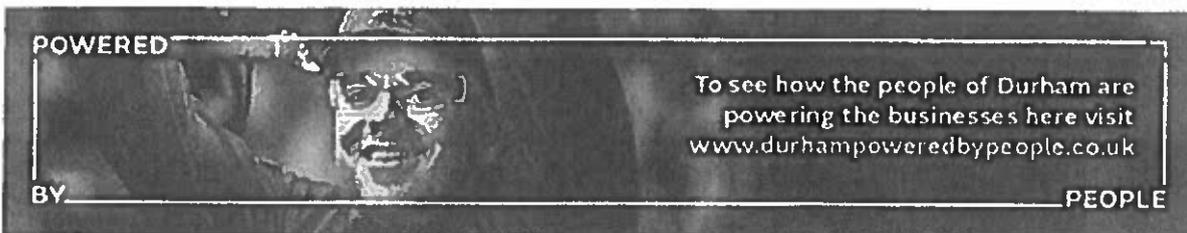
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Tracey Lock

From: Helen Johnson - Licensing Team Leader (N'hoods)
Sent: 21 February 2020 13:50
To: Tracey Lock
Subject: FW: Durham University South College, South College Pitcairn Building, South Road, Durham City, Durham, DH1 3TQ

FYI

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

Direct:
Mobile:
Email:

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

From: Stephen Winship <
Sent: 21 February 2020 13:46
To: Helen Johnson - Licensing Team Leader (N'hoods) <
Subject: Durham University South College, South College Pitcairn Building, South Road, Durham City, Durham, DH1 3TQ

My Ref: SW/2020/022

I represent the Durham Safeguarding Children Partnership (DSCP) which is a responsible authority under the Licensing Act. I have received a copy of your application for a premises licence for your premises at, Durham University South College, South College Pitcairn Building, South Road, Durham City, Durham, DH1 3TQ

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

Stephen Winship

Policy & Strategy Officer
Durham Safeguarding Children Partnership

Tel :
County Hall, Durham
DH1 5UJ

Safest People, Safest Places

County Durham and Darlington
Fire and Rescue Service



Chief Fire Officer: Stuart Errington

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

Date: 13 February 2020

Our Ref: 4840850610

This matter is being dealt with by: Daniel Thompson

Your Ref:

Direct Dial Telephone:

E-mail:

Tracey Lock
Email:

Dear Madame

Licensing Act 2003

Regulatory Reform (Fire Safety) Order 2005

Durham University South College, Pitcairn Building, South Road, Durham, DH1 3TQ

I acknowledge your application dated 31 January 2020 for a Club Premises Certificate under The Licensing Act 2003 in respect of the above named premises.

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

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

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

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

Yours faithfully

Daniel Thompson
Fire Safety Section



www.ddfire.gov.uk



Tracey Lock

From: Alcohol Harm Reduction Unit <
Sent: 27 February 2020 10:59
To: Tracey Lock
Subject: FW: LICENSING ACT 2003 - APPLICATIONS RECEIVED - NEW CLUB PREMISES CERTIFICATE
Attachments: Club Rules V1.0.pdf; College Bar Handbook V0.12.pdf; Declaration Qualifying Club .pdf; Plans V1.0.pdf; Sexual Violence and Misconduct Policy.pdf; Student Alcohol Awareness and Use.pdf; Training Schedule V1.pdf; Application and Dec (Revised 2) 30.01.2020.pdf

27/02/20

No objections from AHRU

Thanks

Cara Bancroft

8
Harm Reduction Unit
101 ext.
C

From: Dean Haythornthwaite
Sent: 27 February 2020 09:05
To: Alcohol Harm Reduction Unit <
Subject: FW: LICENSING ACT 2003 - APPLICATIONS RECEIVED - NEW CLUB PREMISES CERTIFICATE

As with the other college:

This application has been reviewed by Sgt Mole who has undertaken a number of enquiries.

He has no objections to this application.

Thanks

Dean

Tracey Lock

From: Mark Anslow
Sent: 27 February 2020 16:50
To: Tracey Lock
Subject: Durham University South College, South College Pitcairn

MEMO



To: Mrs Tracey Lock
Licensing Services

From: Mr Mark Anslow
Regeneration and Local Services

Date: 27 February 2020

Re: **Licensing Application New Club Premises Certificate**
Durham University South College, South College Pitcairn
Building South Road Durham DH1 3TQ

With reference to the above licensing application received on 3 February 2020.

