

Statutory Licensing Sub-Committee

15th July 2021

Application for the grant of a Premises Licence

Ordinary Decision



Report of Alan Patrickson, Corporate Director of Neighbourhoods and Climate Change

Councillor John Shuttleworth, Cabinet Portfolio Holder for Neighbourhoods and Local Partnerships

Electoral division(s) affected:

Tow Law

Purpose of the Report

- 1 The Sub-Committee is asked to consider and determine the application for the grant of a Premises Licence for Looking Glass House (formerly The Station Hotel), 63 High Street, Tow Law, Bishop Auckland, County Durham. DL13 4DP
- 2 A plan showing the location of the premises is attached at Appendix 2.

Executive summary

- 3 The application requests the granting of a new Premises Licence and was submitted to the Licensing Authority on 24th May 2021 by Miss Victoria Nolan.
- 4 The application requests the following:
 - Supply of Alcohol for consumption on the premises from 9.00 am until 11.00 pm Monday to Sunday.
 - The provision of Plays, Live Music, Recorded Music, Performance of Dance and similar entertainment all indoors from 9.00 am until 11.00 pm Monday to Sunday.
- 5 On 11th June 2021, following mediation with Durham Constabulary the applicant agreed to add some additional conditions to the application.
- 6 During the consultation period, the Licensing Authority received one objection from a local resident.

- 7 On 24th June 2021, the applicant provided some additional information and added some further conditions to the application, after considering the concerns raised by the objector.
- 8 On 5th July 2021, some further supporting information was received from the applicant.
- 9 The Planning Authority, the Fire Safety Authority, the Environmental Health Department, the Durham Safeguarding Children Partnership and Durham Constabulary all replied to the consultation with no objections.

Recommendation(s)

- 10 The Sub-Committee is asked to determine the application with a view to promoting the licensing objectives.
- 11 The Sub-Committee is recommended to give appropriate weight to:
 - (a) The steps that are appropriate to promote the licensing objectives;
 - (b) The representations (including supporting information) presented by all parties;
 - (c) The Durham County Council Statement of Licensing Policy. The relevant parts of the policy are attached at Appendix 8;
 - (d) The Guidance issued to local authorities under Section 182 of the Licensing Act 2003 (as amended April 2018). The relevant parts of the guidance are attached at Appendix 9.

Background

- 12 Background information

Applicant	Miss Victoria Nolan	
Type of Application: New Premises Licence	Date received: 24th May 2021	Consultation ended: 21st June 2021

Details of the application

- 13 An application for the grant of a new Premises Licence was received by the Licensing Authority on 24th May 2021. A copy of the application is attached at Appendix 3.

- 14 The applicant has proposed the conditions and steps that they intend to take in order to promote the four licensing objectives, which are outlined within the application at Appendix 3.
- 15 The application is deemed by the Licensing Authority to be correctly served and advertised in accordance with the Licensing Act regulations.
- 16 The activities requested are as follows:

Licensable Activity	Days & Hours
Supply of Alcohol (consumption on the premises)	Monday to Sunday: 09:00 - 23:00 hrs
Plays, Live Music, Recorded Music, Performances of Dance, Similar entertainment (all indoors)	Monday to Sunday: 09:00 - 23:00 hrs
Open to the public	Monday to Sunday: 09:00 - 23:00 hrs

- 17 On 11th June 2021, following mediation with Durham Constabulary the applicant agreed to add the following additional conditions to the application:
- All staff shall be fully trained to perform their role. They will also be trained in the contents of the premises licence including times of operation, licensable activities and all conditions. Such training will be recorded in a register. The register will be made available to the Police or an authorised officer of the council upon request.
 - The premises shall operate the Challenge 25 scheme. As part of such a scheme a register of refusals shall be maintained and kept up to date. The register will be available for immediate inspection by police or authorised officers of the council.
 - The premises shall maintain an incident book, which shall be made available to the Police and authorised officers of the local authority upon request.
 - A CCTV system will be installed and in operation at all times the premises are being used for licensable activity. It must be operated by properly trained staff. All public areas will be covered, including entrances, exits and outside area.

- CCTV recording will be retained for a minimum of 28 days.
- Children under the age of 18 will not be allowed entry to or remain in the bar areas after 21.00 unless at a private function.
- The premises licence holder is to undertake right to work checks on all staff who are employed at the licensed premises in a paid or unpaid capacity. A copy of any documents checked as part of the right to work check are to be retained at the licenced premises. These documents will be made available to officers and responsible authorities when requested.
- A Full risk assessment must be completed prior to all events and functions, this will be made available to Police or authorised officers of the council on request.
- A notice must be displayed at all entrance and exit points asking patrons to leave quietly.

For confirmation, please see Appendix 4.

18 After considering the objection received, on 24th June 2021, the applicant provided some additional information and added the following further conditions to the application:

- No live bands will be permitted to perform (other than acoustic sets) until soundproofing is assessed and installed within the premises
- Customers will not be permitted to bring drinks outside the front of the premises.
- Signs will be displayed at the exit to advise customers to leave quietly so as not to cause a disturbance to local residents.
- Staff will carry out a litter sweep around the premises following each event to clear the area of any litter and cigarette butts.

The applicant also submitted some further supporting information on 5th July 2021.

Please see Appendix 5.

The Representations

19 During the consultation period, the Licensing Authority received one objection from a local resident, Mrs Logan-Pearson.

