

Statutory Licensing Sub-Committee

19th April 2017

Application for the Grant of a Premises Licence



Report of Jane Robinson, Corporate Director, Adult & Health Services

Name and Address of Premises: McColls Brewery, Unit 4, Randolph Industrial Estate, Evenwood, Bishop Auckland, Co. Durham. DL14 9SJ

1. Summary

The Sub-Committee is asked to consider and determine the application for the grant of a premises licence received from:

Mr Daniel McColl
McColls Brewery Limited
Unit 4, Randolph Industrial Estate
Evenwood
Bishop Auckland
DL14 9SJ

A plan showing the location of the premises is attached at Appendix 1.

2. Details of the Application

An application for the grant of a premises licence was received by the Licensing Authority on 23rd February 2017. A copy of the application is attached as Appendix 2.

The application is deemed by the Licensing Authority to be correctly served and advertised in accordance with the Licensing Act regulations.

The application is in respect of the following licensable activities and for the hours detailed:

Activities	Days & Hours Requested
Sale of Alcohol (for consumption on and off the premises), Films (indoors), Live Music (indoors and outdoors), Recorded Music (indoors and outdoors), Similar Entertainment (indoors).	Monday to Sunday: 12:00 – 21:00 hrs
Plays (indoors and outdoors), Performances of Dance (indoors and outdoors),	Friday to Sunday: 12:00 – 21:00 hrs

Provision of Plays (indoors and outdoors).	Friday to Sunday: 12:00 – 21:00 hrs
--	--

On 13th March 2017, Mr McColl amended his application so as to remove the outdoor area detailed on the plans and so limiting all proposed licensable activities to indoor areas of the premises only.

Mr McColl has also added additional conditions to his operating schedule following discussions with Durham Constabulary and the Durham Local Safeguarding Children Board.

Details of these additional conditions proposed by the applicant are attached at Appendix 3.

3. The Representations

The Licensing Authority received eleven letters of representation, one from Evenwood and Barony Parish Council, one from Councillor Heather Smith and Councillor Andy Turner and nine from local residents.

The representations relate to the following licensing objectives:

- The Prevention of Crime & Disorder
- The Prevention of Public Nuisance

Copies of the representations are attached as Appendix 4.

No representations were received from any of the Responsible Authorities.

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

- Environmental Health Authority
- Durham Constabulary
- County Durham & Darlington Fire and Rescue Service

Copies of these responses are attached at Appendix 5.

4. Parties

The Parties to the hearing will be:

- Mr Daniel McColl, McColls Brewery Limited (Applicant)
- Councillor Heather Smith (Other person)
- Councillor Andy Turner (Other person)
- Evenwood and Barony Parish Council (Other person)
- Mr and Mrs D Green (Other persons)

- P G Agar (Other person)
- J West (Other person)
- Mr and Mrs J Stephenson (Other person)
- M Tray (Other person)
- Mr and Mrs A Smith (Other person)
- J Hymers (Other person)
- A Hutton (Other person)
- Mrs O Wright & T Wright (Other persons)

5. Durham County Council Statement of Licensing Policy

The Sub-Committee's attention is drawn to the following relevant parts of the Policy:

- 7.0 The Prevention of Crime and Disorder
- 9.0 Prevention of Public Nuisance
- Appendix B - Framework Licensing Hours

Relevant information is attached as Appendix 6.

6. Section 182 Guidance

The Sub-Committee's attention is drawn to the relevant parts of the Guidance issued under section 182 of the Licensing Act 2003 as follows:

- 2.1 – 2.5 Prevention of Crime and Disorder
- 2.14 - 2.20 Public Nuisance

Relevant information is attached as Appendix 7.

7. For Decision

The Sub-Committee is asked to determine the application in light of the representations received.

Background Papers:

- Durham County Council's Statement of Licensing Policy
- Guidance issued under section 182 of the Licensing Act 2003 (as amended March 2015)

Contact: Yvonne Raine

Tel: 03000 265256

Email: yvonne.raine@durham.gov.uk

APPENDIX 1 – LOCATION PLAN





APPENDIX 2 – APPLICATION



County Durham
Application for a premises licence
Licensing Act 2003

For help contact
licensing@durham.gov.uk
Telephone: 03000 261016

* required information

Section 1 of 19

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	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="McColl's Brewery"/>	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	<input type="text" value="Daniel"/>	
* Family name	<input type="text" value="McColl"/>	
* E-mail	<input type="text"/>	
Main telephone number	<input type="text"/>	Include country code.
Other telephone number	<input type="text"/>	
<input type="checkbox"/> 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.

Registration number	<input type="text" value="10355982"/>	
Business name	<input type="text" value="McColl's Brewery Limited"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="-"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 19

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 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ 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
- ☐ Other (for example a statutory corporation)

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

Section 4 of 19

NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

McColl's Brewery Limited

Details

Registered number (where applicable)

10355982

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Add another applicant

Section 5 of 19

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

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.

