

Statutory Licensing Sub-Committee

25th April 2017

Application for the Grant a Premises Licence



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

Name and Address of Premises: The Distillery 1-2 Red Rose Terrace, Chester le Street, Co Durham DH3 3LN.

1. Summary

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

1-2 Red Rose Terrace
Chester le Street
Co Durham DH3 3LN

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 6th March 2017. See attached Appendix 2.

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

The initial details of the application for the grant of the premises licence are as follows:

Proposed Activities	Days/Timings
Opening hours: Monday to Sunday	11:00 hrs until 01:30 hrs <i>Christmas Eve/Boxing Day – 11:00 hrs until 02:00 hrs</i> <i>New Year's Eve 11:00 hrs until 03:00 hrs</i> <i>Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 11:00 hrs until 02:00 hrs</i>
Plays (Indoors) Monday to Sunday	11:00 hrs until 01:00 hrs <i>Christmas Eve/Boxing Day – 11:00 hrs until 02:00 hrs</i> <i>New Year's Eve 11:00 hrs until 03:00 hrs</i> <i>Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 11:00 hrs until 02:00 hrs</i>

Films (Indoors) Monday to Sundays	11:00 hrs until 01:00 hrs
Indoor Sporting Events	11:00 hrs until 01:00 hrs <i>Christmas Eve/Boxing Day – 11:00 hrs until 02:00 hrs</i> <i>New Year's Eve 11:00 hrs until 03:00 hrs</i> <i>Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 11:00 hrs until 02:00 hrs</i>
Live Music (Indoors)	11:00 hrs until 01:00 hrs <i>Christmas Eve/Boxing Day – 11:00 hrs until 02:00 hrs</i> <i>New Year's Eve 11:00 hrs until 03:00 hrs</i> <i>Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 11:00 hrs until 02:00 hrs</i>
Recorded Music (Indoors and Outdoors)	11:00 hrs until 01:00 hrs <i>Christmas Eve/Boxing Day – 11:00 hrs until 02:00 hrs</i> <i>New Year's Eve 11:00 hrs until 03:00 hrs</i> <i>Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 11:00 hrs until 02:00 hrs</i>
Performance of Dance (Indoors)	11:00 hrs until 01:00 hrs <i>Christmas Eve/Boxing Day – 11:00 hrs until 02:00 hrs</i> <i>New Year's Eve 11:00 hrs until 03:00 hrs</i> <i>Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 11:00 hrs until 02:00 hrs</i>
Anything of a similar description (indoors)	11:00 hrs until 01:00 hrs <i>Christmas Eve/Boxing Day – 11:00 hrs until 02:00 hrs</i> <i>New Year's Eve 11:00 hrs until 03:00 hrs</i> <i>Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 11:00 hrs until 02:00 hrs</i>
Late Night Refreshment (indoors)	Sunday to Thursday 23:00 hrs until 00:00 hrs Friday & Saturday 23:00 hrs until 00:30 hrs
Supply of Alcohol (on the Premises)	11:00 hrs until 01:00 hrs <i>Christmas Eve/Boxing Day – 11:00 hrs until 02:00 hrs</i> <i>New Year's Eve 11:00 hrs until 03:00 hrs</i> <i>Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 11:00 hrs until 02:00 hrs</i>

Following mediation with Durham Constabulary, within the consultation period, the applicant agreed to amend the premises licence application by adding additional conditions to the operating schedule, as detailed in Appendix 3.

Also within the consultation period, comments were received from Responsible Authorities, namely Local Safeguarding Children Board, Environmental Health

and Planning. The Applicant has been provided with the letter from the Planning Department. These are attached as Appendix 4.

3. The Representations

The Licensing Authority received a bundle of pre-typed documents in an envelope from Mr Briggs, Chair of the Chester le Street Residents Association which contained 48 letters of representation from 'other persons'. Some letters did not detail an address and have therefore been disregarded. The Licensing Authority wrote to all individuals to validate the letters, see below:

A further two letters of representation were received from Mr M H Allen on 27th March 2017 and Mr McAtominey on 3rd April 2017.