Unfortunately, Mrs Logan-Pearson has advised that she is unable to attend the committee hearing due to work commitments, but she has asked for her representation to be considered by the Sub-Committee in

her absence and has provided an additional statement for Members to also consider

- 20 The Licensing Authority deemed the objection/representation as relevant, relating to the following licensing objectives:
- The Prevention of Crime and Disorder
 - The Prevention of Public Nuisance
 - The Protection of Children from Harm
- 21 A copy of the objection/representation and additional statement provided by the objector are attached at Appendix 6.
- 22 Responses were received from the following Responsible Authorities, confirming that they had no objections to make in relation to the application:
- Planning Authority
 - County Durham and Darlington Fire Safety Authority
 - Durham County Council's Environmental Health Department
 - Durham Safeguarding Children Partnership
 - Durham Constabulary

Copies of the responses are attached at Appendix 7, for information only.

The Parties

- 23 The Parties to the hearing will be:
- Miss Victoria Nolan (applicant)
 - Ms C Logan-Pearson (other person)

Options

- 24 There are a number of options open to the Sub-Committee:
- (a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003;
 - (b) Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it appropriate for the promotion of the licensing objectives and the mandatory conditions set out in the Licensing Act 2003;

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

Main implications

Legal Implications

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

See Appendix 1.

Consultation

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

See Appendix 1

Conclusion

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

Background papers

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

Other useful documents

- None

Contact: Yvonne Raine

Tel: 03000 265256

Appendix 1: Implications

Legal Implications

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

In this case it was summed up that:

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

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

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

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

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

Consultation

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

The Responsible Authorities were consulted on the application.

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

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

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

Appendix 2: Location Plan

Durham County Council - IntraMAP



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Every care has been taken to ensure the information contained on this map is correct. DCC accepts no liability for error or misinterpretation of the information shown on this map.



Map produced by Durham County Council - IntraMAP on 5/7/2021 at a scale of 1:1250

Appendix 3: Premises Licence Application



* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

Looking Glass House

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

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

Victoria

* Family name

Nolan

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

Is your business registered in the UK with Companies House?

- Yes No

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

Is your business registered outside the UK?

- Yes No

Business name

Looking Glass House

If your business is registered, use its registered name.

VAT number

- None

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

Legal status

Sole Trader

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- Yes No

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

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

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

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

- Yes No

Building number or name	<input type="text" value="The Station Hotel"/>
Street	<input type="text" value="63 High Street"/>
District	<input type="text" value="Tow Law"/>
City or town	<input type="text" value="Bishop Auckland"/>
County or administrative area	<input type="text" value="County Durham"/>
Postcode	<input type="text" value="DL13 4DP"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

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

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

- Yes No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value=""/> / <input type="text" value=""/> / <input type="text" value=""/> dd mm yyyy
* Nationality	<input type="text"/>
Right to work share code	<input type="text" value="N/A"/>

[Documents that demonstrate entitlement to work in the UK](#)
[Right to work share code if not submitting scanned documents](#)

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OPERATING SCHEDULE

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

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

Provide a general description of the premises

Continued from previous page...

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

A public house with an Alice in Wonderland theme available to hire for private parties and open for events. Alcohol will be available for sale during parties and events (unless the party or event is for people aged under 18 years). A small beer garden is attached to the premises as shown on premises map. Live and recorded music will be played during parties and events which will take place between the hours of 09.00 and 23.00 but not for the duration.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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Start

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THURSDAY

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Start

End

FRIDAY

Start

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End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

Plays will be performed at the venue and live or recorded music may be used during plays. Music will be amplified through standard speakers.

State any seasonal variations for performing plays

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

There will be no seasonal variations.

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

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

All plays will take place within the hours stated.

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Start

End

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

- Indoors Outdoors Both

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

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

Live music will be performed in the venue during private parties and events. Not every party and event will contain live music. Music will be amplified (when necessary) through standard speakers.

Continued from previous page...

State any seasonal variations for the performance of live music

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

No seasonal variations are planned.

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

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

All live music will take place within the times listed above.

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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THURSDAY

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FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the playing of recorded music take place indoors or outdoors or both? Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Indoors Outdoors Both

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

Recorded music will be played in the venue during private parties and events. Music will be amplified through standard speakers.

State any seasonal variations for playing recorded music

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

No seasonal variations.

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

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

All parties will take place during the hours listed above.

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

Standard Days And Timings

MONDAY

Start End

Start End

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

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

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Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

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

Indoors Outdoors Both

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

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

Dance performances may take place within the venue at both private parties and during the monthly event.

State any seasonal variations for the performance of dance

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

No seasonal variations are expected.

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

Continued from previous page...

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

There will be no non-standard timings.

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

[See guidance on regulated entertainment](#)

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

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

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THURSDAY

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FRIDAY

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End

SATURDAY

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SUNDAY

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End

Start

End

Give a description of the type of entertainment that will be provided

Continued from previous page...

Magic shows, poetry readings and performance art may be provided in the venue during private parties or at the monthly event.

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

Music may be used alongside the entertainment amplified through standard stereo speakers.

State any seasonal variations for entertainment

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

No seasonal variations are expected.

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

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

No non-standard timings.

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

Alcohol will be available for sale during private parties, plays and events (unless exclusively for under 18's). All activities will take place between 09.00 and 23.00 hours but not for the duration.

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

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

No non-standard timings.

Continued from previous page...

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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

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

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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Start

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THURSDAY

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End

Start

End

FRIDAY

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SATURDAY

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SUNDAY

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Start

End

State any seasonal variations

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

Venue will be open for private parties, plays and events within the hours stated above, but not for the duration.