Type of premises: Brewery, housed in an industrial unit. The unit includes male, female and disabled toilets, a kitchen and bar area, an office with storage/access above along with the operational brewery, cold storage and dry storage areas. Regarding off-supplies there is a concrete/tarmac area to the front and immediately adjacent to the premises and grassed area to the side and rear immediately adjacent to the premises.

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

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

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

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start 12:00

End 21:00

SATURDAY

Start 12:00

End 21:00

Start

End

SUNDAY

Start 12:00

End 21:00

Start

End

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

☐ Indoors ☐ Outdoors ☒ Both

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

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

Both theatrical and musical performances. Very small attendance (max 50 people). Amplified music will be played.

Continued from previous page...

State any seasonal variations for performing plays

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

Summer is likely to be an increase in performing days, but limited to the above hours.

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.

No non-standard times.

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

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...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

☒ Indoors ☐ Outdoors ☐ Both

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

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

Films will be shown on a limited bases to very small audiences (max 50 people) via a projector screen. There will be no amplified music.

State any seasonal variations for the exhibition of film

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

There will be little if any seasonal variation

Non standard timings. Where the premises will be used for the exhibition of film 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.

there will be no non-standard timings

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 19

PROVISION OF LIVE MUSIC

Continued from previous page...

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

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 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 on a very small scale (max 50 people), both amplified and unamplified music will be played

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.

Continued from previous page...

No seasonal variations will occur in the playing of live music

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.

no non-standard timings will occur in the playing of live music

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start 12:00

End 21:00

Start

End

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

TUESDAY

Start 12:00

End 21:00

Start

End

WEDNESDAY

Start 12:00

End 21:00

Start

End

THURSDAY

Start 12:00

End 21:00

Start

End

FRIDAY

Start 12:00

End 21:00

Start

End

SATURDAY

Start 12:00

End 21:00

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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

☐ Indoors

☐ Outdoors

☒ Both

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

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

Recorded music will be played via a music system (e.g. radio, cd, mp3 etc) primarily for the use by employees but also for public use.

State any seasonal variations for playing recorded music

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

There will be no seasonal variation for playing recorded music

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.

There will be no non-standard timings for the playing of recorded music

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

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

☐ Indoors ☐ Outdoors ☒ Both

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

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

Performances of dance will be on a very small scale (max 50 people attending) and on a very limited bases. Amplified music will be played.

State any seasonal variations for the performance of dance

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

There will be no seasonal variation for performances of dance

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

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 for the performance of dance

Continued from previous page...

Section 13 of 19

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

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

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Talks, presentations, guided tours. These will include the use of a projector and screen to audiences no bigger than 50 people

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.

Continued from previous page...

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.

State any seasonal variations for entertainment

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

There will be no seasonal variation to the above activities

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.

There will be no non-standard timings for the above activities

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

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...

THURSDAY

Start 12:00

End 21:00

Start

End

FRIDAY

Start 12:00

End 21:00

Start

End

SATURDAY

Start 12:00

End 21:00

Start

End

SUNDAY

Start 12:00

End 21:00

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.

There will be no seasonal variation to the sale of alcohol

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.

There will be no non-standard timings for the sale of alcohol

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

Name

First name

Daniel

Family name

McColl

Continued from previous page...

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'.

Section 16 of 19

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.

The sale of alcohol. This is strictly prohibited to under 18s via a Challenge 25 policy. Although we are a family friendly premises, all people under the age of 18 must be accompanied by an adult.

Section 17 of 19

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.

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

State any seasonal variations

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

No seasonal variations will occur regarding opening hours for the public

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 will occur for opening hours to the public

Section 18 of 19

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)

Continued from previous page...

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

The brewery actively discourages mass volume consumption of alcohol and will not tolerate this as a sole purpose to visit the premises. The brewery bar is there as an addition to the brewery for events held but not solely as a drinking venue. Where possible we will educate on all aspects of alcohol consumption and we will only offer beer for sale (not wine, cider or spirits). The brewery is a family friendly venue and welcomes accompanied children, and will operate a challenge 25 policy.

b) The prevention of crime and disorder

Security alarms are fitted on all exits to secure the property when closed. All staff quarters and work areas will be closed to the public. Internal and external lighting is provided at the premises along with multiple points of exit. All staff have been made aware of our security policy and the licensing objectives, including the challenge 25 policy, with an incident log book available. If drinking is to be undertaken outside the premises plastic glassware will be provided. We operate a zero tolerance on drugs and anyone in the possession of will be refused entry.