I have assessed the application with reference to the public nuisance licensing objective and would confirm I have no objection to raise in relation to the granting of the above Club premises certificate.

regards

Mark Anslow
Development Assessment Team Leader
Community Protection Service
Regeneration and Local Services
Durham County Council
Annand House
Meadowfield
Durham
DH7 8RS

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Appendix 7: Statement of Licensing Policy

7.1 The Prevention of Crime and Disorder - Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment can, if not properly managed, become a source of public nuisance, generating crime and disorder problems. **The council expects** all licensed premises to be properly managed at all times to prevent this from happening and will focus attention on standards of management practice at licensed premises when carrying out its administrative and enforcement functions.

The council encourages, and will look positively on, the provision by licensees of comprehensive and documented staff training. Documented staff training conducted in respect of:

- Preventing underage sales
- Minimising drunkenness
- Managing and resolving conflict
- Emergency procedures
- Compliance with the licence conditions
- Relevant obligations and offences under the Licensing Act, particularly those associated with the sale of alcohol
- Identification and refusal of underage sales
- Use of accredited training courses and recognised industry qualifications (e.g. BII)

The council expects every holder of a premises licence, club premises certificate or temporary event notice to be responsible for minimising the impact of crime, disorder and anti-social behaviour by their patrons both on and within the immediate vicinity of their premises, including for example on the pavement, in a beer garden, a marquee, in a smoking shelter etc.

The council expects all applicants to demonstrate, in their operating schedules, that suitable and sufficient measures, ranging from the design and layout of the premises through to the daily operation of the business, have been identified and will be implemented and maintained with the intention of preventing crime and disorder.

The council recommends that procedures to deal with drunken customers, violence and anti-social behaviour, in and outside premises, and the provision of closed-circuit television in certain premises should be considered by applicants, licencees and event organisers when addressing this issue.

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

The council recognises and promotes effective and responsible management of all licensed and authorised premises through competent, efficient and regular instruction, recorded training, supervision of staff and the adoption of good practice,

such as 'Challenge 25'. These are amongst the most important control measures for the achievement of all Licensing Objectives.

The council will take a positive view of anyone who invests in appropriate training, and nationally accredited qualifications tailored to the licensing sector. Training records should be kept available for inspection by relevant enforcement agencies as a matter of good practice.

It is important that qualified and competent people are present who can discuss any problems or matters of concern arising from the licensable activities at or near to the premises with officers from DCC Licensing Services and Police.

The council also considers it to be good practice if the DPS or premises licence holder is present in the licensed area of the premises:

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

Maximum occupancy: When its discretion is invoked, the council will only impose a maximum number of people that can attend premises or an event where there is a clear and justifiable need in respect of that premises or event. Any such decision will be based on the nature and style of the operation.

The council will consider information provided by the applicant and any other body (the Council's Building Control Section, Environmental Health Section and the Durham and Darlington Fire and Rescue Service) before setting a maximum number. Applicants will be expected to detail the arrangements that would be put in place e.g. provision of door staff to ensure that the permitted number of people attending the premises or event will not be exceeded.

Security: Whenever security operatives/door supervisors are employed at licensed premises to carry out security functions they must be licensed by the Security Industry Authority (SIA). If a licensee directly employs security operatives, they will need to be licensed by the SIA as a supervisor/manager. The numbers of licensed door supervisors, both male and female, required at any premises will be dependent upon the nature of the activities licensed and the characteristics and capacity of the establishment as well as the hours of trading.

Toughened/Safety Glass: Licensed venues that provide the sale or supply of alcohol for consumption on the premises should consider the introduction of toughened/safety glass. This policy expectation applies especially to any premises associated with a higher risk for potential crime and disorder. This will be particularly

relevant for high-volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues.

The council and several of its partners have signed a collective new pledge as part of an ongoing campaign to eradicate single use plastics. The agreement commits all signatories to significantly reduce, and work towards ultimately removing, the use of unnecessary single use plastics from their operations. If alternatives to normal glass are used, the use of suitable alternatives, including non-single use plastics, is encouraged.

Drugs/Knives/Weapons: The council will expect licensees to take all reasonable steps to prevent the presence of drugs on licensed premises and to take appropriate steps to prevent drugs changing hands or consumed within the premises to prevent tragedies and harm because of drug misuse.

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

In addition to the information provided above, **Table 1 in Appendix VI** provides recommendations, suggestions and examples for how to prevent the specific crime/disorder outlined. This table is not exhaustive, and every applicant must consider the specific situation, location and circumstances associated with their premises, activities, clientele and workforce when identifying hazards, assessing risks and identifying controls.

