

Statement of Community Involvement

The Inglenook
42 The Bank
Barnard Castle

Statement of Community Involvement

Contents

About the Inglenook.....	3
How we Consulted.....	3
Summary of Consultation Results.....	5
Appendices	
Appendix One: Letter to Near Neighbours.....	6
Appendix Two: Notice in the Teesdale Mercury.....	7
Appendix Three: Notice in the Window.....	8

Statement of Community Involvement

About The Inglenook:

The Inglenook Wine Merchants and Bar presents an opportunity to revitalise an existing shop, support the high street, and provide a unique service and experience which does not currently exist in Barnard Castle or the surrounding area. By retaining its commercial use, The Inglenook will restore a listed building and continue its public commercial use by locals and visitors to our town. My application intends to permit the sale of alcohol 10am-6pm Tuesday to Wednesday, 10am to 10pm Thursday to Saturday, and 12pm-6pm Sunday.

Number 42 The Bank has a long and varied history, firstly as part of the Stewards House for the steward of Barnard Castle, and since then its uses include a craft shop, gas shop, a greengrocer and at one time a public house called the Stags Head. The aim is to preserve the venue's history while maintaining public access to the commercial space. The Inglenook will primarily serve as a wine merchant, offering a broader selection of wines not available in supermarkets. With the nearest similar venues located in Darlington, this space will fill a local gap. To thrive on today's high street, The Inglenook will also welcome customers to enjoy a glass of wine or a cup of coffee on the premises – whether dog walkers warming by the fire, people unwinding after work, or locals and visitors sharing a bottle before dinner. This will not be a noisy or disruptive venue but a space that aligns with the refined character of a wine merchant and its historic charm.

The Bank in Barnard Castle, is one of the oldest streets in the town and boasts a wide variety of shops. Ranging from public houses to numerous antiques shops, a lady's clothes shop, restaurants and a Toy Shop. The Bank is unique in the sense that all the shops are independent local business, run by local people, and The Inglenook will hopefully become part of this existing network of small business, boosting the local economy and providing employment for local people.

The Inglenook will support the excellent existing local group Beyond the Buttermarket. Beyond the Buttermarket seeks to promote the important local businesses running along The Bank in order to increase footfall and highlight the variety of local shops for both local people and tourists.

How we have consulted:

Alongside the statutory consultation required by the Council, which included placing a notice in the window and an advertisement in the Teesdale Mercury (published on the 13th December 2024), we also wrote to 25 of our near neighbours.

This letter (attached at appendix one) included details of our plans and also include details of how to respond to the consultation with Durham County Council, as well as contact details such as my email address and telephone number so that neighbours could contact me if they had any concerns or issues or wanted to show their support.

A copy of this letter was also sent to both ward Councillors of Barnard Castle West, Cllr Ted Henderson and Cllr Richard Bell. No direct response was received from either.

Following the distribution of the letters, we have received 7 responses to date. The table below summarizes the responses we have received directly from near neighbours:

Statement of Community Involvement

Respondent	Comments
Respondent A – Resident of The Bank	<i>‘Just to let you know that I am very excited about the proposed wine bar, unlike some of the residents of The Bank! I shall look forward to enjoying a glass or two when you open. I have also let the council know that I have no objection to the proposal.’</i>
Respondent B – Resident of The Bank	<p><i>‘Just a quick email to say my wife and I received your letter regarding your licensing application for 42 The Bank.</i></p> <p><i>As wine lovers, we’re delighted with the news and look forward to getting stuck into your stock!</i></p> <p><i>We just wanted to offer our support, and to let you know that if you need anything, please don’t hesitate to give us a shout.’</i></p>
Respondent C – Business owner on The Bank	<i>‘I wanted to send you an email of encouragement. I think your plan for wine merchant/ bar positioned on the bank will be a great asset. Wishing you the best . I look forward to supporting you ‘</i>
Respondent D – Business owner on The Bank and resident of Bridgegate.	<p><i>‘We live on Bridgegate, local to the proposed Wine Merchants and Bar at 42 The Bank.</i></p> <p><i>We are fully in support of the project which will bring a new business to the bottom end of the Bank, improving the vibrancy of the area. I appreciate some people may be concerned about the alcohol licence, and opening hours – however, they are shorter than the Blue Bell and Old Well which are both within 100 yards or so. The clientele of a wine bar are liable to be less noisy and drunken than a pub’s. We are looking forward to visiting when it opens!’</i></p>
Respondent E – Business owner and resident of The Bank	<p><i>‘My business partner and I have recently bought the toy shop on the Bank in Barnard Castle and are preparing for re-launching the shop next month.</i></p> <p><i>We have been made aware of the wine bar proposal over the road and are wholeheartedly in support of the project. You may be aware of the “Beyond the Buttermarket” scheme – an informal group of traders to encourage footfall along the Bank to the river and increase trade for the independent businesses. 42 the Bank used to be the Handcrafters Hub, an active member of the group – the closure of that business, and the Chinese restaurant, has reduced the number of shops at the bottom end of town. In order for Barnard Castle to remain an attractive town for tourists – which contributes significantly to the economy of the town – we need a vibrant selection of independent businesses. We believe that the proposed wine merchants will only enhance the current offering.’</i></p>