As above mass volume consumption of alcohol is discouraged and will not be tolerated. Only beer will be for sale (not wine, cider or spirits). Limited hours will be operated for the sale of alcohol. A limited amount of people will ever be present at the brewery (max 50 people). The necessary signs including issues of enforcement will be clearly displayed.

c) Public safety

A full risk assessment is in place for the premises and a first aid box and log book are present. The premises are limited to a maximum of 50 people. Smoke alarms and fire extinguishers are present along with fire escape doors, signs and lighting, along with adequate internal and external lighting. Drink driving is actively discouraged.

d) The prevention of public nuisance

Restricted hours are in place to reduce the hours of potential nuisance. Music will be limited within these hours along with the sale of alcohol. The premises are limited to a maximum of 50 people but every step will be taken to disperse people at different times from the premises. All necessary signs and warnings will be in place to reduce noise and nuisance levels.

e) The protection of children from harm

The brewery will operate a family friendly policy. As above the brewery will operate a challenge 25 policy, which all staff will be made aware of with a refusals book available. All policies will have the necessary signs displayed. All people under the age of 18 must be accompanied by an adult at all times.

Section 19 of 19

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.

Continued from previous page...

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 (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☒ 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 ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

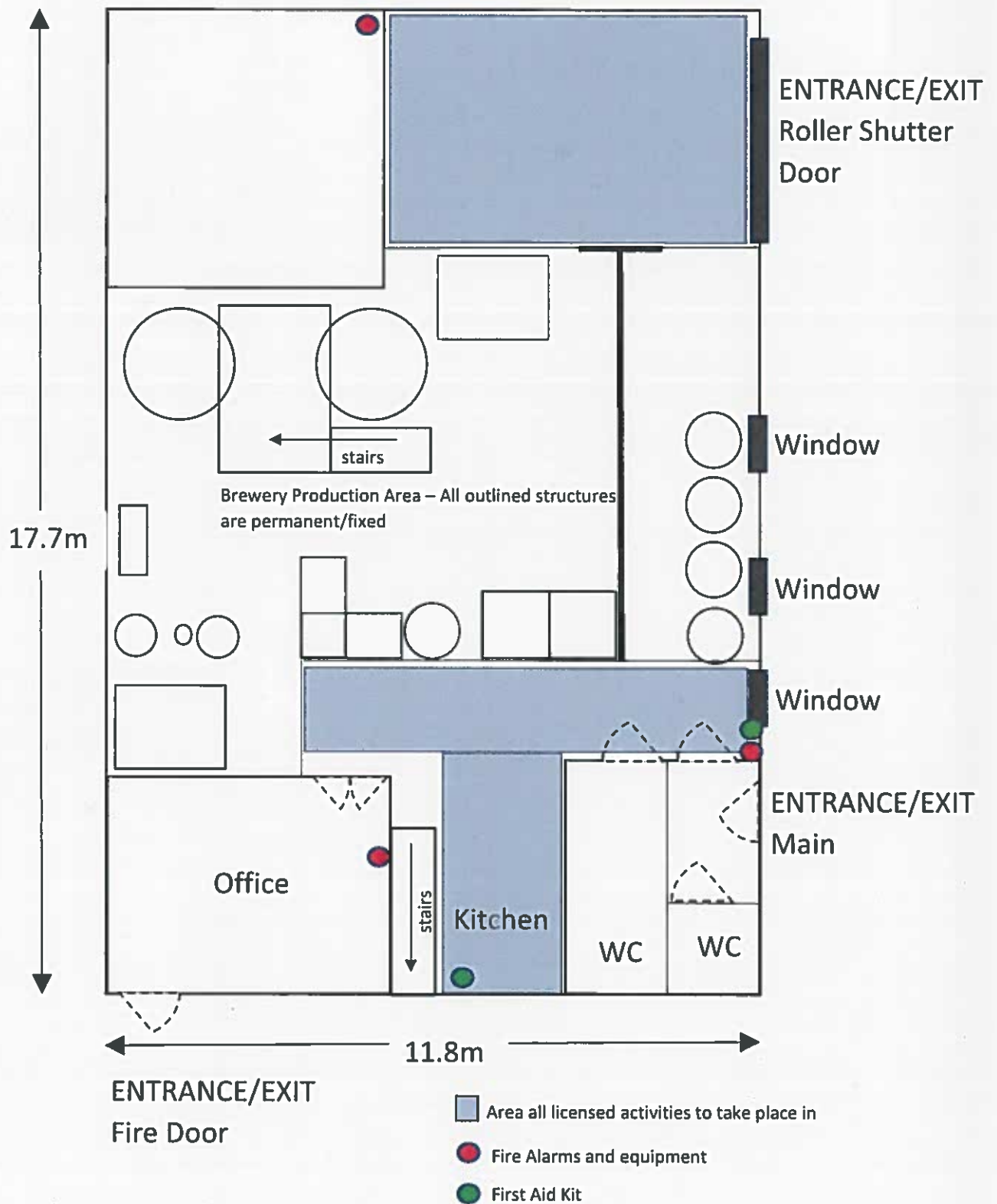
Date and time submitted

Approval deadline

Error message

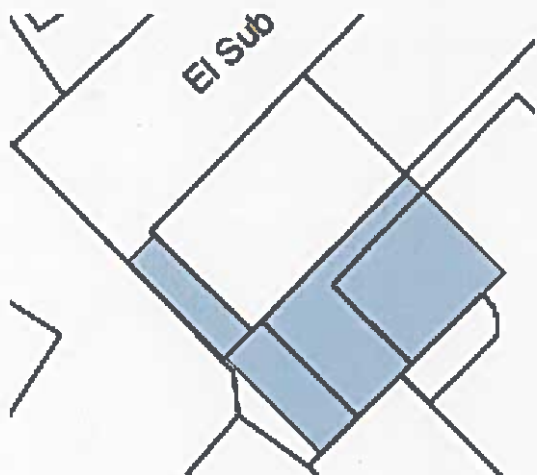
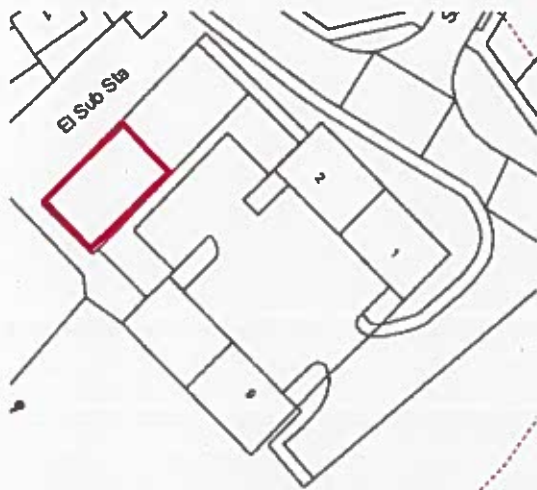
Is Digitally signed ☐

Scale: 1:100



McColl's Brewery Limited

Unit 4, Randolph Industrial Estate, Evenwood, Bishop Auckland, Co. Durham, DL14 9SJ



External area all licensed activities to take place in

APPENDIX 3 – ADDITIONAL CONDITIONS AGREED BY APPLICANT

McCOLLS BREWERY, EVENWOOD –

Additional conditions agreed by applicant following mediation with Durham Constabulary

A) General

Authorised staff employed by Durham Police shall have free access to all parts of the licensed premises, at all reasonable times, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.

B) The Prevention of Crime & Disorder

Initial staff training to be carried out by DPS or approved member of staff to ensure no alcohol is sold to anyone underage and refresher training to be carried out every 6 months.

Training records to be kept for every member of staff and endorsed after every training session. The records will be made available to officers and responsible authorities when requested to do so.

CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions.