7.2 Public Safety - The Act covers a wide range of premises that require licensing. Each of these types of premises presents a mixture of risks, with many common to most premises, and others unique to specific operations. It is essential that applicants acknowledge these risks and that premises are constructed or adapted and operated to safeguard occupants and people in the immediate vicinity who may be affected by the premises and activities taking place therein.

Applicants are advised to seek advice on such matters from the council's occupational health and safety team, Health and Safety Executive, Durham Constabulary and the Durham and Darlington Fire and Rescue Service. They should incorporate any recommendations from these responsible authorities in their Operating Schedule before submitting their applications. Matters for consideration include:

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

In addition to the information provided above, **Table 2 in Appendix VI** provides recommendations, suggestions and examples of how to prevent the specific dangers outlined. This table is not exhaustive, and every applicant must consider the specific situation, location and circumstances associated with their premises, activities, clientele and workforce when identifying hazards, assessing risks and identifying controls.

7.3 Prevention of Public Nuisance - Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping near the premises.

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

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

The placement of tables and chairs outside of licensed premises may give rise to public nuisance including noise and litter. When tables and chairs are situated on the public highway, relevant authorisations will often be required from the Highways Authority. Enquiries concerning such consents should be made to the Council's Highway's Section (see Appendix III). In predominantly commercial areas, such as shopping centres, the use of tables and chairs outside may be allowed however, the **council will normally expect** them to be removed before the premises close, and any resulting litter/debris cleared away.

Applicants should consider reducing potential noise nuisance by, for example (this list is not exhaustive):

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

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

Applicants are advised to seek advice from Durham County Council's Environmental Health team and incorporate any recommendations in their operating schedule before submitting their applications.

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

Important note: The council considers that it will be inappropriate to grant a premises licence permitting the sale of alcohol at premises which are principally used for selling hot food for consumption off the premises (“takeaway” premises).

Takeaway premises are often open late at night and in the early hours of the morning. They can be associated with disorder as people under the influence of alcohol may congregate outside takeaways after leaving or in some cases having been ejected from late-night licensed premises.

Takeaways operate within the night time economy but without the same framework around them, e.g. pubwatch, use of security staff etc. In addition, alcohol sold from takeaways could readily be consumed in public spaces and may not be subject to the same controls associated with other types of licensed premises.

From a health perspective, obesity levels are rising nationally and locally; without action the health of the population will continue to suffer. Responsible licensees can support the ‘Working toward a healthy weight in County Durham’ goals and the council would see the following steps as a contribution to reducing health harms and health inequalities:

- Menu to display calories per portion information for all food offers.
- Menu to offer at least one clear and stated, 'healthy option' and to be priced competitively.
- Menu to display recommended daily calorie limits for adults (For women the recommended limit is 2,000 calories a day for men it's 2,500).
- Menu to offer smaller / half portions.
- Salt and pepper available upon request rather than always on the table

In addition to the information provided above, **Table 3 in Appendix IV** provides recommendations, suggestions and examples of how to prevent the specific nuisance type outlined. This table is not exhaustive, and every applicant must consider the specific situation, location and circumstances associated with their premises, activities, clientele and workforce when identifying hazards, assessing risks and identifying controls.

7.4 Protection of Children from Harm - the protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). The Secretary of State's Guidance to the Licensing Act 2003 also makes clear that the authority must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

While the Act does not prohibit children from having free access to any licensed premises, the council recognises that limitations may have to be considered where it appears necessary to protect children from physical, moral or psychological harm and the effects of alcohol on parenting. Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises.

Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

The council will expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises. **The council will also expect** any licence holder who wishes to hold events for children to provide it, and the Police, with a detailed risk assessment of that event including how the event will be managed, staffing levels for the event and how any child will be prevented from being exposed to any harm.

The council will give considerable weight to representations about child protection matters particularly from the Local Safeguarding Children's Board who act as the responsible authority under the Act for matters relating to child protection. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations.

These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the council, linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries), this evidence will be considered. The council will also consider what action is appropriate to ensure this licensing objective is effectively enforced.

In relation to applications for the grant of a licence in areas where evidence is presented, on high levels of alcohol-related harms in persons aged under 18, the council will also consider what conditions may be appropriate to ensure that this objective is promoted effectively.

The council will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises where it is necessary to prevent physical, moral or psychological harm.