Continued from previous page...

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

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

No non standard timings.

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

When the premises are open for any licensable activity i will ensure that a sufficient amount of competent staff are on duty. Staff will undertake thorough training in their responsibilities in relation to the sale of alcohol including enforcing the proof of age policy and the handling of drunk and disorderly behavior (records of training will be kept). The four licensing objectives and a list of steps to take in order to promote the objectives will be put on display for staff members. Additional public safety measures will be put in place to comply with the current government guidelines for Covid-19.

b) The prevention of crime and disorder

- * A door supervisor (registered with the SIA) will be present if and when appropriate for parties and events.
- * A CCTV system will be installed and regularly checked to make sure it is working to the satisfaction of Durham Constabulary and the licensing authority. At least one C.C.T.V. camera will be in operation at the front of the premises at all times when the premises is in use. Recordings will be maintained for an appropriate period of time to be agreed with the Police and the Licensing Authority. A notice will be displayed at the entrance to the premises advising that C.C.T.V. is in operation.
- * Customers will not be permitted to take open containers of alcohol or soft drinks from the premises and all bottles and glasses are to be removed from public areas as soon as the contents are empty/finished.
- * All inclusive nights and other irresponsible drinks offers will not be permitted.
- * An anti-drugs policy will be put in place under consultation with the Police and Licensing Authority.
- * Crime prevention notices will be displayed warning customers of the possibility of crime which may target them (e.g. "Bags should not be left unattended").
- * A "Customer Code of Conduct" poster will be prominently displayed warning customers that if they act in an inappropriate manner they could be barred from the premises and if necessary the authorities will be informed.
- * We will become a member of Pubwatch, attend Pubwatch meetings and participate in all initiatives.

c) Public safety

- * I have conducted a Fire Risk Assessment at the premises and implemented the necessary control measures including fitting fire extinguishers and illuminated fire exit signs.
- * All exit doors are easily operable without the use of a key, card, code or similar means and will be checked regularly to ensure satisfactory functionality (records of checks will be kept and can be produced on request).
- * Step and stair edges are appropriately highlighted making them clearly visible.
- * Hangings, curtains, upholstered seating and decorations will be maintained in a flame retardant condition complying with current fire safety regulations.
- * Notices detailing actions to be taken in the event of fire or other emergency will be prominently displayed and maintained in good condition.
- * Fire drills to be conducted on a monthly basic and all members of staff will be trained in fire and emergency evacuation procedures.

Continued from previous page...

- * Adequate arrangements exist to enable the safe movement within the premises of disabled people and their safe evacuation in the event of an emergency.
- * Adequate and appropriate first aid equipment and materials are available on the premises.
- * At least one qualified First Aider (with training in drug and alcohol related problems) will be on duty when members of the public are present.
- * In the absence of adequate daylight, suitable and sufficient artificial lighting will be provided and maintained in any area accessible to the public.
- * Fire safety signs are adequately illuminated.
- * The premises will gain suitable Public Liability Insurance and a certificate will be obtained each year and displayed at the premises.
- * The premises are equipped with fire fighting equipment (including fire blankets and extinguishers) which will display up to date certificates of inspection.
- * The premises are equipped with fire detection alarms and have up to date certificates of inspection.
- * The premises will have a current and satisfactory electrical installation report carried out by a Government approved electrical regulator. Inspections will be carried out on a yearly basis and a new report will be obtained each time.
- * The premises will have a current Gas Safe certificate of inspection. Inspections will be carried out on a yearly basis and a new report will be obtained each time.
- * Free drinking water will be available at all times when the premises are open to the public.
- * We operate a no smoking policy at the premises.
- * Adequate seating is provided to accommodate patrons.
- * A continuous and accurate record will be maintained of the number of patrons within the premises. Records will be available upon request.
- * A survey of the noise levels to which customers are subjected will be undertaken by a suitably qualified person and adjustments will be made to reduce levels, wherever necessary.

ADDITIONAL MEASURES WILL BE PUT IN PLACE TO COMPLY WITH THE LATEST GOVERNMENT GUIDELINES FOR COVID-19 INCLUDING:

- * Supporting the NHS Test and Trace by displaying the official NHS QR code poster and ask every customer aged 16 and over to check in and provide contact details by using the NHS COVID-19 app. For those without smartphones a written record will be kept for 21 days available to NHS Test and Trace upon request. Entry will not be permitted to those who refuse to check in and provide details.
- * Minimising the risk of transmission and protecting the health of customers and visitors by ensuring staff and customers are familiar with the guidance through training, clear signage and providing information.
- * Lowering the venue capacity and reconfiguring the tables and seating to be at least 1-2 meters apart.
- * Managing entry numbers through a booking system.
- * Providing social distancing markings and have customers queue at a safe distance for entry and toilets.
- * Provide table service only with portable payment machine and encourage contactless payment or placing orders through ordering app.
- * Provide hand sanitiser and hand washing facilities and encourage customers to use upon arrival.
- * Remind customers who are accompanied by children that they are responsible for their supervision and ensuring that they comply with social distancing rules.
- * Minimise customer self-service of food, cutlery and condiments.
- * Reduce the number of surfaces touched by both staff and customers and clean surfaces, equipment and hands on a more regular basis with disposable towels. Bin will be provided.

d) The prevention of public nuisance

- * A noise management plan will be devised and put into operation at the premises.
- * Noise or vibration from the premises will be maintained at a level that will not be audible at any neighbouring noise sensitive premises.
- * Doors and windows will be kept closed when regulated entertainment is taking place.
- * Clear and prominent notices will be displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

Continued from previous page...