Cameras shall encompass the inside and outside of the entrances / exits to the premise and all areas inside the premise where the sale / supply of alcohol occurs.

Equipment must be maintained in good working order, be correctly times and date stamped. Recordings must be kept in date order, numbered sequentially and kept for a period of 28 days and handed to the police / local authority within a reasonable time frame agreed between officers and DPS/authorised person.

The Premise Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in recordable format, either disc, hard drive or memory stick to the police / local authority within a reasonable time frame agreed between officers and DPS/authorised person.

The recording equipment and discs / memory sticks shall be kept in a secure environment under the control of the DPS or other responsible named individual.

An operational weekly log report must be maintained and endorsed by a signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

E) The Protection of Children from Harm

The only forms of identification we will accept are a current passport, a photo driving licence and 'PASS' hologram I.D.

A refusal register will be kept and endorsed after every sale refused, this is to include over 18's purchasing alcohol and passing it to under 18's (proxysales)

McCOLLS BREWERY, EVENWOOD –

Additional condition agreed by applicant following mediation with Durham LSCB

- **Training of staff** – all staff responsible for selling age restricted goods to be trained to implement the age verification policy. Staff training to include the risk from proxy sales. Training records for staff to be maintained and refresher training to be provided annually.

APPENDIX 4 – REPRESENTATIONS

From: Cllr Heather Smith

Sent: 14 March 2017 20:55

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

Cc: Cllr Andy Turner

Subject: Licensing of McColl's Brewery, Randolph Industrial Estate, Evenwood

Hello Carol

After considering this application further Councillor Andy Turner and I are not in favour of it. We do not object to a brewery being established there for the reason that it will create jobs in the village. The condenser and refrigeration units must be appropriately sited to avoid noise nuisance to local residents. This would be up to the planning officers to consider.

There is a lot of concern in the village that the application for an entertainment licence and to sell alcohol is effectively turning what is now an industrial building into a pub or club, and as such represents a change of use and should be the subject of a separate planning application. This unit is quite close to houses and residents are opposed to the sale of alcohol and a music licence being granted as this would risk noise and antisocial behaviour.

Thanks

Heather Smith and Andy Turner

From: [evenwoodparish](#)
Sent: 16 March 2017 08:01
To: Carol Graham - Licensing Assistant (N'hoods)
Subject: Licensing - McColls Brewery, Unit 4 Randolph Ind Estate

Dear Ms Graham

Evenwood and Barony Parish Council discussed the licence application from McColls Brewery on Tuesday this week.