All of the representations received relate to the following licensing objectives:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance

Copies of the representations are attached at Appendix 5.

The Licensing Authority received responses from the following residents validating their representation and confirmed that it was their intention for the representation to be considered.

- Mr Derek Briggs, Chester le Street Residents Association (other person)
- Mr R & Mrs E Beach (other person)
- Lesley Corfield (other person)
- Mr George Tom Curry (other person)
- Mr B & Mrs H George (other person)
- Mr Dominic Killoury (other person)
- Mr Ronald & Mrs Jennifer Lancaster (other person)
- Mr Paul McAtominey (other person)
- Mr Frank & Mrs Regina Raine (other persons)
- Karen Rothwell (other person)
- Sheila Standish (other person)
- R H Stevens (other person)
- Peter Tooth (other person)

The Licensing Authority received responses from the following residents who confirmed that their representation had been withdrawn after the mediation agreed and the amendments to the application had been outlined:

- Mr Michael Henry Allen (other person)
- Mrs Joyce Elsbury (other person)
- Ms Eileen Danby (other person)
- Ms Joan Reynolds (other person)

For members information: The Licensing Authority was contacted by Mr Stephen Underwood of Hawthorn Terrace on 10th April 2017 stating that he had received letters from the Licensing Authority in relation to a representation he had not made. Following communication with Mr Underwood, a copy of the letter was viewed by Mr Underwood and he confirmed that the signature on the letter was not his and he had not submitted it. He stated that he is not opposed to the opening of the Distillery and if anything welcomed it as the town needs all the business it can get. See email, attached as Appendix 6.

Members: At the time of the report no further validation responses were received from residents. Members should therefore attach the appropriate weight to the remaining representations that have not been validated.

Mediation - In agreement with the Chair (Mr Briggs) Chester le Street Residents Association a meeting was arranged for 28th March 2017 to discuss the resident's concerns.

The meeting was attended by myself, the Applicant's solicitor (Mr Giles McCourt), the Applicant and his wife, Mr Worthy and Mr Briggs (who was accompanied by two residents, selected by Mr Briggs).

An agreement was reached at the meeting and the Applicant subsequently amended the premises licence application to reduce the proposed activities/timings and offered further conditions to reflect resident's concerns.

There are detailed below:

1. CCTV will be installed to the rear of the premises, to cover the refuse area and bin store
2. The Applicant agrees to a reduction in licensable hours, the stated finishing time of 01:00 hrs for Plays, Films, Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance, Anything of a Similar Description, Late Night Refreshment will be reduced to 23:00 hrs.
3. The premises will be open to the public from 11:00 hrs to 00:00 hrs
4. The seasonal variations stated will be amended to read:
Christmas Eve/Boxing Day – 11:00 hrs until 02:00,
New Year's Eve 11:00 hrs until 03:00 hrs,
Public and Bank holiday weekends Friday, Saturday & Sunday 11:00 hrs until 02:00 hrs
The premises may operate with the requested licensable activities until 01:00 hrs on each occasion where a bona fida private functions (such as, but not limited to weddings, christenings, birthdays) is booked.
5. Deliveries will not be permitted between the hours of 22:00 hrs and 08:00 hrs.
6. Bottles, cans and other drinks containers must not be decanted into the outside refuse bins, so that they cause a noise, nuisance and/or disturbance to neighbouring properties and residents between the hour's 22:00 hrs and 08:00 hrs.

Following the mediation meeting the Applicant produced a letter to be circulated to residents outlining their operational plan. This letter was circulated by the Licensing Authority together with an update regarding all the changes and additional conditions submitted by the Applicant.

The amendments to the application and the letter provided by the Applicant are both attached as Appendix 7.

