

## Statutory Licensing Sub-Committee

20<sup>th</sup> June 2017

### Application for the Grant of a Premises Licence



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

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**Name and Address of Premises:** Terrace Green, Seaham, County Durham.  
SR7 7EU

#### 1. Summary

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

Seaham Town Council  
Seaham Town Hall  
Stockton Road  
Seaham  
SR7 0HP

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 5<sup>th</sup> May 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
Plays (outdoors)	Monday to Sunday: 09:00 – 23:00 hrs
Films and Live Music (indoors)	Monday to Sunday: 12:00 – 23:00 hrs
Recorded Music and Performances of Dance (indoors)	Monday to Sunday: 10:00 – 23:00 hrs

On 5<sup>th</sup> June 2017, the Mr Paul Fletcher, Deputy Clerk of Seaham Town Council notified the licensing authority that they wished to amend their application to restrict the number of licensable events to be held each year, as follows:

- **Number of events where licensable activities take place to be limited to 5 events per calendar year**

A copy of Mr Fletcher's e-mail confirming this amendment to the application is attached at Appendix 3.

### **3. The Representations**

During the consultation period, the Licensing Authority initially received eight representations from local residents.

Following the applicant's amendment to the application to restrict the number of licensable events to 5 per calendar year, six of the residents confirmed that they wished to withdraw their representations.

The two outstanding representations are from the following residents:

- Mr John D Pemberton
- Mr Paul and Ms Patricia Hales

The remaining representations relate to the licensing objective

- The Prevention of Public Nuisance

Copies of the outstanding 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, Noise Action Team
- Durham Constabulary
- Durham Local Safeguarding Children Board
- Planning Authority
- Fire Safety Authority

Copies of these responses are attached at Appendix 5.

### **4. Parties**

The Parties to the hearing will be:

- Seaham Town Council (Applicant)

- Mr John D Pemberton (Other person)
- Paul and Patricia Hales (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:

- 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:

- 2.15 - 2.21 Public Nuisance

Relevant information is attached as Appendix 7.

## **7. For Decision**

The Sub-Committee is asked to determine the application for the grant of a premises licence 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 April 2017)