Application details:

Sale of alcohol (on & off sales) and indoor & outdoor regulated entertainment (including live & recorded music) from 12:00 – 21:00 Monday to Sunday inclusive. Also the provision of plays (indoor & outdoor) from 12:00 – 21:00 Friday to Sunday inclusive.

A number of local residents attended the meeting to voice their concerns over the application.

The parish council wishes to object to this application because it is in effect creating a licence premises on a small industrial unit close to residents bungalows. The noise, smell and possible anti social behaviour associated with alcohol is not acceptable in that area. The council were also concerned that the planning application seen was for a micro brewery and this licence is clearly a change of use and should have been included in the planning application. The council and residents were surprised to read 'outdoor and indoor plays' - given this is an industrial estate we all were wondering where these would take place???

In summoning up the council consider the application wholly without merit or thought and supports the local residents in objecting.

Yours sincerely

Martin Clark MILCM
Parish Clerk

TO THE LICENCING COMMITTEE

10 MAR 2017

11TH March 2017

I wish to strongly object to the licensing application submitted by McColl's brewery. Unit 4, Randolph Industrial estate. Evenwood. County Durham.

The grounds for my objection are:

PUBLIC NUISANCE

PUBLIC DISORDER

I feel that the sale of retail alcohol on the premises along with indoor & outdoor entertainment (including live and recorded music) will be creating excess noise.

Because the only access to these industrial units is via Manor Court road, the small development of 12 bungalows specially built to accommodate the elderly and infirm. This development could cause unnecessary distress to any of the residents due to public nuisance (noise), public disorder (anti-social behaviour).

Unit 4 is located directly behind and adjoining two of the bungalows with no more than 10 meters from the wall of the unit to the back door of the bungalows. The noise would be quite unacceptable to these residents in particular.

Finally I would also point out that there are no parking facilities available, other than Manor Court Road. And Unit 4 is an industrial unit and was not built to be a place of public entertainment.

Yours Sincerely

MR & MRS D. GREEN

MANOR COURT
EVENWOOD.

Mr Derek Green.

Manor court,
Evenwood,
County Durham.
DL149QA

8th March 2017

10 MAR 2017

This is a letter concerning the application by McColl's to open a brewery at unit 4 Randolph Industrial estate, evenwood.

To all committees concerned with this planned project,

This is a letter of objection from not only myself but from every resident of Manor Court Evenwood. We are primarily objecting on the grounds of excess noise, and possibly smell.

Please find enclosed with this letter of introduction a detailed copy of an open letter sent to:

TEESDALE MERCURY NEWSPAPER (FOR PUBLICATION)
ADAM WILLIAMSON, PLANNING DEPT DURHAM COUNT COUNCIL.
DURHAM COUNTY COUNCIL, LICENCING, PO BOX 617 DURHAM

Yours Sincerely

Mr D.J.Green

10 MAR 2017

Open letter to Durham county council planning/licensing dept & Evenwood parish council.

This letter is regarding the proposed use of unit 4 Evenwood industrial estate, as a brewery.

According to an article in the Teesdale Mercury newspaper dated 1st March 2017, despite objections being submitted it seems the project is destined to go ahead regardless. Evenwood parish councillors have already given their support by agreeing to the installation of a refrigeration unit.

When are the councillors going to seek the opinions of nearby residents, namely the elderly people's bungalows at Manor Court Evenwood. Two of these being within approximately 6 meters of the proposed unit. The application consultation period is not due to close until the end of March, but work has already started to ready the unit for the brewery use.

According to the planning application the brewery have also applied for a live & recorded music permit and a permit to stage plays both indoors and out. They also wish to sell alcohol for consumption on the premises. Is this venture to be a public house? Music venue? Or a playhouse?

This is an industrial unit not suitable for any of the above. Having said all this I am certainly not against this venture at all. But the fact is it is too near to these bungalows. All parties concerned with this venture need to look at relocating to a more suitable area away from residential properties.

Mr Derek Green.

Manor Court, Evenwood.

Tel No

3rd March 2017

TO THE LICENCING COMMITTEE

1105 MAR 2017

11TH March 2017

I wish to strongly object to the licensing application submitted by McColl's brewery. Unit 4, Randolph Industrial estate. Evenwood. County Durham.

The grounds for my objection are:

PUBLIC NUISANCE

PUBLIC DISORDER

I feel that the sale of retail alcohol on the premises along with indoor & outdoor entertainment (including live and recorded music) will be creating excess noise.

Because the only access to these industrial units is via Manor Court road, the small development of 12 bungalows specially built to accommodate the elderly and infirm. This development could cause unnecessary distress to any of the residents due to public nuisance (noise), public disorder (anti-social behaviour).