Statement of Community Involvement

Respondent F – Resident of Thorngate	<i>‘As a member of the local community and living in the neighbourhood I support the application for a wine bar at the above address. I think it would be an asset to this historic part of town and a good venue for the community and visitors. As quite a few shops, b and b's, restaurants etc have closed in recent years on The Bank it is good to see new premises opening and providing continuation of a diverse mixture of businesses, ensuring the vibrancy of the area continues and the historic buildings survive into the future. ‘</i>
Respondent G – Resident of Thorngate	<i>‘I write this letter as a member of the local community in support of a licensed wine bar at the above address. I have lived in the neighbourhood for nearly 20 years with my family. I’m fully in support of the sale of alcohol on these premises to provide a much-needed venue for the local community and ever increasing amount of visitors. This historic part of Barnard Castle has always been a commercial and business area and with the decline in the economy and several business premises closing it is good to see new businesses take their place. It’s good to see a listed building being used as a home and business and I fully support this traditional model. Ensuring one of the surviving commercial premises isn’t turned into a living room.’</i>

Summary of Consultation Responses:

Through our consultation process, we reached out to a number of people and received a total of 7 direct responses, alongside a number of supportive and helpful conversations with people in the local community. These responses range from local residents, neighbours and businesses operating along The Bank, primarily from the lower end of The Bank where The Inglenook (no.42) would be based. I am aware of a total of 5 objections being submitted in response to the licensing application which I believe were encouraged by my issuing of a letter to neighbours, going above and beyond the statutory consultation. I have responded to each of these in detail.

Due to our engagement with the local community, and the number of supportive comments which we received directly, I believe that there is support for our proposed Wine Merchants and Bar and appreciate the support from fellow local business who understand the importance of having a variety of business in order support the local High Street.

I hope that the licensing committee will consider this Statement of Community Involvement, and my detailed responses and mitigations to the objections raised and find favourably for this application.

Statement of Community Involvement

Appendices:

- Appendix One – Letter to Near Neighbours

Morgan Derbyshire
42 The Bank
Barnard Castle
County Durham
DL12 8PN.

Email

Tel:

RE: Licensing application for 42 The Bank, Barnard Castle.

Dear Neighbour,

I am writing to you to inform you of a licensing application I am in the process of making to Durham County Council for the sale of alcohol at my shop at 42 The Bank. Many of you might have already seen the notice in the window, but I wanted to wait until the advertisement in the recent edition of the Teesdale Mercury (published Friday 13th December) to write to you all.

My intention is to operate the shop as a Wine Merchants and Bar. My application seeks to permit the sale of alcohol between the hours of 10:00-18:00 Tuesday to Wednesday and 10:00 – 22:00 Thursday to Saturday and 12:00 – 18:00 on Sundays.

I am aware that some of you might be concerned about this, however I want to assure you that it is not my intention to operate a late-night establishment nor a noisy one. My hope for the shop and bar is that it will provide a small, cosy environment where customers can enjoy a relaxing glass of wine or cup of coffee by the fire, or simply purchase a bottle of wine, which you might not find in the supermarket, to enjoy in the comfort of their own homes.

I am very sensitive to the historic and listed nature of the building, and to the buildings and residents at this end of the town, and it would be a shame not to open up this space to passersby and risk losing another commercial venue on the high street.

My hope is that my potential business will provide something that currently does not exist in Barnard Castle at the moment, with the aim of attracting more custom to this end of the town.

The consultation period will end on the 1st January 2025, if you wish to make representations, you can contact Durham County Council at Licensing Services, PO Box 617, Durham. DH1 9HZ or alternatively email: licensing@durham.gov.uk.

However, if you have any questions or concerns, please do not hesitate to contact me via the above contact details. I am more than happy to talk through the plans and talk through any of your potential concerns.

Best wishes

Morgan Derbyshire

Statement of Community Involvement

- Appendix Two – Notice in The Teesdale Mercury

THE LICENSING ACT 2003

Notice is hereby given that We, The Inglenook Wine Bar and Merchants Ltd, have applied to the Durham County Council in respect of the premises known as

**THE INGLENOOK WINE BAR 42 THE BANK BARNARD CASTLE
DL12 8PN**

for a New Premises Licence to permit the following proposed licensable activities:

The Sale of Alcohol Tuesday and Wednesday 10:00 – 18:00, Thursday to Saturday 10:00 – 22:00 and Sunday 12:00 – 18:00 On and Off Sales

The full application can be inspected at the Council's offices at Annand House, John Street North, Meadowfield, Durham. DH7 8RS by appointment, on weekdays between 9.30 am and 4.30 pm.

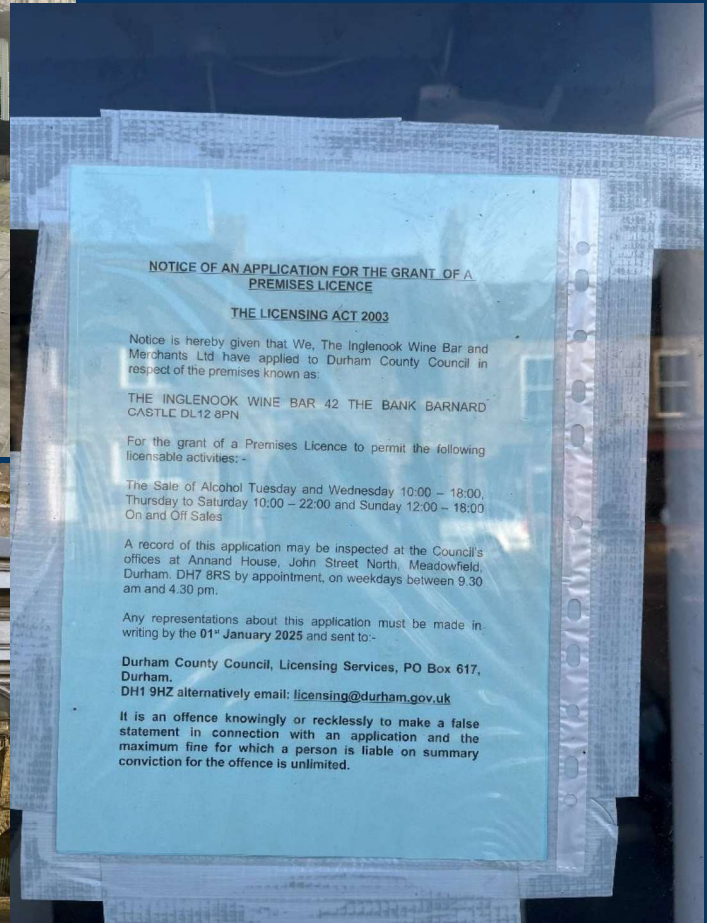
A Responsible Authority or Other Party under the Licensing Act 2003 can make representations/objections to these applications. Representations must be made in writing by 1st January 2025 and sent to:

**Durham County Council, Licensing Services, PO Box 617, Durham.
DH1 9HZ alternatively email: licensing@durham.gov.uk**

It is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is unlimited.

Statement of Community Involvement

- Appendix Three – Notice in the Window



Mr Colley – The Bank, Barnard Castle

Prevention of Crime and Disorder

Mr Colley refers to The Bank, being a 'residential area'. I refute this claim given the fact that there are five licensed premises along The Bank, these include The Blue Bell (3pm – midnight), The Old Well Inn (12noon – 11pm), The Bengal Merchant (5pm – 9.30pm), Artisan Corner (9am - 11pm) and Blagraves. The majority of these premises are licenced to later hours than those proposed in my application with the Old Well Inn also operating as a Hotel.

I have been visited by the Police as part of this application who observed no reason to be concerned for anti-social behaviour or criminality and thus will not be objecting to the application. I will be joining the Pub Watch scheme and my intention for the premises is to be a wine merchants in a historic setting where passers-by can also enjoy a glass of wine or a cup of coffee next in the historic setting. This is not conducive to noisy or anti-social behaviour, nor is the comparatively early hours suggested by my license application. My premises will not result in a net gain in anti-social behaviours on The Bank but rather experience any that already exists, which is low. This is confirmed by Durham Constabulary's own figures, which state in the year October 2023 to October 2024, there was only one case of anti-social behaviour recorded on The Bank. In fact, between, December 2021 to October 2023, there was only a total of four cases of anti-social behaviour, significantly less than other areas. I do not see why another licenced premises will lead to an increase in anti-social behaviour on The Bank, when the current 5 licensed premises do not seem to be contributing to this.

Mitigations will include the appropriate signage in the interior and windows of the premises, as seen in other licensed venues. All staff will be made aware of the need to be considerate to residential neighbours and to keep activity inside the premises, or in front of the shop by the public smoking bin and bus stop in the case of smokers.

Mr Colley states in his objection that '*no consultation*' was offered and that I had '*left town*'. This is false. I left town at short notice to attend a funeral and returned during the consultation period to deliver a letter to residential and commercial neighbours across The Bank. The letter included my email and number, and responses can be found in the statement of Community Involvement submitted.

Public Safety

Mr Colley makes a number of incorrect and ill-informed comments within this section, relating to my property, these incorrect statements do not relate to licensing and largely do not relate to my shop no.42 The Bank.

Mr Colley falsely claims that I have '*Concreted over a flag stone floor*' and '*removed old fireplaces and replaced them with modern ones*'. These statements are incorrect, as confirmed by Planning Enforcement who visited no.42 and no.42a The Bank have confirmed that no mal-practice has taken place and that there is no case to answer for. These claims are unsubstantiated defamation by Mr Colley, who has never been inside my premises, nor has he enquired if he had concerns about our activities. The two original fireplaces (these are the Inglenook in the front of the shop and the Victorian range in the back room of the shop) remain untouched. The whole premise of The Inglenook would be to nurture and open the downstairs interior of the listed building to the public for all to enjoy the historic setting whilst purchasing a

bottle to take home or a glass or coffee to seat by the fire, rather than see another listed building on the high street closed off for private residential use.

Mr Colley makes further allegations about the state of the exterior of my property, these again cannot be substantiated. When purchasing the property I had a number of surveys carried out, none of which highlighted any issues with '*bowing walls*', '*falling mortar*' or '*falling roof tiles*'. Furthermore, I have inspected my roof and cannot find any evidence of missing tiles or any issues which are cause for concern. Whilst there is one instance of patching up drainage with tape, this follows expert advice before the historic drainage pipe can be replaced appropriately outside of the winter season. This also refers to the rear externals of the property pertaining to no.42a and thus is not relevant to the licensing for the shop at the front of the property. Again, this has been confirmed by Planning Enforcement who have vindicated me of any wrongdoing in the unsubstantiated defamation claims by Mr Colley.

I also think that it is important to reiterate and emphasise that this application pertains to no.42 The Bank, which is exclusively the shop on the ground floor, not the two-storey flat above and the rear garden which pertains to no.42a The Bank.

Within this section Mr Colley does not raise any issues that relate to any of the four licensing objectives.