- * Disposal of empty bottles into waste receptacles outside the premises will not be permitted to take place between the hours of 23:00 hrs and 07:00 hrs to minimise disturbance to nearby occupiers.
- * During the final hours of opening any live/recorded music will be reduced in volume.
- * Refuse receptacles will be cleaned with disinfectant each time they are emptied.
- * Staff will undertake a litter pick around the premises daily.

e) The protection of children from harm

- * Alcohol will not be available on the premises when only under 18's are in attendance.
- * The premises will operate a proof of age policy.
- * All members of staff who are working with children will have completed an appropriate DBS check.
- * The minimum number of staff working with children will be 1 staff member per 15 children (or part thereof).
- * The venue facilities are sufficient enough to safely accommodate the number of children attending the venue.
- * Children attending parties will be accounted for at all times in case of an evacuation or emergency.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Premises licence fees can be calculated by visiting the Department for Culture Media and Sport website at http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/3193.aspx

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

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

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

Details of these additional fees can be found on the website http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4040.aspx

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

Continued from previous page...

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

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

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

* Full name

* Capacity

Date (dd/mm/yyyy)

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

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

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

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

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

KEY

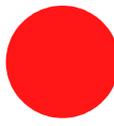
Off limits to public



Permanent fixed fittings



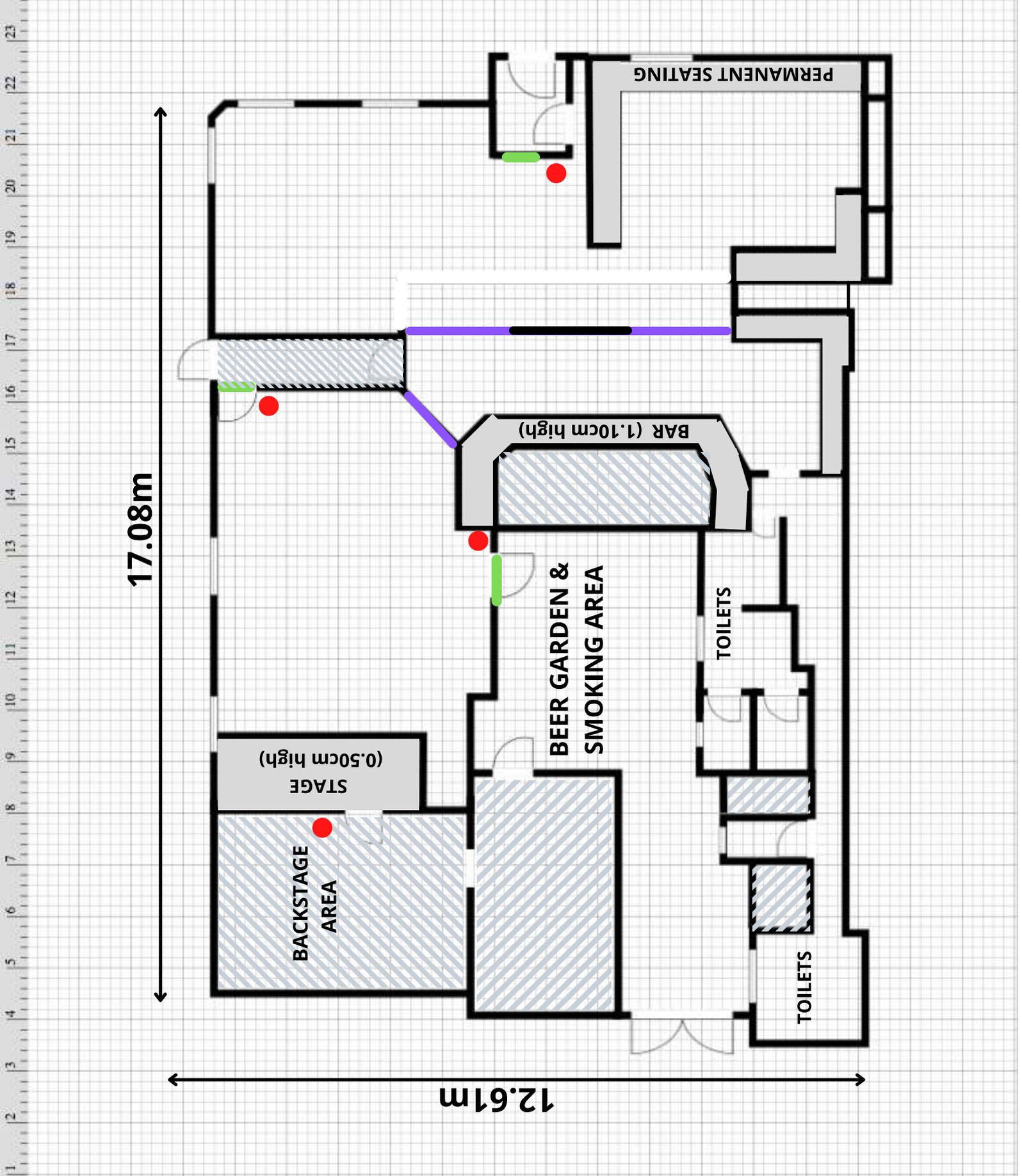
Fire Extinguishers



Step



Illuminated Emergency Exit Signs



**Appendix 4: Additional conditions following mediation with
Durham Constabulary**

From: Paul Conroy <
Sent: 11 June 2021 16:32
To: Helen Johnson - Licensing Team Leader (N'hoods)
Subject: FW: Licensing - New Premises Licence Application received- Looking Glass House, The Station Hotel, 63 High Street, Tow Law

Hi Helen,

Could you add these agreed conditions please?

