

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Statutory Licensing Sub-Committee** held in the Council Chamber, County Hall, Durham on **Tuesday 16 November 2021 at 1.30 pm**

### **Present:**

**Councillor L Brown (Chair)**

### **Members of the Committee:**

Councillors C Hampson, C Hunt and E Peeke

### **Also Present:**

Helen Johnson – Licensing Team Leader

Stephen Buston – Solicitor, DCC

Terri Brown – Applicant

### **1 Apologies for Absence**

An apology for absence was received from Councillor E Waldock.

### **2 Substitute Members**

There were no substitute Members.

### **3 Declarations of Interest**

There were no declarations of interest.

### **4 Minutes**

The Minutes of the meetings held on 27 July 2021, 31 August 2021 and 4 October 2021 were agreed as a correct record and were signed by the Chair.

### **5 Application for the Grant of a Premises Licence - 56 Startforth Park, Barnard Castle**

The Committee considered the report of the Corporate Director of Neighbourhoods and Climate Change regarding an application to grant a Premises Licence in respect of 56 Startforth Park, Barnard Castle, County Durham (for copy see file of minutes).

A copy of the application and supporting documentation had been circulated to all parties. The Licensing Team Leader advised that additional information had been submitted by the Applicant and also amended the application to remove the option for customers to collect orders from the premises so that all orders would be delivery only.

During the consultation period, the Licensing Authority received four representation from other persons in relation to the application, two representations had been withdrawn following mediation and the additional information from the Applicant.

The Environmental Health Department, the Fire Safety Authority and Durham Safeguarding Children Partnership had no comments on the application. The Planning Authority provided comments which were passed on to the Applicant.

The Chair noted that the objectors were not in attendance and advised that the Committee would take into account their written representations.

The Applicant was invited to address the Committee. She advised that she intended to start a business selling hampers for Christmas, Birthdays, Weddings, Mothers/Fathers day which would contain alcohol and was advised by Durham County Council that an appropriate licence was required.

Responding to questions from members regarding distribution, the Applicant advised that she would deliver hampers personally or take them to the Post Office or use DPD collections so there would be no additional traffic using the shared drive/path.

Responding to a query from the Legal Adviser, the Applicant confirmed that the business would operate all-year-round.

After inviting all parties to sum up, Councillors L Brown, C Hampson and C Hunt **Resolved** to retire to deliberate the application in private with all parties to be notified of the decision later in the day.

In reaching their decision the Committee considered the report of the Corporate Director of Neighbourhoods and Climate Change and the verbal and written representations of the applicant, Mrs Terri Brown. The Committee also took into account the Council's Statement of Licensing Policy and Section 182 Guidance issued by the Secretary of State.

**RESOLVED:**

That the application to vary the Premises Licence be granted as follows:

Activity	Days & Hours
Opening Times	No longer applicable
Supply of alcohol (for consumption off the premises)	Monday to Saturday: 09.00 - 17.00 hrs Sunday: 10:00 - 16:00 hrs (off sales)

The following conditions shall be attached to the Premises Licence:

- 1) Customers will not be permitted to collect orders from the premises.
- 2) 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 if more than one person is employed at the premises. The register will be made available to the Police or an authorised officer of the council upon request.
- 3) 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.
- 4) The premises shall operate the Challenge 25 scheme, where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.
- 5) Customers ordering online must be required to enter their date of birth before purchase to prove that they are over 18 years of age.
- 6) All sales must be pre-paid before delivery.