The Prevention of Public Nuisance

Mr Colley again falsely claims that The Bank is a residential area, he does state that there are currently three antiques shops at the lower end of The Bank, however he fails to mention that there are also two pubs, these being The Blue Bell and The Old Well Inn, plus Blagraves which was previously run as a restaurant until recently. Further to these, there is also the Bengal Merchant's and Artisan Corner. Some of these have licenses later than what is proposed at 42 The Bank. Whilst there are residential properties on the street, The Bank fundamentally forms part of the high street which is known when people purchase properties on the street. A wine merchants complements the antiques shops opposite and the proposal has been welcomed by businesses and other residential neighbours on the street (please refer to the Statement of Community Involvement submitted).

Mr Colley refers to the rear yard of no.42 The Bank. This again is incorrect, the rear yard is for the sole use of the flat above, no.42a The Bank. His reference to a '*convenient smoking area*' with reference to the rear yard is incorrect, from viewing the plans he would see that this is not in the in the scope of the proposals and that this would not be possible due to the yard being for the use of no.42a The Bank. Smokers who frequent The Inglenook will be guided by staff and signage to stand immediately in front of The Inglenook and steered away from veering in front of no.40 or no.44 (and their driveway). The Inglenook will take responsibility for cleaning the pavement outside of the shop and for disposal of cigarettes. This endeavour is aided by a council-managed public bin (with cigarette disposal) directly in front of the shop, presumably to coincide with the bus stop which sits immediately in front of the shop and where people already gather. Customers would be strongly encouraged to expose of their cigarettes appropriately, and The Inglenook will take responsibility for cleaning "leftovers".

Mr Colley makes frequent references to a flying freehold over my property, I do not believe this to be true. The definition of a flying freehold is :-

‘A section of a freehold property that is structurally above another person's property and not contiguous with ground level. Flying freeholds arise when part of one property is built on top of part of another property and so the upper property owner does not own the building or land underneath the "flying" part.’ – Thomas Reuters UK Practical Law.

Mr Colley previously stated within this section that ‘The driveway between no.42 and no.44 The Bank is freehold land owned exclusively owned by no.44’. Mr Colley is completely right, and I do not refute his ownership of the driveway between no.42 and no.44, however I do refute the argument that a ‘Flying Freehold’ exists. The definition above highlights what is deemed a ‘Flying Freehold’ which states: ‘Flying freeholds arise when part of one property is built on top of part of another property and so the upper property owner does not own the building or land underneath the "flying" part.’ Given that Mr Colley has ownership of the land below his overhanging property, I don’t believe this issue of a ‘flying freehold’ affects me or is relevant to the licensing objectives. It is worth repeating that the driveway to no.44 and the back exterior to no. 42A do not fall within the scope of the licensing application nor within longer term business objectives.

Mr Colley also refers to joining walls between no.42 and no.44 The Bank. Due to the driveway between our properties, Mr Colley’s property and the ground floor shop at no.42 are not connected. Mr Colley’s two joining rooms are to no.42a, the flat above the shop.

The Protection of Children from Harm

Mr Colley has admitted elsewhere in his objection that residents of Priory Yard have pedestrian access through the driveway of No.44 but that footfall is low. As the rear of No.42 will be of private use to the flat at No.42a and not open to the public or users of the shop at No.42, it stands to reason that there will be no increased footfall through this driveway other than the existing residents of Priory Yard. Mr Colley also has installed a gate across the driveway which dissuades pedestrian use of the driveway other than for residents of No.42a, No. 44 and Priory Yard. As above, customers of No.42 will be made aware not to use the neighbouring private driveway. Signage and staff onsite will remind customers to remain in front of the No.42 premises.

Regarding *‘additional vehicular traffic and limited parking’*, the shop at No.42 sits on the A67 with a bus stop directly in front of the shop unit. Visitors to Barnard Castle will use the existing car parks in the town and we are less likely to have customers drive to our premises than the Old Well Hotel Inn opposite, with overnight guests and no separate parking. The Inglenook website will indicate appropriate public car parks in Barnard Castle, and we will make this guidance clear to all who correspond with the business.

Summary

I hope my response reassures Mr Colley of my intentions for the premises at No.42, including no use of the rear of the property or his driveway, and that Planning Enforcement can confirm that many of his other concerns are unfounded. Regarding the legitimate concerns regarding noise / anti-social behaviour, I propose the below mitigations:

- Licensed hours in the application are already less than the other 5 licensed commercial units on the street and the application does not include a live music license.
- Appropriate signage and staff guidance regarding being aware of residential neighbours and where is appropriate to smoke.
- Staff training to guide and enforce volumes of noise and appropriate behaviour. Unacceptable behaviour will face being barred from the premises.
- Joining pub watch and working with the police and neighbouring licensed venues to uphold standards on The Bank. Data from Durham Constabulary confirms that the risk of anti-social or criminal behaviour on The Bank is already extremely low.
- Exploration of sound proofing/dampening where feasible in our heritage/planning applications.

Response to Mr and Mrs Craddock

I welcome the support of Mr Craddock for a wine merchants opposite their property on The Bank. Mr Craddock's objection is dependent on the proposed evening hours of The Inglenook. Whilst I recognise that late night hours are subjective, the Police Reform and Social Responsibility Act 2011 would define a late-night premises to be one that is operational between the hours of midnight and 6am. Mr Craddock acknowledges that there are already two pubs on The Bank, The Blue Bell and The Old Well, which operate 3pm - midnight and 12 noon - 11pm respectively. There are a total of 5 licensed premises along The Bank, the others being: Bengal Merchants (5pm – 9.30pm), Artisan Corner (9am-11am), and Blagraves. The proposed evening operating hours for The Inglenook are 10am to 10pm Thursday, Friday and Saturday. These days and hours are extensively less than the other evening licensed venues along The Bank, acknowledging that The Inglenook is not intended to be a late-night venue or where people would choose to frequent towards the end of their evening socialising. The closing hours that Mr and Mrs Craddock is concerned about by existing licenses on The Bank takes place long after The Inglenook will have already closed. It is my view that the hours I have proposed for The Inglenook at No.42 on The Bank, the high street, is very fair in these circumstances.