Thanks,

Paul

From: W
Sent: 11 June 2021 16:25
To: Paul Conroy <
Subject: Re: Application

That all looks great Paul,

Many thanks

On Fri, Jun 11, 2021 at 4:07 PM Paul Conroy

> wrote:

Hi Victoria,

Please see below the conditions we discussed this morning,

- All staff shall be fully trained to perform their role. They will also be trained in the contents of the premises licence including times of operation, licensable activities and all conditions. Such training will be recorded in a register. The register will be made available to the Police or an authorised officer of the council upon request.
- The premises shall operate the Challenge 25 scheme. As part of such a scheme a register of refusals shall be maintained and kept up to date. The register will be available for immediate inspection by police or authorised officers of the council.
- The premises shall maintain an incident book, which shall be made available to the Police and authorised officers of the local authority upon request.
- A CCTV system will be installed and in operation at all times the premises are being used for licensable activity. It must be operated by properly trained staff. All public areas will be covered, including entrances, exits and outside area.
- CCTV recording will be retained for a minimum of 28 days.
- Children under the age of 18 will not be allowed entry to or remain in the bar areas after 21.00 unless at a private function.
- The premises licence holder is to undertake right to work checks on all staff who are employed at the licensed premises in a paid or unpaid capacity. A copy of any documents checked as part of the right to work check are to be retained at the licenced premises. These documents will be made available to officers and responsible authorities when requested.

- A Full risk assessment must be completed prior to all events and functions, this will be made available to Police or authorised officers of the council on request.
- A notice must be displayed at all entrance and exit points asking patrons to leave quietly.

Let me know once you are happy and we can proceed with the application.

Thanks,

Paul Conroy

DURHAM CONSTABULARY, Protecting Neighbourhoods, Tackling Criminals, Solving Problems...Around the Clock

Appendix 5: Applicant's amendments and additional information

From: W

Sent: 24 June 2021 17:42

To: Yvonne Raine <

Subject: Re: Looking Glass House

Hi Yvonne,

I am requesting that the following amendments be made to my pending licensing application:

- *No live bands will be permitted to perform (other than acoustic sets) until soundproofing is assessed and installed within the premises*
- *Customers will not be permitted to bring drinks outside the front of the premises.*
- *Signs will be displayed at the exit to advise customers to leave quietly so as not to cause a disturbance to local residents.*
- *Staff will carry out a litter sweep around the premises following each event to clear the area of any litter and cigarette butts.*

Many Thanks

Victoria Nolan

From: W

Sent: 24 June 2021 11:29

To: Yvonne Raine <

Subject: Re: Looking Glass House

Hi Yvonne,

I have attached a letter in response to the objection. I think it clarifies a few things which may alleviate some of the concerns.

If you need me to do anything else please let me know.

Many thanks,

Victoria Nolan

To whom it may concern,

In response to the objection received in relation to my premises licence application for Looking Glass House located at the Station Hotel, 63 High Street, Tow Law, Co. Durham, DL13 4DP, I would like to clarify my intentions within the premises.

I do not plan to open up as a mainstream public house. Presently, I plan to sell only bottles/cans; no kegs/barrels are connected as we do not expect to be selling in high volumes.

The premises will mostly be used to host private parties, primarily for children, and no more than 50 children (currently 25 due to COVID-19 restrictions) will be in attendance at each party. Additionally, weekly drama sessions will take place for primary school aged children, again the limit is 50 children (currently 25 due to COVID-19 restrictions). Recorded music may be played through speakers at an appropriate (but never excessive) volume during parties and drama sessions.

Private parties for adults may also be held and could go on later than children's parties (which end at 9pm) but no later than 11pm, during which alcoholic beverages would be sold. When appropriate a door supervisor will be employed to prevent social disorder. CCTV cameras have also been installed.

The opening hours Sat-Sun 9am -11pm stated on the the premises application covers all hours in which parties could take place however it will never be for the duration. It is expected that no more than two parties will take place in any one day, each lasting approximately 2-3 hours in duration.

The proposed monthly event would be a ticketed, serving alcohol and providing live entertainment. The reason I am making it a ticketed event is to attract an audience who are interested in enjoying the entertainment rather than going out and getting drunk. Like the objector, I am also a mother, I have two teens and and a toddler and by no means seek to encourage disorderly behaviour in the area; I feel the venue would in fact enrich the community, providing culture and entertainment for the local residents. My desire to serve alcohol, is a way to make money and keep my venture afloat.

Live entertainment will include such things as magic, stand-up comedy, poetry readings, performance art and live music. I understand concerns regarding noise, so suggest that until soundproofing is assessed and installed within the premises, no live bands (excluding small acoustic sets) will be allowed at any event or party.

Regarding smoking, there is a yard at the back of the premises which will be used as the designated smoking area during the monthly event and parties for adults. Customers will not be permitted to bring drinks outside the front of the premises and will be advised to exit quietly and respectfully when leaving. Following each party/event a litter sweep will be carried out around the premises to clear up any litter, cigarette butts etc.