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**Contact: Yvonne Raine**

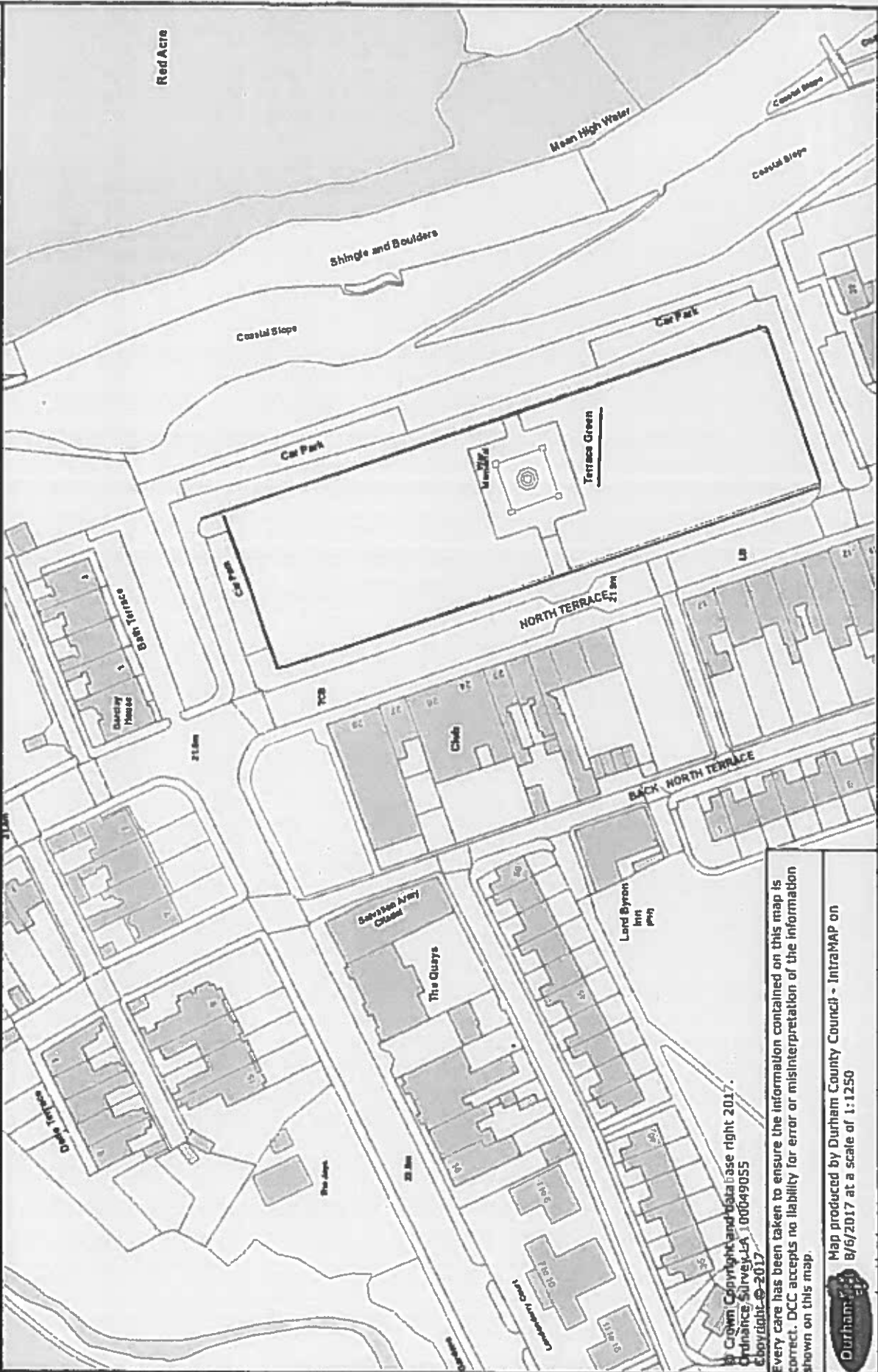
**Tel: 03000 265256**

**Email: [yvonne.raine@durham.gov.uk](mailto:yvonne.raine@durham.gov.uk)**

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## **APPENDIX 1 – LOCATION PLAN**

# Durham County Council - IntraMAP



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Ordnance Survey. LA 100049055  
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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.

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8/6/2017 at a scale of 1:1250



## APPENDIX 2 – APPLICATION

# 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 Seaham Town Council

*(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**

Terrace Green, Seaham, County Durham			
<b>Post town</b>	Seaham	<b>Postcode</b>	SR7 7EU

<b>Telephone number at premises (if any)</b>	non
<b>Non-domestic rateable value of premises</b>	£non

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as Please tick as appropriate

- |  |                          |                             |
|--|--------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *               |                          |                             |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/> | 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 (by ticking yes to one box below):

- 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 type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/> Please tick yes	
Nationality					
Current residential 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		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
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 Seaham Town Council
Address Seaham Town Hall, Stockton Road, Seaham, County Durham, SR7 0HP
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any) 0191 5818034
E-mail address (optional)paul@seaham.gov.uk

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01	06	2017

If you wish the licence to be valid only for a limited period, when do you want it to end? No end date thank you

DD	MM	YYYY

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

Terrace Green has recently been transferred from Durham County Council to Seaham Town Council ownership just recently so the town council can look after it better and hold more events.

It is a rectangular area of mainly grass and contains the cenotaph and the towns sculpture "Tommy" owned and insured by Seaham Town Council. There are bins and seats on the site and that is about it. The Town Council have ran events on the site for decades without any trouble.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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) maybe in future but not in next few years

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	0900	2300	<b>Please give further details here</b> (please read guidance note 4) The Council runs approximately 4 events here every year like the Carnival, Christmas lights, Classic Cars and Classic Motorbikes. There is a wish to have more events for Seaham to keep regenerating into a tourist destination. It is expected that possibly 4 more events will occur this year and more family events may be developed in the future.		
Tue	0900	2300			
Wed	0900	2300	<b>State any seasonal variations for performing plays</b> (please read guidance note 5) more in summer than winter		
Thur	0900	2300			
Fri	0900	2300	<b>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</b> (please read guidance note 6) None		
Sat	0900	2300			
Sun	0900	2300			

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4) Large outdoor screen 25sqm is used to show family films in the summer for the carnival and a new pirates and princesses festival. A few more events with films may be proposed in future years  <b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5) More in summer than winter  <b>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</b> (please read guidance note 6) None		
Mon	1200	2300			
Tue	1200	2300			
Wed	1200	2300			
Thur	1200	2300			
Fri	1200	2300			
Sat	1200	2300			
Sun	1200	2300			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4) None
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3) None	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4) None		
Mon					
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4) The Council puts on the Carnival mid July that has live music and a stage and also has a Christmas light switch on that has live music and a smaller stage. There are proposals for more music events over the forthcoming years maybe 4 new ones brought in this year		
Mon	1200	2300			
Tue	1200	2300	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5) more in summer than winter		
Wed	1200	2300			
Thur	1200	2300			
Fri	1200	2300	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6) None		
Sat	1200	2300			
Sun	1200	2300			



**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	1000	2300	<b>Please give further details here</b> (please read guidance note 4) The Council puts on the Carnival mid July that has recorded music and a stage and also has a Christmas light switch on that has recorded music and a smaller stage. There are proposals for more music events over the forthcoming years maybe 4 new ones brought in this year		
Tue	1000	2300			
Wed	1000	2300	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5) More in summer than winter		
Thur	1000	2300			
Fri	1000	2300	<b>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</b> (please read guidance note 6) None		
Sat	1000	2300			
Sun	1000	2300			