Whilst Mr and Mrs Craddock desire to see The Inglenook (No.42) close at 6pm each day of its operation, I must remind Durham County Council of the challenges facing the high street and the need for a business to be financially viable to continue. This means that a simple wine merchants, on its own, would not be financially viable other than as a hobby, but diversifying to allow passersby to enjoy a glass of wine or a cup of coffee by the fire on the proposed hours allows the diversification in service to expand income streams. I would be happy to mitigate against noise including appropriate signage and training for staff to be respectful of residential neighbours.

Summary

I propose the below mitigations:

- Licensed hours in the application are already less than the other 5 licensed commercial units on the street.
- Appropriate signage and staff guidance regarding being aware of residential neighbours and where is appropriate to smoke.
- Staff training to guide and enforce volumes of noise and appropriate behaviour. Unacceptable behaviour will face being barred from the premises.
- Joining pub watch and working with the police and neighbouring licensed venues to uphold standards on The Bank. Data from Durham Constabulary confirms that the risk of anti-social or criminal behaviour on The Bank is already extremely low.
- Exploration of sound proofing/dampening where feasible in our heritage/planning applications.

B Davidson and C Kirkham – The Bank

Prevention of Crime and Disorder -

I fear B Davison and C Kirkham have misunderstood my application. My license application states that the latest I will open is 10pm. A late-night drinking establishment, such as one that would fall within the remit of the late-night levy would be between the hours of midnight and 6am (Police Reform and Social Responsibility Act 2011) although this levy is not in force in County Durham.

There are 5 licensed premises on the street, including The Blue Bell (3pm – Midnight), The Old Well Inn (12 noon – 11pm), The Bengal Merchant (5pm to 9.30pm), Artisan Corner (9am-11pm) and Blagraves. The proposed license for the Inglenook would be one of the earliest on the street to close and the ambience of my proposed plans for The Inglenook at No.42 would be far quieter and calmer than the existing brilliant pubs in Barnard Castle with a livelier atmosphere. The Inglenook is inherently a wine merchants where customers can buy more varied bottles of wine that they cannot buy at the supermarket or anywhere in Barnard Castle and the surrounding area. Customers and passers-by will also be able to buy a glass of wine or a cup of coffee to sit by the fire and enjoy the historic listed building to shelter from the rain and snow or whilst they walk the dog. In the evening, it may be a place for a quiet after work drink or for a couple or small group of friends to gather for a glass of wine before they head to one of Barnard Castle's restaurants or move to a pub for a livelier atmosphere to continue their evening. This reflects the need for the high street to be varied and flexible to survive.

The desired ambience of The Inglenook is of a quieter nature, hence the early hours. Signage will remind customers to be respectful of residential neighbours and staff will be trained to monitor noise and behaviour to the same aim.

I am afraid I do not recognise why a license at No.42 would increase after hours footfall in the 'alleyway' adjacent to No. 38 nor why an alcohol license would result in '*the usual bad behaviour*'. I also think it is important to add that the 'alleyway' adjacent to No.38 is in fact a public footpath called Cleasby Yard, and is only two businesses away from Blagraves, which already has a licence and currently does not cause issues. The distance between Cleasby Yard and Blagraves, is largely the same as the distance between No.42 and No.38 The Bank.

I am not aware of anti-social behaviour being a common problem in The Bank brought on by the existing 5 licensing venues with later licenses and livelier atmospheres. This is backed up by Durham Constabulary's own figures, which state in the year October 2023 to October 2024, there was only one case of anti-social behaviour recorded on The Bank. In fact, between, December 2021 to October 2023, there was only a total of four cases of anti-social behaviour, significantly less than other areas. I do not see why another licenced premises will lead to an increase in anti-social behaviour on The Bank, when the current 5 licensed premises do not seem to be contributing to this.

Additionally, the police have visited No. 42 as part of the statutory licensing application and found there to be no cause for concern regarding anti-social behaviour or criminality which is why they do not object to this application. The Inglenook will join pub watch and work with neighbouring licensed premises and the police to control any anti-social behaviour that occurs. Any noisy, rowdy or anti-social behaviour will not be tolerated in The Inglenook as it would disrupt the desired ambience of the establishment, and such behaviour would be refused service and risk being barred from the premises.

B Davison and C Kirkham have stated that there are alternative venues for such a venture in the town. Unfortunately, I disagree. The listed and historic nature of No.42 is well-suited for a wine merchants which complements the rest of The Bank and the antiques shops opposite, and the opportunity to continue to open this historic space up to the public domain rather than allow its historic beauty to become private residential premises is the preferred outcome. The Bank is fundamentally part of the high street, with 5 licensed premises, antiques shops, dress shops, Indian restaurant and Blagraves which all who move onto The Bank are well-aware of. The Bank is also on popular walking routes of the town, around the Castle and across the bridge at the bottom of the street on a walking route to / from Egglestone Abbey and would be one of the first premises walkers' would reach when entering from that side of the town in need of a sit down and a coffee or wine before they walk up the steep hill to enjoy the rest of Barnard Castle's delights. Again, I fear B Davison and C Kirkham incorrectly envisage some sort of noisy late night pop bar or small club which is not the intention for this application, hence the hours and the description above.