If I were in the objectors position, I am sure I would have similar concerns but I hope that this at least brings some clarity to my proposal.

Sincerely,

Victoria Nolan

From: W

Sent: 05 July 2021 13:38

To: Yvonne Raine <

Subject: Additional Documentation

Hi Yvonne,

I have attached some documents which I think may be helpful at the hearing on the 15th. I have included some photographs of the venue to demonstrate that it is primarily a party and entertainment venue and not a typical public house. I have also attached two newspaper articles to show that I am a community orientated person who wishes to enrich areas of social deprivation rather than cause a public nuisance. Finally I have attached two advertisements, one for a past project I organised for Stanley Town Council, and the other for an up and coming project to be held within the premises; both I feel show how I am passionate about Alice in Wonderland and using the story as a means for social enrichment; my desire to sell alcohol at parties and events is primarily to keep the venture afloat financially and not to attract drunk and disorderly behaviour which would only be of detriment to the venue and my family who reside there.

Many Thanks,

Victoria Nolan

















Celebrating alternative lifestyles



GOTHIC DAY: Emma of the Frayed Knot Circus, entertains visitors at the Head of Steam

Picture: DOUG JACKSON

A DAY of alternative entertainment proved a success - despite a last-minute venue change.

Durham-based Luna Arts was planning to hold the event in the city's Live Lounge yesterday, but had to switch to the Head of Steam pub because the England v Germany World Cup match was being shown on a big screen.

During the day, there was a free programme that included Chinese pole dancer Emma Nolan, youth drama, children's entertainment and a freaky face-painter, and stalls selling custom-made clothing and jewellery.

The evening programme included punk 'n' roll band The Zombie Head Hunters, Burlesque performer Miss T J S, magician A S and comedian Dick Nolan, of Luna Arts, said: "It went very well and we had a good attendance."

"The change of venue worked out nicely - we had a stage outside and bands played on the pub balcony."

One of the aims of the events was to promote tolerance of different sub-cultures and some of the proceeds will go to the foundation set up in memory of Sarah, the Lancashire goth who was kicked to death by a gang of youths three years ago because of her appearance.

Election 2015: Green Party candidate vows to give half her salary to good causes

Victoria Nolan, who is standing in North Durham, made the pledge at a hustings but opponents say it is wrong to "bribe" the electorate



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 Victoria Nolan

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A vibrant, stylized illustration of a Wonderland-themed park. At the top, a black Cheshire cat with a wide, toothy grin and glowing eyes is perched on a tree branch. Below it, a large, multi-colored caterpillar with a face and antennae is crawling on a mushroom. In the center, a large, spotted mushroom is prominent. To the right, Alice, dressed in a black dress with a red apron, stands on a mushroom. In the bottom left, two small, round, striped creatures (the Tweedle Dubs) are visible. The background is filled with various mushrooms, flowers, and whimsical elements like a teapot and a rabbit. The overall color palette is dominated by reds, blues, and greens.

ALL FREE!

**ALICE'S
WONDERFUL
PARTY IN THE
PARK**

BBQ & REFRESHMENTS

FANCY DRESS

**FUN, GAMES &
PRIZES**

LIVE ENTERTAINMENT

**VIEW LANE PARK
SHIELD ROW DH9 0HA
Aug 21st 12-4pm**

WONDERLAND DRAMATICS

Wonderland Dramatics is a weekly drama session suitable for children aged 5-12 years old.

Sessions are held at **LOOKING GLASS HOUSE**, an Alice in Wonderland themed party venue located at the Station Hotel in Tow Law. Each **2 hour drama session** is designed to **build confidence, ability and creativity** in preparation for the main performance which will take place approximately every 4-6 weeks and family and friends will be invited to come and watch the show.

**ALL OF OUR FACILITATORS HAVE
RECIEVED ENHANCED DBS CHECKS**

EVERY MONDAY 5.30 - 7.30PM

Our first show will revolve around **The Jabberwocky** - a mysterious creature spoken about in a poem written by Lewis Carroll, featured within his tale of Alice Through the Looking Glass.

Lewis Carroll wrote the story as a youngster whilst living in his childhood home in Croft on Tees, a village near Darlington located just a half hour drive from **LOOKING GLASS HOUSE**.

What is the Jabberwocky? Where did it come from? Where is it now? These are the questions that we, as a group, will attempt to answer as we devise our first performance piece.

BOOK YOUR CHILDS PLACE

EMAIL:

TEL:

- ***SIBLING DISCOUNT AVAILABLE**
- ***AFTER FIRST SESSION, PAYMENTS TO BE MADE IN ADVANCE EVERY 4 WEEKS**

**£10 PER 2 HOUR
SESSION***



**THE STATION HOTEL, 63 HIGH STREET, TOW LAW,
BISHOP AUCKLAND, CO. DURHAM, DL13 4DP**

Appendix 6: Representation and additional statement

From: C Logan-Pearson
Sent: 16 June 2021 15:43
To: AHS Licensing <
Subject: Licensing Act 2003 applications

Dear Sirs,

I wish to bring your attention to my points of objection to the Licensing Act 2003 application in the name of Miss Victoria Nolan in relation to Looking Glass House, The Station Hotel 63 High Street, Tow Law, DL13 4DP.

I am the owner of High Street, Tow Law which is the terraced house adjoining these premises. When I purchased the property I researched these premises and found a planning application to change the use of these premises into private dwellings which was granted and therefore I was under the impression that the pub would never reopen. I purchased this property as my first home before getting married and beginning a family in which I now have as me and my husband live here with our year old.