The council will expect all licence holders or premises, that wish to allow children on to their premises, to ensure that access is restricted where appropriate. This could include ensuring that all children are accompanied and that they do not have access to, or sight of, alcohol. **The council will consider** the following when dealing with a licence application where children may have limited access:

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

The council recommends that retailers of alcohol ensure that their staff are properly trained in all aspects of responsible retailing, including the sale of alcohol and age restricted sales. The Council fully endorses and promotes knowledge of and adherence to Challenge 25 within the retail business sector.

Further advice and information on age restricted sales and training can be found by contacting Durham County Council's Trading Standards service at trading.standards@durham.gov.uk

The council will work closely with the Police and the Council's Trading Standards service to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children. We know alcohol is harmful to the health of children and young people whose minds and bodies are still developing.

Alcohol must not be served to persons under the age of 18, except in limited circumstances allowed by the law, and then only after verifying a person's proof of age e.g. 16 and 17-year-olds may drink beer, wine or cider with a table meal in relevant premises, where accompanied by an adult aged 18 years or over. The currently accepted verifications for proof of age are a passport, a photo card driving licence or a proof of age scheme such as Challenge 25.

The council is aware of a young person's vulnerability to alcohol and events, which are aimed at children under the age of 18 years on licensed premises, will not be supported by the council unless the applicant can demonstrate that all safeguards for children have been addressed (such as the removal of alcohol advertising).

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

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

Access to Cinemas: The 2003 Act requires that any premises showing films must ensure that children are not able to view age restricted films (as classified by the British Board of Film Classification). **The council will expect** any licence holder or applicant who intends to show films to outline suitably robust measures on how they will protect children from exposure to this potential harm. The authority may impose suitable conditions if it believes it is required for the promotion of the four licensing objectives.

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

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

Children and Public Entertainment: Many children go to see and/or take part in entertainment arranged especially for them. For example, children's film shows and dance or drama school productions, and additional arrangements may be required to safeguard them while at the premises. Where many children are likely to be present on any licensed premises, for example a children's pantomime, disco/rave or similar event, the authority expects all children to be supervised by an appropriate number of adults and to ensure that the venues put measures in place to prevent any child being exposed to harm.

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

Venue operators may also apply their own admissions policy to their premises. If a venue has carried out a risk assessment that deems it appropriate to exclude children or young persons from their premises, then that is a matter for them.

The council will expect all venue operators to risk assess their venues accordingly against the nature of the licensable activities they intend to carry out. This could include, for example, allowing accompanied children into a premise up until a certain time and then excluding them for the rest of the time the premises are open.

Regarding this licensing objective, the council considers Durham County Council Safeguarding Children Board to be the competent authority for matters relating to the protection of children from harm. A protocol exists between Durham Local Safeguarding Children Board and Durham Constabulary. All safeguarding concerns identified because of premises, personal applications and all variations to licences are covered by this protocol.

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

The council strongly recommends that events, involving persons under the age of 18 years and persons over 18 years, do not take place unless there are sufficient and robust control measures in place. Experience has shown that mixed age events are extremely difficult to control and manage and they have led to persons under the age of 18 being exposed to alcohol and entertainment late into the night.

It is the council's view that mixed age events should not take place within the late-night economy, particularly at venues that are alcohol and entertainment-led and which are operating late at night. It is the council's view that these mixed aged events can have an adverse impact on a young persons wellbeing as well exposing them to unacceptable levels of harms associated with the night time economy.

In addition to the information above, **Table 4 in Appendix VI** provides recommendations, suggestions and examples of how to protect children from each of the dangers outlined. This table is not exhaustive, and every applicant must consider the specific situation, location and circumstances associated with their premises, activities, cliental and workforce when identifying hazards, assessing risks and identifying controls.

Appendix 8: Section 182 Guidance

Crime and disorder

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

licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Public safety

- 2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.8 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
 - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
 - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
 - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
 - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
 - Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).
- 2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Ensuring safe departure of those using the premises

- 2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:
- Providing information on the premises of local taxi companies who can provide safe transportation home; and
 - Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

Maintenance and repair

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

Safe capacities

- 2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of

¹ S 177 of the 2003 Act now only applies to performances of dance.

those premises should be.

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

Public nuisance

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of children from harm

- 2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
 - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - it is known that unaccompanied children have been allowed access;
 - there is a known association with drug taking or dealing; or
 - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate

as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

- 2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
 - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.
- 2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

- 2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.
- 2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

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

Table of relevant offences under the 2003 Act

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