Public Safety

When purchasing the property I had a number of surveys carried out, none of which highlighted any issues with 'falling roof tiles' nor did any claim that No.42 was nor 'structurally sound'. The occupiers of No.38 have not entered my property and have not had any surveys carried out to substantiate this claim. Furthermore, I have inspected my roof and cannot find any evidence of missing tiles or any issues which are cause for concern. If someone had witnessed a tile fall from my roof, there was no apparent visible evidence, and no one has informed me as the owner.

Regarding 'additional vehicular traffic and limited parking', the shop at No.42 sits on the A67 with a bus stop directly in front of the shop unit. Visitors to Barnard Castle will use the existing car parks in the town and we are less likely to have customers drive to our premises than the Old Well Hotel opposite, with overnight guests and no separate parking. We will endeavour to encourage our customers to use the existing car parks in the town, including the council car park near the Butter Market, which are a short walk to the shops on the Bank. For example, we can include advice on parking on our website and advise customers if they phone for reservations or orders. Most commercial units on Barnard Castle's high street are without parking and manage without issues. I do not believe a license at No.42 would change this.

The Prevention of Public Nuisance

The objections raised in this section are again untrue, firstly the objectors state that there are only three licenced premises on The Bank, there are in fact five, these include The Blue Bell, Old Well Inn, The Bengal Merchant, Blagraves and Artisan Corner.

B Davidson and C Kirkham refer to Artisan Corner being refused a licence for the on and off sale of alcohol within their premises, and state reasons such as public nuisance as being the reason for this. However, this is not true, according to the minutes of the Licensing Sub Committee Meeting held on Monday 4th October 2021. According to the minutes of this meeting, the application Artisan Corner, 8-10 The Bank, Barnard Castle, County Durham applied for a premises licence for the sale of alcohol between the hours of 9.am to 11 p.m Monday to Sunday. The minutes of this meeting stated that permission was granted by the committee at

the time. In contrast, the licensed hours I am applying for are significantly less than those of Artisan Corner.

To read further about this, please see link to the item on the [Durham County Council website](#).

The Prevention of Children from Harm

B Davidson and C Kirkham raise objections sighting that their property overlooks the rear yard of no. 42, however the rear yard is not part of the property no.42 The Bank, but in fact is part of the flat above no.42a. There is nothing in my application or in the plans submitted to Durham County Council for the use of the rear yard.

The rest of B Davidson and C Kirkham's objection under 'The Protection of Children from Harm' fall under concerns for anti-social behaviour, criminality, and the suitability of No.42 for such a venue. Please refer to my response under the 'Prevention for Crime and Disorder' and my view that the occupiers of No.38 have misunderstood this licensing application.

Summary

I hope my response reassures B Davison and C Kirkham of my intentions for the premises at No.42, including no use of the rear of the property observed by their rear windows, and that surveys carried out confirm the stability of the premises. Regarding the legitimate concerns regarding noise / anti-social behaviour, I propose the below mitigations:

- Licensed hours in the application are already less than the other 5 licensed commercial units on the street.
- Appropriate signage and staff guidance regarding being aware of residential neighbours and where is appropriate to smoke.
- Staff training to guide and enforce volumes of noise and appropriate behaviour. Unacceptable behaviour will face being barred from the premises.
- Joining pub watch and working with the police and neighbouring licensed venues to uphold standards on The Bank. Data from Durham Constabulary confirms that the risk of anti-social or criminal behaviour on The Bank is already extremely low.
- Exploration of sound proofing/dampening where feasible in our heritage/planning applications.

Mr and Mrs Hepburn – The Bank

The Prevention of Crime and Disorder

Mr and Mrs Hepburn raise two concerns within this section, one being my age and one being noise.

Firstly, I will refute the claim that I am *'too young'* and do not have the *'maturity'* to handle disturbances. I feel this is ageism and do not believe this to be relevant to any of the licensing objectives. I am 26 and I have a personal licence issued by Durham County Council. My career has spanned several public facing roles where I have had to carefully handle difficult situations and the public. I hope this point will be disregarded by the licensing committee as age is not a reflection of maturity or ability, indeed, I have already started to embed myself in the Barnard Castle community and I hope to build a future for myself and my partner with this venture.

I understand and I am very conscious of Mr and Mrs Hepburn's concerns around noise and am happy to mitigate against these. I am not applying for a licence to provide late night entertainment or recorded music. The rear external of the property are not included in the licensing application for the shop at No. 42 but will remain the private garden of the 42a flat, where I reside. The vision for The Inglenook is for a wine merchants that complements the historic residential and business properties on the high street such as the antiques vendors opposite. A place where customers can buy bottles of wine they cannot find in the supermarket and, for those passersby who choose to, they can sit and have a glass of wine or a cup of coffee by the fire and enjoy the surrounds of the listed property. It is not my intention for a noisy or rowdy venue, and this is reflected in the early hours indicated in my application, with regards to evening opening hours, we will only be open on Thursday, Friday and Saturday evenings, with opening hours being 10am to 10pm.

I am happy to take all efforts necessary to mitigate noise, including appropriate signage and training for staff to consider our residential neighbours and to remind our customers of this. Where customers are being unacceptably loud, disrupting the ambience of the venue I am trying to establish, they will be asked to leave and refused service.