Since purchasing the property the girl whom has requested this licence lives in the flat above with her family and the noise from their general living (shouting at each other as well as their baby screaming) can be heard very clearly throughout my home on a daily basis which brings me to my next point that no sound proofing seems to be between the properties and yet she wishes to open this up as a music venue with loud music 7 days a week until 11pm at night. There is also no area for smokers which will lead them to be outside both these premises and mine to smoke and the noise and litter that this will bring isn't in my opinion of a liveable condition.

My next issue is in relation to parking. Each day I struggle (along with all other residence in the area) to find parking in proximity to my home. These premises have no allocated parking and therefore the residence including myself are going to struggle to park our cars if we are also having to accommodate customers of the premises. This also brings around a concern I have over if we can get parked that our cars could be damaged by intoxicated customers on a night which leads me to my next point.

Antisocial behaviour is something that every small village struggles with and Tow Law is in no acceptance. I'm concerned about the behaviour of people outside my home as well as below the window of my year old son while visiting these premises if they are permitted to serve alcohol.

Im concerned that once this reopens my home (if I ever wished to in the future) would be completely unsellable as well as the fact the value of the property would significantly decrease leaving me in negative equity.

I have also noted that the she wishes to hold the licence from 9am which as the same as most people I currently work for the from home and I believe that this will in turn distract me during my working day as well as cause upheaval on a night time trying to settle my baby.

I am usually all for local businesses however I fear my concerns will be proven which in turn would cause severe anxiety and significantly affect my families lives. I wouldn't like to think as a tax payer my concerns would fall on deaf ears.

Kind regards,

Mrs Logan-Pearson.

From: C Logan-Pearson

Sent: 04 July 2021 21:38

To: AHS Licensing <

Subject: Fw: Notice of Licensing Hearing - Looking Glass House, 63 High Street, Tow Law. DL13 4DP

Dear Sirs,

Thank you for your correspondence.

Unfortunately, due to work commitments I am unable to attend the hearing. However, I wish for this to go ahead and be considered by the panel in my absence.

I also wish to add the below statement:

I have liaised with Victoria Nolan through Yvonne Raine in relation to my objection however I feel as although yes, she is aware of my concerns and understands them however, in relation to trying to help the situation in the hope I stop my objection she has come back to me with potentially false promises.

As far as I am aware Victoria Nolan is the tenant in the flat above the premises and has been for some time and has just decided out of the blue to try and open it as a venue with to my knowledge no prior experience in running something of this nature. This concerns me in relation how she plans to control these events and stick to the promises she's made.

The reopening of this premises will, without a doubt, cause a public nuisance for a range of different reasons. I know from past experiences of this establishment being open that it causes an issue with noise (and this is from when it's only been a standard public house without live music). The noise is my biggest concern. As mentioned in my previous correspondence I can clearly hear from inside of my home conversations that are held in the premises. I can also hear the cries of Victoria Nolan's child to the point I question whether it's my own as it's that clear. I can clearly hear any kind of arguments that ever occur at the premises. This unfortunately is part of having neighbours and that's absolutely fine, I don't complain or ever knock on the door and ask them to keep it down as they will probably hear everyday noise from my home however, I'm not then asking permission to play live or loud music 7 days a week from 9am till 11pm. There has also in the past been problems with people bringing their cars, drinking, and leaving them for days at a time blocking people (especially the elderly) from being able to access their garages and the rear of their properties/ homes. The police have been called on these occasions and the residents have been told there's nothing that they can do.

At this present moment in time, we have a serious, serious problem with antisocial behaviour in Tow Law, something that seems to be completely out of both Durham County Council and the local polices hands. If this establishment was to reopen this will only add to the already ongoing situation that it is growing within this community. As you are aware we have less and less police on the ground every day and this beginning to show within our usually quiet neighbourhood. There's is currently a petition going around Tow Law as we have a particular set of people who have been moved here to start a rehabilitation programme. However, since their arrival we have had numerous incidents involving some of them more particularly these problems are occurring at another public house within the community.

I think reopening this establishment could also cause cars parked very close to the main doors to be damaged from people leaving the premises. Obviously fighting outside of the premises another problem mentioned there with every establishment that sells alcohol has the potential for occurrence of fighting. I am also concerned with the potential of urination occurring in the back street. There will also be the very, very high possibility of substance abuse at the premises which we all know is now a country wide pandemic regardless of how much the licensee tries to stop this. The premises is situated in Tow Law which has a small working-class population and if this venue is to be ran from a business point of view 7 days week will this not bring in people from outside the village and therefore bringing the potential for drink drivers to then join the main A68 in order to return home and putting the general public at risk?

We now live in a world where if I was concerned about the noise or behaviours of people outside of my home following these events, I won't be able to request nicely from them to 'try and keep the noise down if they can' as it will more than likely be met with hostility which then puts me, my family, and my home at risk. I understand that she has said in her application that fire risks have been put in place but what fire proofing does actually protect my home, the building these premises are attached to? I also understand that the licensee has said that she is going to investigate sound proofing but how will this be assessed and checked that it's to the correct standards? She has also stated that the venue is mostly for children's parties however the leaflet produced for the opening of the premises shows something more along the lines of erotic dancers.

And my final point; she has stated that she does not intend to open these premises as an open public house 7 days a week rather hold ticketed events but if this licence is granted, she will then be free to do exactly that. The licence will grant her to open and sell alcohol 7 days a week from 9am till 11pm and because the licence is in place there will be nothing no one can do about this. If you had the opportunity as a business to run 7 days a week, would you not?