4. Parties

The Parties to the hearing will be:

- Mr Giles McCourt (Applicant's Solicitor)
- Mr Scott Walker (Applicant)
- Mr Derek Briggs, Chester le Street Residents Association (other person)
- Mr R & Mrs E Beach (other person)
- T Bell (other person)
- R Clayton (other person)
- Lesley Corfield (other person)
- Mr George Tom Curry (other person)
- K Elliott (other person)
- S Gange (other person)
- Mr B & Mrs H George (other person)
- E Greener (other person)
- A Hardy (other person)
- Mr Dominic Killoury (other person)
- Mr Ronald & Mrs Jennifer Lancaster (other person)
- Mr Paul McAtominey (other person)
- Mr J A McColl (other person)
- D Morgan (other person)
- J Morgan (other person)
- K Penna (other person)
- T & T Quinlivan (other person)
- Mr Frank & Mrs Regina Raine (other persons)
- Karen Rothwell (other person)
- A K Sinclair (other person)
- D & J Skeoch (other persons)
- Sheila Standish (other person)
- R H Stevens (other person)
- L G Taylor (other person)
- Peter Tooth (other person)
- G Wilson (other person)
- 7 x Residents of Wear Street (other persons)
- 2 X Residents of Lumley Terrace (other persons)
- 1 Resident of Ropery Lane (other person)

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
- 8.0 Public Safety
- 9.0 The Prevention of Public Nuisance
- Appendix B - Framework Licensing Hours

Relevant information is attached as Appendix 8.

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 Crime and Disorder
- 2.6 – 2.13 Public Safety
- 2.14 - 2.20 Public Nuisance

Relevant information is attached as Appendix 9.

7. For Decision

The Sub-Committee is asked to determine the grant 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)