Public Safety

Mr and Mrs Hepburn raise one issue in this section, relating to the safety of their property. They state that there is no boundary between are two properties, which is true, as it is for all properties along The Bank, which all open onto the street. In order to avoid causing any excess noise, we will encourage customers to leave quietly, we will put up signage to encourage this.

The Prevention of Public Nuisance

Mr and Mrs Hepburn raise concerns about the potential risk of noise and anti-social behaviour caused by late night drinking. I would like to reassure them that it is not my intention to open a 'nightclub or late-night venue' at no.42. The plan is for a mixed wine merchants and wine bar three nights a week which will be closed by 10 pm.

The fear of anti-social behaviour is a fair one but one that is shared by all licensed venues on The Bank. The police arranged a visit to No.42 as part of the licensing application and have raised no concerns regarding criminality or anti-social behaviour and thus are not objecting to the licensing. If Mr and Mrs Hepburn have not yet been impacted by anti-social behaviour from

The Blue Bell or The Old Well on the same street, it is unlikely that our venue licensed with fewer hours and an earlier closing time will increase such behaviour. As above, the ambiance of our venue is one for quieter occasions compared to the livelier and later atmospheres offered by Barnard Castle's brilliant pubs. The Inglenook will join the Pub Watch scheme and work with other licensed venues and the police to mitigate any disturbances. Anti-social behaviour will not be tolerated at The Inglenook let alone our neighbouring residential and commercial properties.

I am not aware of anti-social behaviour being a common problem in The Bank brought on by the existing licensing venues with later licenses and livelier atmospheres. This is backed up by Durham Constabulary's own figures, which state in the year October 2023 to October 2024, there was only one case of anti-social behaviour recorded on The Bank. In fact, between, December 2021 to October 2023, there was only a total of four cases of anti-social behaviour, significantly less than other areas. I do not see why another licenced premises will lead to an increase in anti-social behaviour on The Bank, when the current 5 licensed premises do not seem to be contributing to this.

Protection from Children from Harm

Mr and Mrs Hepburn raise three issues within this section, these include issues with traffic, anti-social behaviour and access to their rear yard.

With regards to traffic, I do not believe that opening my business will dramatically increase traffic along The Bank. The Bank forms part of the A67 running through Barnard Castle from the A66 to Bishop Auckland and there is a bus stop directly in front of the proposed licensed unit at No.42. Customers at The Inglenook will predominantly be locals and tourists staying or visiting the town, which will fluctuate during peak seasons. The Inglenook will make clear on its website and to any callers that there is no parking on site and that visitors arriving from outside Barnard Castle should use the existing public car parks. Indeed, this would be the same circumstance for all commercial properties along The Bank from The Blue Bell, through the Old Well Inn and Blagraves, to the Bengal Merchant's and Artisan Corner, all of which do not have parking.

Secondly, with regards to access to their rear yard where no.40 The Bank has the right to cross the rear yard of no.42a The Bank. As I have previously stated and as included in the licensing application, the plans for no.42 do not include using the rear yard, which is for the sole use of the flat at no.42a.

Regarding anti-social behaviour, please see above.

Summary

I propose the below mitigations:

- Licensed hours in the application are already less than the other 5 licensed commercial units on the street.
- Appropriate signage and staff guidance regarding being aware of residential neighbours and where is appropriate to smoke.
- Staff training to guide and enforce volumes of noise and appropriate behaviour. Unacceptable behaviour will face being barred from the premises.

- Joining pub watch and working with the police and neighbouring licensed venues to uphold standards on The Bank. Data from Durham Constabulary confirms that the risk of anti-social or criminal behaviour on The Bank is already extremely low.
- Exploration of sound proofing/dampening where feasible in our heritage/planning applications.

Response to Cllr Ted Henderson

Cllr Ted Henderson is objecting to the application on the grounds of:

1. Parking
2. There are already 2 licensed premises on The Bank (The Blue Bell and The Old Well)
3. There are already sufficient off licenses in the town
4. Unwanted anti-social behaviour
5. Consultation with local residents

1 – Parking

Regarding parking, the shop at No.42 sits on the A67 with a bus stop directly in front of the shop unit. Visitors to Barnard Castle will use the existing car parks in the town and we are less likely to have customers drive to our premises than the Old Well Hotel opposite, with overnight guests and no separate parking. We will endeavour to encourage our customers to use the existing car parks in the town, including the council car park near the Butter Market, which are a short walk to the shops on the Bank. For example, we can include advice on parking on our website and advise customers if they phone for reservations or orders. Most commercial units on Barnard Castle's high street are without parking and manage without issues. Indeed, this would be the same circumstance for all commercial properties along The Bank from The Blue Bell, through the Old Well Hotel and Blagraves, to the Bengal Merchant's and Artisan Corner, all of which do not have parking. I do not believe a license at No.42 would have an impact on parking. No.42 has been a retail unit for over a century including a crafts shop, gas shop, a greengrocer, and even, once upon a time, a pub called the Stags Head. I do not recognise why a wine merchants would contribute to additional traffic and parking on the street over these previous commercial ventures, rather, an alcohol license makes this less likely as fewer people will be driving.