Unit 4 is located directly behind and adjoining two of the bungalows with no more than 10 meters from the wall of the unit to the back door of the bungalows. The noise would be quite unacceptable to these residents in particular.

Finally I would also point out that there are no parking facilities available, other than Manor Court Road. And Unit 4 is an industrial unit and was not built to be a place of public entertainment.

Yours Sincerely

P. G. AGAR

MANOR COURT
EVENWOOD

TO THE LICENCING COMMITTEE

10 MAR 2017

11TH March 2017

15 MAR 2017

I wish to strongly object to the licensing application submitted by McColl's brewery. Unit 4, Randolph Industrial estate. Evenwood. County Durham.

The grounds for my objection are:

PUBLIC NUISANCE

PUBLIC DISORDER

I feel that the sale of retail alcohol on the premises along with indoor & outdoor entertainment (including live and recorded music) will be creating excess noise.

Because the only access to these industrial units is via Manor Court road, the small development of 12 bungalows specially built to accommodate the elderly and infirm. This development could cause unnecessary distress to any of the residents due to public nuisance (noise), public disorder (anti-social behaviour).

Unit 4 is located directly behind and adjoining two of the bungalows with no more than 10 meters from the wall of the unit to the back door of the bungalows. The noise would be quite unacceptable to these residents in particular.

Finally I would also point out that there are no parking facilities available, other than Manor Court Road. And Unit 4 is an industrial unit and was not built to be a place of public entertainment.

Yours Sincerely

! J.WEST

V

MANOR COURT
DL14 9QA

TO THE LICENCING COMMITTEE

10 MAR 2017
15 MAR 2017

11TH March 2017

I wish to strongly object to the licensing application submitted by McColl's brewery. Unit 4, Randolph Industrial estate. Evenwood. County Durham.

The grounds for my objection are:

PUBLIC NUISANCE

PUBLIC DISORDER

I feel that the sale of retail alcohol on the premises along with indoor & outdoor entertainment (including live and recorded music) will be creating excess noise.

Because the only access to these industrial units is via Manor Court road, the small development of 12 bungalows specially built to accommodate the elderly and infirm. This development could cause unnecessary distress to any of the residents due to public nuisance (noise), public disorder (anti-social behaviour).

Unit 4 is located directly behind and adjoining two of the bungalows with no more than 10 meters from the wall of the unit to the back door of the bungalows. The noise would be quite unacceptable to these residents in particular.

Finally I would also point out that there are no parking facilities available, other than Manor Court Road. And Unit 4 is an industrial unit and was not built to be a place of public entertainment.

Yours Sincerely

MR + MRS J STEPHENSON

Manor Court

EVENWOOD

DL14 9QA

TO THE LICENCING COMMITTEE

15 MAR 2017

11TH March 2017

I wish to strongly object to the licensing application submitted by McColl's brewery. Unit 4, Randolph Industrial estate. Evenwood. County Durham.

The grounds for my objection are:

PUBLIC NUISANCE

PUBLIC DISORDER

I feel that the sale of retail alcohol on the premises along with indoor & outdoor entertainment (including live and recorded music) will be creating excess noise.

Because the only access to these industrial units is via Manor Court road, the small development of 12 bungalows specially built to accommodate the elderly and infirm. This development could cause unnecessary distress to any of the residents due to public nuisance (noise), public disorder (anti-social behaviour).

Unit 4 is located directly behind and adjoining two of the bungalows with no more than 10 meters from the wall of the unit to the back door of the bungalows. The noise would be quite unacceptable to these residents in particular.

Finally I would also point out that there are no parking facilities available, other than Manor Court Road. And Unit 4 is an industrial unit and was not built to be a place of public entertainment.

M. TRAY

Yours Sincerely

MANOR COURT
EVENWOOD
DL14 9QA

TO THE LICENCING COMMITTEE

11 MAR 2017

11TH March 2017

I wish to strongly object to the licensing application submitted by McColl's brewery. Unit 4, Randolph Industrial estate. Evenwood. County Durham.

The grounds for my objection are:

PUBLIC NUISANCE

PUBLIC DISORDER

I feel that the sale of retail alcohol on the premises along with indoor & outdoor entertainment (including live and recorded music) will be creating excess noise.

Because the only access to these industrial units is via Manor Court road, the small development of 12 bungalows specially built to accommodate the elderly and infirm. This development could cause unnecessary distress to any of the residents due to public nuisance (noise), public disorder (anti-social behaviour).

Unit 4 is located directly behind and adjoining two of the bungalows with no more than 10 meters from the wall of the unit to the back door of the bungalows. The noise would be quite unacceptable to these residents in particular.

Finally I would also point out that there are no parking facilities available, other than Manor Court Road. And Unit 4 is an industrial unit and was not built to be a place of public entertainment.