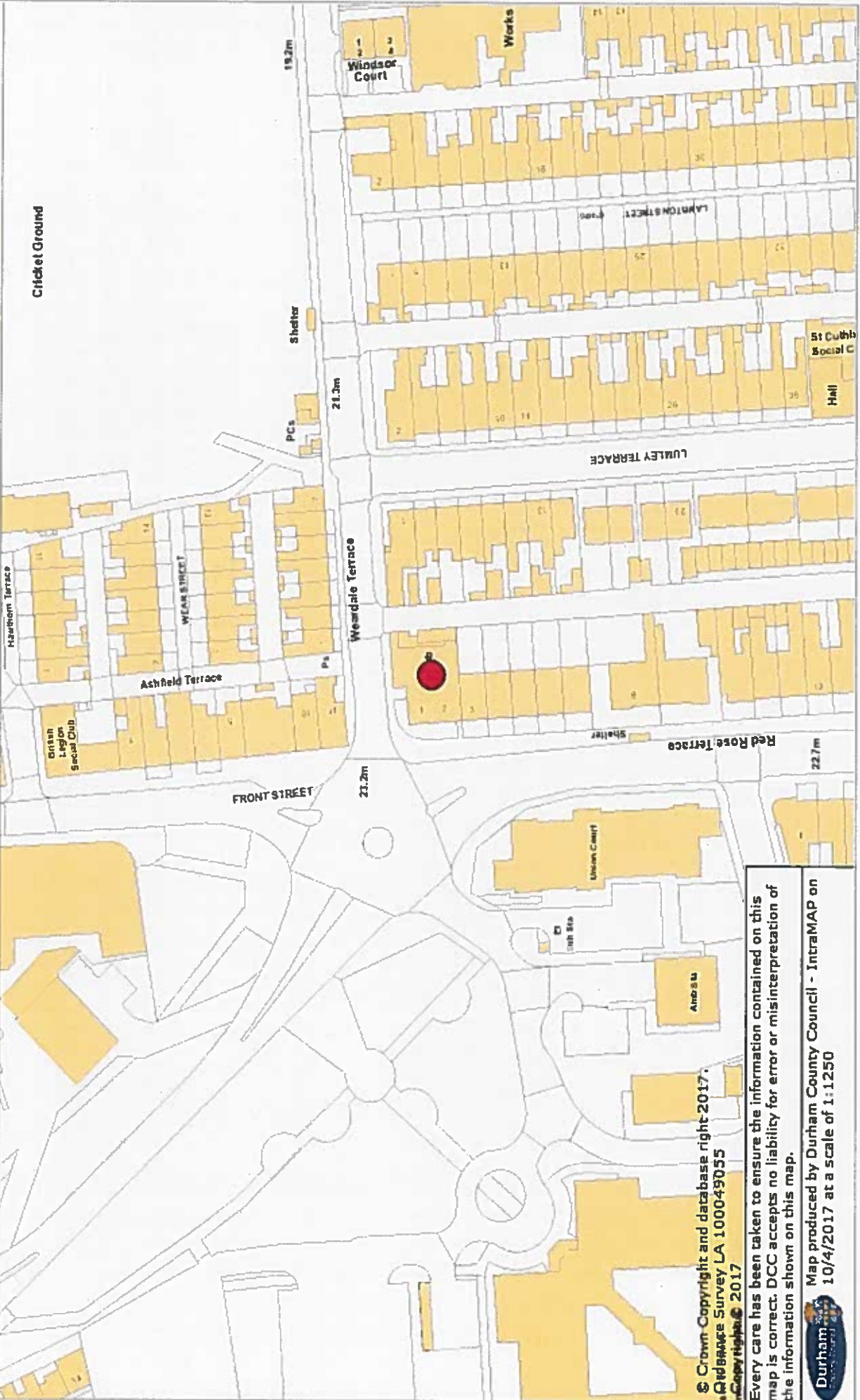
Contact: Karen Robson

Tel: 03000 265104

Email: karen.robson2@durham.gov.uk

APPENDIX 1 - LOCATION PLAN

Durham County Council - IntraMAP



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

Map produced by Durham County Council - IntraMAP on 10/4/2017 at a scale of 1:1250



APPENDIX 2 - APPLICATION FORM

Durham County Council
 23 FEB 2017
 Received

DURHAM COUNTY COUNCIL, Licensing Services, PO Box 617, Durham.
 DH1 9HZ

Application for a premises licence to be granted
 under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Scott Walker

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 - Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description The Former Kelton Social Club THE DISTILLERY 1-2 Red Rose Terrace			
Post town	Chester-le-Street	Postcode	DH3 3LN
Telephone number at premises (if any)			
Non-domestic rateable value of premises	£6400 ✓ eb.		

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Walker			First names Scott		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	5	03 20 17

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Two storey former Working Mens Club building, comprising bar and lounge area to the ground floor, with additional function room and bar to the first floor, shown edged blue on Plans 1 and 2

The premises also compromise external seating areas to the front/side of the building (shown coloured red on Plans 3&4) together with a roof terrace on the first floor shown coloured green on Plan 2 and edged red on Plan 4.

The location of the premises is shown edged red on Plan 5

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	1100	0100	Please give further details here (please read guidance note 3)		
Tue	1100	0100			
Wed	1100	0100	State any seasonal variations for performing plays (please read guidance note 4) Christmas Eve/Boxing Day – 1100 until 0200 New Years Eve – 1100 until 0300 Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 1100 until 0200		
Thur	1100	0100			
Fri	1100	0100	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	1100	0100			
Sun	1100	0100			