2 – There are already 2 licensed premises on The Bank (The Blue Bell and The Old Well)

There are actually 5 licenses on the street including: The Blue Bell (3pm – Midnight), The Old Well Inn (12 noon – 11pm), The Bengal Merchant (5pm to 9.30pm), Blagraves and Artisan Corner (9am-11pm). The proposed license for the Inglenook would be one of the earliest on the street (10am - 10pm Thursday, Friday and Saturday) and the ambience of my proposed plans for The Inglenook at No.42 would be far quieter and calmer than the existing brilliant pubs in Barnard Castle with a livelier atmosphere. The Inglenook is inherently a wine merchants where customers can buy more varied bottles of wine that they cannot buy at the supermarket or anywhere in Barnard Castle and the surrounding area. Customers and passers-by will also be able to buy a glass of wine or a cup of coffee to sit by the fire and enjoy the historic listed building to shelter from the rain and snow or whilst they walk the dog. In the evening, on the few nights it is open, it may be a place for a quiet after work drink or for a couple or small group of friends to gather for a glass of wine before they head to one of Barnard Castle's restaurants or move to a pub for a livelier atmosphere to continue their evening. This reflects the need for the high street to be varied and flexible to survive and be financially viable.

3 – There are already sufficient off licenses in the town

There is not currently a wine merchants or similar venue anywhere in Barnard Castle or the surrounding area, where customers can buy a wider variety of wines not already in the supermarket. The nearest such venues appear to be Darlington. I am not aware of any off licenses in Barnard Castle. The nearest appears to be Bishop Auckland.

4 – Unwanted anti-social behaviour

According to Durham Constabulary, in the year October 2023-October 2024, there was one single case of reported anti-social behaviour in The Bank. In fact, between, December 2021 to October 2023, there was only a total of four cases of anti-social behaviour, significantly less than other areas. I do not see why another licenced premises will lead to an increase in anti-social behaviour on The Bank, when the current 5 licensed premises do not seem to be contributing to this. The police have visited No. 42 The Bank as part of the statutory licensing application and found there to be no cause for concern regarding anti-social behaviour or criminality which is why they do not object to this application. The Inglenook will join pub watch and work with neighbouring licensed premises and the police to control any anti-social behaviour that occurs. Any noisy, rowdy or anti-social behaviour will not be tolerated in The Inglenook as it would disrupt the desired ambience of the establishment, and such behaviour would lead to service being refused and risk being barred from the premises. If there is very little existing anti-social behaviour on The Bank with 5 licenced premises, I do not believe that a sixth, with earlier closing hours and operating three evenings a week would lead to a significant increase in this part of the town.

The desired ambience of The Inglenook is of a quieter nature, hence the early hours and the lack of a recorded music license. Signage will remind customers to be respectful of residential neighbours and staff will be trained to monitor noise and behaviour to the same aim. We are open to exploring installation of sound dampening/proofing as part of a heritage/planning application following consultation with a heritage officer.

5 – Consultation with local residents

The statutory consultation for the licensing application included a poster in the window of the shop at No.42 and an advert in the Teesdale Mercury. I have a background in producing Statements of Community Consultation for planning applications and thus I have opted to go further than is statutory in this licensing application by running my own community consultation. This involved issuing a letter to all business and residential neighbours along The Bank outlining my proposed vision for The Inglenook wine merchants at No.42. I would contend that the higher than usual responses to the licensing consultation are as a result of these efforts. In total, there have been 5 objections submitted to the licensing department as a result of this consultation. One of these was not an objection to a wine merchants at No.42 but rather a rejection to the license to 10pm from Thursday to Saturday – in my response I have outlined why I do not believe this to be financially viable and why these hours are appropriate in light of the other licenses on the street (as above). There have been 7 positive submissions to my consultation, including 2 businesses and 5 residential properties, and these are outlined in my Statement of Community Involvement submitted to the Licensing Committee.

In particular, the businesses on The Bank are extremely supportive of the proposals for The Inglenook on the grounds that a wine merchant is complementary to the existing businesses and ambiance of The Bank, and because increased footfall will draw more customers to their businesses. The Bank fundamentally forms part of the high street and sits on walking routes of the town and neighbouring beauty spots. It is the collective view of businesses on The Bank that proposals for The Inglenook at no.42 would be a welcome addition to this end of the high street.

The positive response from some residents is that the proposals are 'exciting' and others are 'delighted' to frequent The Inglenook once open. The prevailing view of positive submissions, and the many residents across Barnard Castle and neighbouring areas that I have come across is that my proposal for a wine merchants and bar in Barnard Castle is highly desirable as there is "*currently nothing like this in the area*". It is my view that objections to the application are based on a misunderstanding of the proposed venture, which I have outlined above. I believe objectors incorrectly believe that my intentions are to open a late night, noisy and rowdy bar to compete with Barnard Castle's existing nightlife. This is incorrect. The hours and days of my application are far less, and my proposed venture is fundamentally a wine merchants with the ability to serve coffees and wine in a relaxed historic setting to ensure that The Inglenook reflects the flexibility of market demand and is financially viable.

Summary

It is my hope that Cllr Ted Henderson will reconsider his objection to my licensing application, and instead work with me to ensure that the appropriate mitigations can be put in place to reassure objectors and ensure that The Inglenook at No.42 can be a positive public asset to The Bank and Barnard Castle more widely.

Further, I am proposing the below mitigations in response to concerns regarding noise and anti-social behaviour:

- Licensed hours in the application are already less than the other 5 licensed commercial units on the street.
- Appropriate signage and staff guidance regarding being aware of residential neighbours and where is appropriate to smoke.
- Staff training to guide and enforce volumes of noise and appropriate behaviour. Unacceptable behaviour will face being barred from the premises.
- Joining pub watch and working with the police and neighbouring licensed venues to uphold standards on The Bank. Data from Durham Constabulary confirms that the risk of anti-social or criminal behaviour on The Bank is already extremely low.
- Exploration of sound proofing/dampening where feasible in our heritage/planning applications.