Yours Sincerely

Mrs. & Mrs. Alan Smith

Manor Court

EVENWOOD

TO THE LICENCING COMMITTEE

15 MAR 2017

11TH March 2017

I wish to strongly object to the licensing application submitted by McColl's brewery. Unit 4, Randolph Industrial estate. Evenwood. County Durham.

The grounds for my objection are:

PUBLIC NUISANCE

PUBLIC DISORDER

I feel that the sale of retail alcohol on the premises along with indoor & outdoor entertainment (including live and recorded music) will be creating excess noise.

Because the only access to these industrial units is via Manor Court road, the small development of 12 bungalows specially built to accommodate the elderly and infirm. This development could cause unnecessary distress to any of the residents due to public nuisance (noise), public disorder (anti-social behaviour).

Unit 4 is located directly behind and adjoining two of the bungalows with no more than 10 meters from the wall of the unit to the back door of the bungalows. The noise would be quite unacceptable to these residents in particular.

Finally I would also point out that there are no parking facilities available, other than Manor Court Road. And Unit 4 is an industrial unit and was not built to be a place of public entertainment.

Yours Sincerely

J. Hymers

Manor Court
Evenwood

TO THE LICENCING COMMITTEE

15 MAR 2017
10 MAR 2017

11TH March 2017

I wish to strongly object to the licensing application submitted by McColl's brewery. Unit 4, Randolph Industrial estate. Evenwood. County Durham.

The grounds for my objection are:

PUBLIC NUISANCE

PUBLIC DISORDER

I feel that the sale of retail alcohol on the premises along with indoor & outdoor entertainment (including live and recorded music) will be creating excess noise.

Because the only access to these industrial units is via Manor Court road, the small development of 12 bungalows specially built to accommodate the elderly and infirm. This development could cause unnecessary distress to any of the residents due to public nuisance (noise), public disorder (anti-social behaviour).

Unit 4 is located directly behind and adjoining two of the bungalows with no more than 10 meters from the wall of the unit to the back door of the bungalows. The noise would be quite unacceptable to these residents in particular.

Finally I would also point out that there are no parking facilities available, other than Manor Court Road. And Unit 4 is an industrial unit and was not built to be a place of public entertainment.

Yours Sincerely

A. HUTTON
.. "

Manor Court
EVENWOOD.

TO THE LICENCING COMMITTEE

1150 MAR 2017

11TH March 2017

I wish to strongly object to the licensing application submitted by McColl's brewery. Unit 4, Randolph Industrial estate. Evenwood. County Durham.

The grounds for my objection are:

PUBLIC NUISANCE

PUBLIC DISORDER

I feel that the sale of retail alcohol on the premises along with indoor & outdoor entertainment (including live and recorded music) will be creating excess noise.

Because the only access to these industrial units is via Manor Court road, the small development of 12 bungalows specially built to accommodate the elderly and infirm. This development could cause unnecessary distress to any of the residents due to public nuisance (noise), public disorder (anti-social behaviour).

Unit 4 is located directly behind and adjoining two of the bungalows with no more than 10 meters from the wall of the unit to the back door of the bungalows. The noise would be quite unacceptable to these residents in particular.

Finally I would also point out that there are no parking facilities available, other than Manor Court Road. And Unit 4 is an industrial unit and was not built to be a place of public entertainment.

Yours Sincerely

Mrs O Wright
T. WRIGHT
(Manor Court)

APPENDIX 5 – RESPONSES FROM RESPONSIBLE AUTHORITIES

From: Susan Gallimore
Sent: 22 March 2017 15:10
To: Yvonne Raine
Subject: FW: Licensing - new premises licence application - McColls Brewery, Evenwood

Hello Yvonne,

Please note that based upon the timing of proposed activities and size of potential audiences, I have no adverse comments to make in support of this application.

Kind Regards,

Susan Gallimore, DipLOA
Senior Public Protection Officer
Adult and Health Services

T:
M:
E:

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

 Awards
2014 **Council of the Year**

Carol Graham - Licensing Assistant (N'hoods)

From: Daniel Darnton
Sent: 17 March 2017 10:43
To: Carol Graham - Licensing Assistant (N'hoods)
Subject: FW: Licensing - new premises licence application received
Attachments: Mcolls Brewery - new premises.pdf; Mcolls Brewery - plan.pdf; Mcolls Brewery - DPS consent.pdf

Good Morning,

Durham Constabulary have no objections following mediation to the below application.

Thanks
Dan

Daniel Darnton
Harm Reduction Unit
Meadowfield Office tel
Darlington Office tel



Durham Constabulary
Altogether Better Policing

Date: 08 March 2017

This matter is being dealt with by: Brad Malpass

Ext: 3006

Our Ref: ;

Your Ref:

Direct Dial Telephone:

E-mail: |

Mr McColl

Dear Sir

Licensing Act 2003

Regulatory Reform (Fire Safety) Order 2005

McColl's Brewery, Unit 4 Randolph Industrial Estate, Evenwood, Bishop Auckland, DL14 9SJ

I acknowledge your application dated 23 February 2017 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.