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>		
Mon	1100	0100			
Tue	1100	0100			
Wed	1100	0100			
			<u>State any seasonal variations for the exhibition of films (please read guidance note 4)</u>		
Thur	1100	0100			
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Fri	1100	0100			
Sat	1100	0100			
Sun	1100	0100			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	1100	0100	<p><u>State any seasonal variations for indoor sporting events (please read guidance note 4)</u> Christmas Eve/Boxing Day – 1100 until 0200 New Years Eve – 1100 until 0300 Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 1100 until 0200</p> <p><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)</u></p>
Tue	1100	0100	
Wed	1100	0100	
Thur	1100	0100	
Fri	1100	0100	
Sat	1100	0100	
Sun	1100	0100	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1100	0100			
Tue	1100	0100			
Wed	1100	0100			
Thur	1100	0100			
Fri	1100	0100			
Sat	1100	0100			
Sun	1100	0100			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded music will not be played after 8:30 in external areas.		
Mon	1100	0100			
Tue	1100	0100			
Wed	1100	0100	State any seasonal variations for the playing of recorded music (please read guidance note 4) Christmas Eve/Boxing Day – 1100 until 0200 New Years Eve – 1100 until 0300 Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 1100 until 0200		
Thur	1100	0100			
Fri	1100	0100			
Sat	1100	0100	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	1100	0100			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1100	0100			
			State any seasonal variations for the performance of dance (please read guidance note 4) Christmas Eve/Boxing Day – 1100 until 0200 New Years Eve – 1100 until 0300 Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 1100 until 0200		
Tue	1100	0100			
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed	1100	0100			
Thur	1100	0100			
Fri	1100	0100			
Sat	1100	0100			
Sun	1100	0100			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	1100	0100		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1100	0100	<p>Please give further details here (please read guidance note 3) Christmas Eve/Boxing Day – 1100 until 0200 New Years Eve – 1100 until 0300 Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 1100 until 0200</p>		
Wed	1100	0100			
Thur	1100	0100	<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</p>		
Fri	1100	0100			
Sat	1100	0100	<p>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>		
Sun	1100	0100			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	2300	0000	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	2300	0000	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
	2				
Wed					
	2300	0000			
Thur	2300	0000			
Fri	2300	0030	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	2300	0030			
Sun	2300	0000			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Christmas Eve/Boxing Day – 1100 until 0200 New Years Eve – 1100 until 0300 Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 1100 until 0200 Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) Christmas Eve/Boxing Day – 1100 until 0200 New Years Eve – 1100 until 0300 Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 1100 until 0200		
Mon	1100	0100			
Tue	1100	0100			
Wed	1100	0100			
Thur	1100	0100			
Fri	1100	0100			
Sat	1100	0100			
Sun	1100	0100			

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

Name TO FOLLOW	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

The premises will have gaming machines, members of staff at all times. All customers using the premises are reminded that children under the age of 18 may not use the gaming machines. Adequate signage will be in place to remind customers of the age restrictions relating to the gaming machines.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) Christmas Eve/Boxing Day – 1100 until 0200 New Years Eve – 1100 until 0300 Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 1100 until 0200
Day	Start	Finish	
Mon	1100	0130	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) Christmas Eve/Boxing Day – 1100 until 0200 New Years Eve – 1100 until 0300 Public and Bank Holiday weekends; Friday, Saturday, Sunday and Monday – 1100 until 0200
Tue	1100	0130	
Wed	1100	0130	
Thur	1100	0130	
Fri	1100	0130	
Sat	1100	0130	
Sun	1100	0130	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

- A staff training programme will be in place where staff receive regular training All staff will be aware of the requirements of the premises licence.
- Staff will be regularly updated on their responsibilities, with particular attention on age restricted products. a training record will be kept at the premises containing the training of each member of staff.
- All members of staff shall seek credible photographic proof of age from any person who appears to be under the age of 21 and is seeking to buy alcohol.
- The Challenge 25 Scheme will be implemented
- Proof of age will be requested from any customer seeking to buy alcohol who appears to be under the age of 21.

b) The prevention of crime and disorder

- A CCTV system is installed at the premises, the applicant will ensure that the system is properly maintained and correctly dated and time stamped. The system will provide a recording for each camera. All such recordings will be maintained for a minimum period of 31 days and will be supplied to an Officer of the Council or Police office or any person acting with their authority on request.
- CCTV will be operational at all times that the premises are in use.
- Prominent, clear and legible notices will be displayed at all public exits requesting the public to respect the needs of local residents and to leave the premises quickly and quietly.
- A refusals book will be kept on the premises and completed whenever a sale is refused to a person who cannot prove they are over the age of 18. The book will contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book will be made available to Police (or any person acting with their authority) and authorised Council officers on request