My family, more particular my son is my first and only priority and with the noise, the potential for antisocial behaviour and crime that this will bring I'm concerned about the harm this will bring upon not only him and my home but that of the community.

I thank you very much for considering my objection and apologise that I cannot be with you today in person to express my concerns, stresses, and anxieties over the impact this will have.

Appendix 7: Responses from Responsible Authorities

From: Adam Williamson

Sent: 24 May 2021 15:48

To: Carol Graham - Licensing Assistant (N'hoods)

Subject: Looking Glass House, The Station Hotel, 63 High Street, Tow Law. DL13 4DP

Hi Carol,

I can confirm that there is no objection from planning for this proposal.

Regards

Adam

Adam Williamson Ba (Hons) DipTP MRTPI

Planning officer

South West Area Planning Team

Regeneration Economy and Growth

Durham County Council,

Room G73-82,

County Hall,

Durham,

DH1 5UL

Tel:

Mob:

****Due to the current situation with Covid 19 I am working from home. I will endeavour to respond to your email as soon as possible, however there may be a delay in some instances.****



Chief Fire Officer: Stuart Errington

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

Date: 25 May 2021

Our Ref: 7A32350010

This matter is being dealt with by: Julie Knox

Direct Dial Telephone:

E-mail:

Dear Carol,

Licensing Act 2003

Regulatory Reform (Fire Safety) Order 2005

Looking Glass House, The Station Hotel, 63 High Street, Tow Law, Bishop Auckland, DL13 4DP

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

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

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

Julie Knox
Fire Safety Section



www.ddfire.gov.uk

From: Sarah Clement-Dawson

Sent: 25 May 2021 16:57

To: Carol Graham - Licensing Assistant (N'hoods) <

Cc: AHS Licensing <

Subject: Licensing - New Premises Licence Application received- Looking Glass House, The Station Hotel, 63 High Street, Tow Law



MEMO

To: Ms Carol Graham
Licensing Services

From: Dr Sarah Clement-Dawson
Neighbourhoods and Climate Change

Date: 25 May 2021

Re: **Licensing Application - New premises application**
Looking Glass House, Station Hotel, 63 High Street, Tow Law, Bishop
Auckland, DL13 4DP

With reference to the above licensing application received on 24 May 2021.

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

Sarah Clement-Dawson
Senior Contaminated Land Officer
Development Assessment Team
Community Protection Service
Neighbourhoods and Climate Change
Durham County Council
Annand House
Meadowfield
Durham
DH7 8RS

Direct:
Switchboard: 03000 260000
E-mail:

Web: www.durham.gov.uk
Follow us on Twitter @durhamcouncil

From: DSCP Secure <
Sent: 11 June 2021 16:05
To: Carol Graham - Licensing Assistant (N'hoods)
Subject: RE: Licensing - New Premises Licence Application received- Looking Glass House, The Station Hotel, 63 High Street, Tow Law

My Ref: SW/2021/045

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 Looking Glass House, The Station Hotel, 63 High Street, Tow Law. DL13 4DP.

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



Durham Safeguarding Children Partnership (DSCP)

Keeping Children Safe

dscpsecure@durham.gov.uk
www.durham-scp.org.uk



From: Emily Dodd <

Sent: 16 June 2021 12:56

To: Carol Graham - Licensing Assistant (N'hoods) <

Subject: FW: Licensing - New Premises Licence Application received- Looking Glass House, The Station Hotel, 63 High Street, Tow Law

Hi Carol

Durham Constabulary have no objections to this application.

Kind regards,



Emily Dodd
Licensed Economy Team Clerical Officer
Durham Constabulary

Teams Ext:

If you are deaf, hard of hearing or speech impaired you can textphone

Our Values & Vision:

Positive | Fair | Courageous | Inclusive | With Integrity

Protecting Neighbourhoods, Tackling Criminals, Solving Problems

Appendix 8: 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.

7.3 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, clientele and workforce when identifying hazards, assessing risks and identifying controls.

Appendix II Framework Hours: recommended terminal hours for the sale of alcohol and the provision of late-night refreshment for different types of premises

Category of Premises	Weekdays*	Weekends*	Bank Holidays*
Premises licensed for the sale or supply of alcohol for consumption on or off the premises e.g. pubs, social clubs and nightclubs	07.00 to 00.00	07.00 to 01.00	Good Friday Plus 1 Hour. For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday (i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour)
Premises licensed for the sale of alcohol for consumption off the premises only e.g. off licences, supermarkets and garages	07.00 to 23.30	07.00 to 00.30	Good Friday Plus 1 Hour. For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday (i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour)
Premises with licences not including the sale or supply of alcohol (community centres, village halls)	07.00 to 00.00	07.00 to 01.00	Good Friday Plus 1 Hour. For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday (i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour)
Premises licensed primarily for late night refreshment e.g. takeaways	01.00	02.00	Good Friday Plus 1 Hour. For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday (i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour)

* **NOTE:** For the purposes of this matrix, weekdays mean Monday to Thursday; Weekends include Friday night into Saturday Morning, Saturday night into Sunday morning and Sunday night into Monday morning; and Bank Holidays means Sunday night into Monday morning and Monday night into Tuesday morning.

Appendix 9: Section 182 Guidance

Crime and disorder

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

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

Public nuisance

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

of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

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

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