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

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

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

Yours faithfully

Brad Malpass
Fire Safety Section

APPENDIX 6 - STATEMENT OF LICENSING POLICY

DURHAM COUNTY COUNCIL STATEMENT OF LICENSING POLICY

7.0 The Prevention of Crime and Disorder

7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment may sometimes, if not properly managed, become a source of public nuisance, generating crime and disorder problems.

7.2 As a matter of policy, the Licensing Authority will require 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 or in a smoking shelter.

7.3 The Licensing Authority recommends that all applicants 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. Procedures to deal with drunken customers, violence and anti social behaviour in and outside premises and the provision of closed circuit 14 television in certain premises should be considered by applicants, licensees and event organisers when addressing this issue.

7.4 The Licensing Authority encourages Personal Licence holders to actively participate in established "Pubwatch" schemes, where issues relating to crime and disorder can be addressed. The Licensing Authority support involvement in "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.

7.5 The Licensing Authority recognises and promotes effective and responsible management of all licensed and authorised premises through competent and efficient and regular instruction, recorded training, supervision of staff and the adoption of good practice, such as 'Challenge 25'. These are considered to be among the most important control measures for the achievement of all Licensing Objectives. The Licensing Authority will take a positive view of anyone who invests in appropriate training, and in particular nationally accredited qualifications tailored to the Licensing sector. Training records should be kept available for inspection by all enforcement agencies.

7.6 The application for premises licence must identify a Designated Premises Supervisor (DPS) who must also hold a Personal Licence. The DPS does not have to be present on the premises at all times when alcohol is being sold. However, the DPS and Premises Licence Holder remain responsible for the premises at all times. It is important that there is an accountable, responsible person present when alcohol is being sold or supplied to ensure, for example, that alcohol is not sold to persons who have had too much to drink, or to those under the age of 18 years.

7.7 Someone should always be present on premises or at an event during times when licensable activities are taking place who can discuss any problems or issues arising from the licensable activities offered on the premises with officers from Licensing

Authority and Police. The Licensing Authority 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 is 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.

7.8 The Licensing Authority 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 particular premises or event. Any such decision will be based on the nature and style of the operation. The Licensing Authority will consider information provided by the applicant and any other body, in particular 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.

7.9 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.

7.10 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 and hours of trading.

7.11 In addition to the requirement of the Licensing Authority to promote the Licensing Objectives, the Council also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can do to prevent crime and disorder in its area and to consider crime and disorder in its decision making process.

7.12 Toughened/Safety Glass Policy: 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 to those premises that would be considered as carrying a higher risk for potential crime and disorder. In particular it is expected in premises considered to be high volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues (but not premises in those areas that are viewed as low risk in this context).

7.13 Drugs/Knives/Weapons: The Licensing Authority 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 within the premises in order to prevent tragedies as a result of drug misuse. The Licensing Authority will expect licensees to be familiar with the Home Office Drug Strategy booklet entitled Safer Clubbing (ISBN 1840827807) or other subsequent editions. The Licensing Authority 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.

9.0 Prevention of Public Nuisance

9.1 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 in the vicinity of the premises.

9.2 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 Licensing Authority 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.

9.3 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 local 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, appropriate signage requesting customers to consider local residents and monitoring of such areas by staff.

9.4 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 consents will often be required. Enquiries for such consents should be made to the Council's Highway's Section of the Regeneration and Economic Development Department. In predominantly commercial areas such as shopping centres the Licensing Authority, 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.

9.5 Applicants should give consideration to 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 Licensing Authority 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.

9.6 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.

9.7 Applicants are advised to seek advice from Durham County Councils Environmental Health Team and incorporate any recommendations in their Operating Schedule before submitting their applications.

9.8 Takeaways and fast-food outlets: The Licensing Authority 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 provide notices displayed advising customers of the location of bins and patrons should use the bins any provided.

Appendix B. Framework Licensing Hours - recommended hours for the operation of licensable activities (the sale of alcohol and the provision of late night refreshment) for categories of licensed premises situated within the County of Durham.

Category of Premise	Weekdays (Sunday to Thursday)	Weekends (Friday night into Saturday morning and Saturday night into Sunday morning)	Bank Holidays
For premises licences and club premises certificates authorising the sale or supply of alcohol for consumption on or off the premises	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).
For licences not including the sale or supply of alcohol	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).
For 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).
For licences authorising late night refreshment as the primary licensable activity (takeaways)	01.00	02.00	<p>Good Friday Plus 1 Hour</p> <p>For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday</p> <p>(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).</p>

APPENDIX 7 - S.182 GUIDANCE

S182 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. 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.

S182 GUIDANCE – PUBLIC NUISANCE

2.14 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.

2.15 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.

2.16 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 15). 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.

2.17 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.

2.18 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.

2.19 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.

2.20 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.