c) Public safety

- All exit doors will be operable without the use of a key, card, code or similar means.
- Doors at such exits will be regularly checked to ensure that they function satisfactorily
- Any removable security fastenings will be removed whenever the premises are open to the public or occupied by staff.
- An adequate and appropriate supply of first aid equipment and materials will be available on the premises.
- An adequate number of staff will be trained in first aid

d) The prevention of public nuisance

- there will be a display at the point of entry to the premises and beside any point of sale suitable worded signage advising customers that the underage sale of alcohol is an offence and they will be asked to produce proof of age.
- CCTV will be operational at all times that the premises are in use

e) The protection of children from harm

- A refusals book will be kept on the premises and completed whenever a sale is refused to a person who cannot prove they are over the age of 18. The book will contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book will be made available to Police (or any person acting with their authority) and authorised Council officers on request
- Any children must be accompanied by an adult.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	SOLICITOR

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Giles McCourt

Solicitor

Swinburne Maddison LLP

Post town

Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

APPENDIX 3 - MEDIATION WITH DURHAM CONSTABULARY

Karen Robson

From: Michelle Williamson < >
Sent: 15 March 2017 15:55
To: 'Giles McCourt'
Cc: Karen Robson; Yvonne Raine
Subject: The Distillery, Chester le Street
Attachments: CCTV log.xlsx; Door Supervisor Log.xlsx; Refusal register.pdf; The Distillery, Chester le Street.docx; challenge 25.pdf

Hi Giles

It was good to meet with you and Scott today at The Distillery. As discussed please find attached a list of conditions I would like to see adding to the application. Can you please discuss them with Scott and reply to all on this email if you are happy to have them added.

I have also attached the forms and poster as discussed. I will send a hard copy to Scott's address in Belmont.

Many thanks
Michelle

PCSO 6832 Williamson
Harm Reduction Unit

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Operating Schedule

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.

On the ground floor, CCTV will be in operation at all times. Cameras shall encompass the inside and outside of all entrances and exits to the premises and beer gardens, fire exits and all areas inside the premise where the sale / supply of alcohol occurs.

On the first floor, CCTV shall only be in operation when the premises are open.

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

The CCTV system will incorporate a battery backup system to enable 24 hour continuous recording in case any power blackout / failure.

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 and handed to responsible authorities 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.

Door Supervisors shall be provided on a risk assessment basis or at the request of Durham Constabulary.

If Door Supervisors are used an operational daily log must be kept documenting door supervisor information. This is to include full name, date of birth, full badge number, contact phone number, security companies name and start and finish times.

C) Public Safety

Fire exits and fire equipment clearly marked.

All staff must be aware of requirements regarding health and safety.

First aid facilities will be available.

An incident log will be kept at all times.

D) Prevention of Public Nuisance

Door and windows will be kept closed whilst live music is being played.

The external roof terrace will be not used after 21:00hrs.

E) The Protection of Children from Harm

A proof of age policy in place for people under 25 years of age via the Challenge 25 scheme.

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

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

CCTV Log

Premises Name

Date	Time	Result	Engineer Contacted	Job No. / Result	Date completed
01/01/2015	08:00	Not recording	ABE cameras 01207 500 015 08:15	Job no. 12345, engineer to attend 02/01/2015. New part fitted 02/01/15. System fully working again.	02/01/2015
01/01/2015	08:00	No problem as fully operational			

Staff	Observations	Name of Person or Description	Time	Product

REFUSAL



REFUSALS REGISTER

a customer fails to produce valid photo-ID which confirms his or her age, the sale should be REFUSED and recorded in this Refusals Register, after the customer has left the premises.

The Register should be kept in a safe place out of sight of the customer.

The sale should be REFUSED if the customer is unable to prove he or she is:

16 or older if the product is LOTTERY.

18 or older if the product is TOBACCO or ALCOHOL or FIREWORKS or SOLVENT.

All staff should know where this Refusals Register is kept, and should write an entry whenever an age-related sale is REFUSED.

Staff sell age restricted product to under 16s (lottery) or to under 18s (tobacco/alcohol/fireworks)

CHALLENGE

25

IF YOU LOOK
UNDER 25
YOU WILL
BE ASKED
FOR
PHOTO ID

NO ID
NO SALE



THE ONLY ACCEPTABLE
FORMS OF ID ARE:

- Photocard Driving Licence
- Passport
- Proof of age Card bearing
Pass Hologram

PASS



APPENDIX 4 - RESPONSES FROM RESPONSIBLE AUTHORITIES

Karen Robson

From: Sean Barry
Sent: 07 March 2017 09:23
To: Neighbourhood Services Licensing
Subject: RE: The Distillery 1-2 Red Rose Terrace Chester Le Street County Durham DH3 3LN

Categories: Karen

Good Morning

I have received a new premises application for the establishment: The Distillery 1-2 Red Rose Terrace Chester Le Street County Durham DH3 3LN

I have no comments or objections to make on behalf of Durham Local Safeguarding Children Board.

My Ref: SB/2017/023

Thanks
Sean

From: LSCB
Sent: 06 March 2017 12:52
To: Sean Barry <Sear
Subject: FW: The Distillery 1-2 Red Rose Terrace Chester Le Street County Durham DH3 3LN

Karen Baker

From: Lindsey Leonard
Sent: 07 March 2017 15:07
To: Karen Baker
Subject: The Distillery, 1-2 Red Rose Terrace, Chester-le-Street

Karen,

I have no representations to make on the New License Application.

regards

Lindsey Leonard
Senior Environmental Health Officer
Neighbourhood Services

T: 03000 [REDACTED]

E: [lindsey](mailto:lindsey@durham.gov.uk)

Web: www.durham.gov.uk

Follow us on Twitter [@durhamcouncil](https://twitter.com/durhamcouncil)

Like us at facebook.com/durhamcouncil

LGO Awards **2014 Council of the Year**

Contact: Sarah Seabury
Direct Tel: 03000
email: sarah.s
Your ref:
Our ref: CON28/17/00595



Karen Baker
Adult and Health Services
Karen.baker@durham.gov.uk

22 March 2017

Dear Ms Baker

Town and Country Planning Act 1990 (as amended)

Proposed Application for grant of premises licence.
At The Distillery 1-2 Red Rose Terrace, Chester-Le-Street, DH3 3LN
For Karen Baker

I refer to your consultation request with regard to the above proposal.

The current use/most recent use of the building is a Working Men's Club which falls within Use Class D2 Assembly and Leisure. The change of use from a D2 use to an A4 Drinking Establishment would require the submission of a change of use planning application.

The following information would be required for validation of a planning application for change of use:

- Completed planning application form
- Location plan (scale 1:2500 or 1:1250) with red line boundary around site
- Site plan (scale 1:500, 1:200 or 1:100) with red line boundary around site
- Existing and proposed Floor Plan to a recognised scale
- The correct fee of £385.00

Please note this Council is committed to adopting a pragmatic approach to the complex issue of validation and as such we will always look to take a proportionate approach to validation requirements. The above advice has been provided on this basis.

I trust this advice is of assistance to you. Please note that whilst this Council strives to provide pre-application advice which is to a high standard and is honoured in the event of an application being received, the advice contained within this letter is based on the information made available at this time and cannot prejudice any future decision made by the Council's Planning Committee or Officers under delegated powers.. In particular further issues may of course be raised as part of the consultation process carried out in relation to any application and furthermore the advice contained in this letter may become outdated as a result of a changing planning policy context.

Regeneration and Economic Development

Durham County Council, Planning Development (North), Room 4/86-102, County Hall, Durham,
DH1 5UL Main Telephone: 03000 262 830

I thank you for using Durham County Council's pre-application advice service. Should you wish to discuss the matter further please do not hesitate to contact me on the details above.

Yours sincerely

Sarah Seabury
Planning Officer