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	1000	2300	<b><u>Please give further details here</u></b> (please read guidance note 4) The Council puts on the Carnival mid July that has dance performances and a stage and also has a Christmas light switch on that has dance performance and a smaller stage. There are proposals for more events over the forthcoming years maybe 4 new ones brought in this year		
Tue	1000	2300			
Wed	1000	2300	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5) More in summer than winter		
Thur	1000	2300			
Fri	1000	2300	<b><u>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</u></b> (please read guidance note 6)  None		
Sat	1000	2300			
Sun	1000	2300			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3) None	<b>Indoors</b>	<input type="checkbox"/>
<b>Mon</b>				<b>Outdoors</b>	<input type="checkbox"/>
				<b>Both</b>	<input type="checkbox"/>
<b>Tue</b>			<b>Please give further details here</b> (please read guidance note 4)		
<b>Wed</b>			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
<b>Thur</b>					
<b>Fri</b>			<b>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</b> (please read guidance note 6)		
<b>Sat</b>					
<b>Sun</b>					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2300	<p><b>Please give further details here</b> (please read guidance note 4)</p> <p>The Council puts on the Carnival mid July that has refreshments under marquees/gazebos and outside and a Christmas light switch on that has refreshments under marquees/gazebos. There are proposals for more events over the forthcoming years with maybe 4 new ones brought in this year</p> <p><b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5) More in summer than winter</p> <p><b>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</b> (please read guidance note 6)</p> <p>None.</p>	Both	<input checked="" type="checkbox"/>
Tue	0900	2300			
Wed	0900	2300			
Thur	0900	2300			
Fri	0900	2300			
Sat	0900	2300			
Sun	0900	2300			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8) No alcohol is to be sold on the terrace green. Local shops and bars will benefit but the council does not foresee any licence for alcohol being required and will contact Durham County Council if it is required	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) None as no sale of alcohol is planned		
Mon					
Tue					
Wed					
Thur			<b>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</b> (please read guidance note 6) None		
Fri					
Sat					
Sun					

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

<b>Name</b> None as no alcohol licence is required	
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	
<b>Issuing licensing authority (if known)</b>	

□□□□

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 9).**

None

L

<b>Hours premises are open to the public Standard days and timings (please read guidance note 7)</b>			<b>State any seasonal variations (please read guidance note 5)</b> The terrace green is an open area of grass land and is therefore open to the public all the time.
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon	0000	2400	<b>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 6)</b>
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

**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 10)**

No selling of alcohol on site. The Council does and will continue to work closely with police in its planning of events and on the day of events. The Council employs professional security, stewards and first aid teams on site of its events. The Council develops good, detailed risk assessments for events. Music only on till 2300 at which point public are encouraged to go home. All events are family orientated. Public notices are put up in the area well in advance of any large event and members of the public are encouraged to contact the council and pass on their concerns with the council responding and minimising any concerns they have. Noise levels at the nearest residential properties are monitored during the events and action taken to reduce noise levels should there be an issue.

**b) The prevention of crime and disorder**

No selling of alcohol on site. The Council does and will continue to work closely with police in its planning of events and on the day of events. The Council employs professional security, stewards and first aid teams on site of its events. The Council develops good, detailed risk assessments for events. Music only on till 2300 at which point public are encouraged to go home. All events are family orientated. Public notices are put up in the area well in advance of any large event and members of the public are encouraged to contact the council and pass on their concerns with the council responding and minimising any concerns they have. Noise levels at the nearest residential properties are monitored during the events and action taken to reduce noise levels should there be an issue.

**c) Public safety**

No selling of alcohol on site. The Council does and will continue to work closely with police in its planning of events and on the day of events. The Council employs professional security, stewards and first aid teams on site of its events. The Council develops good, detailed risk assessments for events. Music only on till 2300 at which point public are encouraged to go home. All events are family orientated. Public notices are put up in the area well in advance of any large event and members of the public are encouraged to contact the council and pass on their concerns with the council responding and minimising any concerns they have. Noise levels at the nearest residential properties are monitored during the events and action taken to reduce noise levels should there be an issue.

**d) The prevention of public nuisance**

No selling of alcohol on site. The Council does and will continue to work closely with police in its planning of events and on the day of events. The Council employs professional security, stewards and first aid teams on site of its events. The Council develops good, detailed risk assessments for events. Music only on till 2300 at which point public are encouraged to go home. All events are family orientated. Public notices are put up in the area well in advance of any large event and members of the public are encouraged to contact the council and pass on their concerns with the council responding and minimising any concerns they have. Noise levels at the nearest residential properties are monitored during the events and action taken to reduce noise levels should there be an issue.

**e) The protection of children from harm**

Police and Security Firm have a procedure in place that is agreed between them and they work on this system throughout the duration of an event. Safe Guarding policies and DBS checks are requested by groups taking part in any event.

**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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

**Part 4 – Signatures (please read guidance note 11)**

**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.**



<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
<b>Signature</b>	
<b>Date</b>	5/5/07.
<b>Capacity</b>	Deputy Town Clerk

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

<b>Signature</b>	
<b>Date</b>	
<b>Capacity</b>	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Paul Fletcher – Deputy Town Clerk, Seaham Town Hall, Seaham Town Council  
Stockton Road, Seaham, County Durham

<b>Post town</b>	<b>Seaham</b>	<b>Postcode</b>	<b>SR7 )HP</b>
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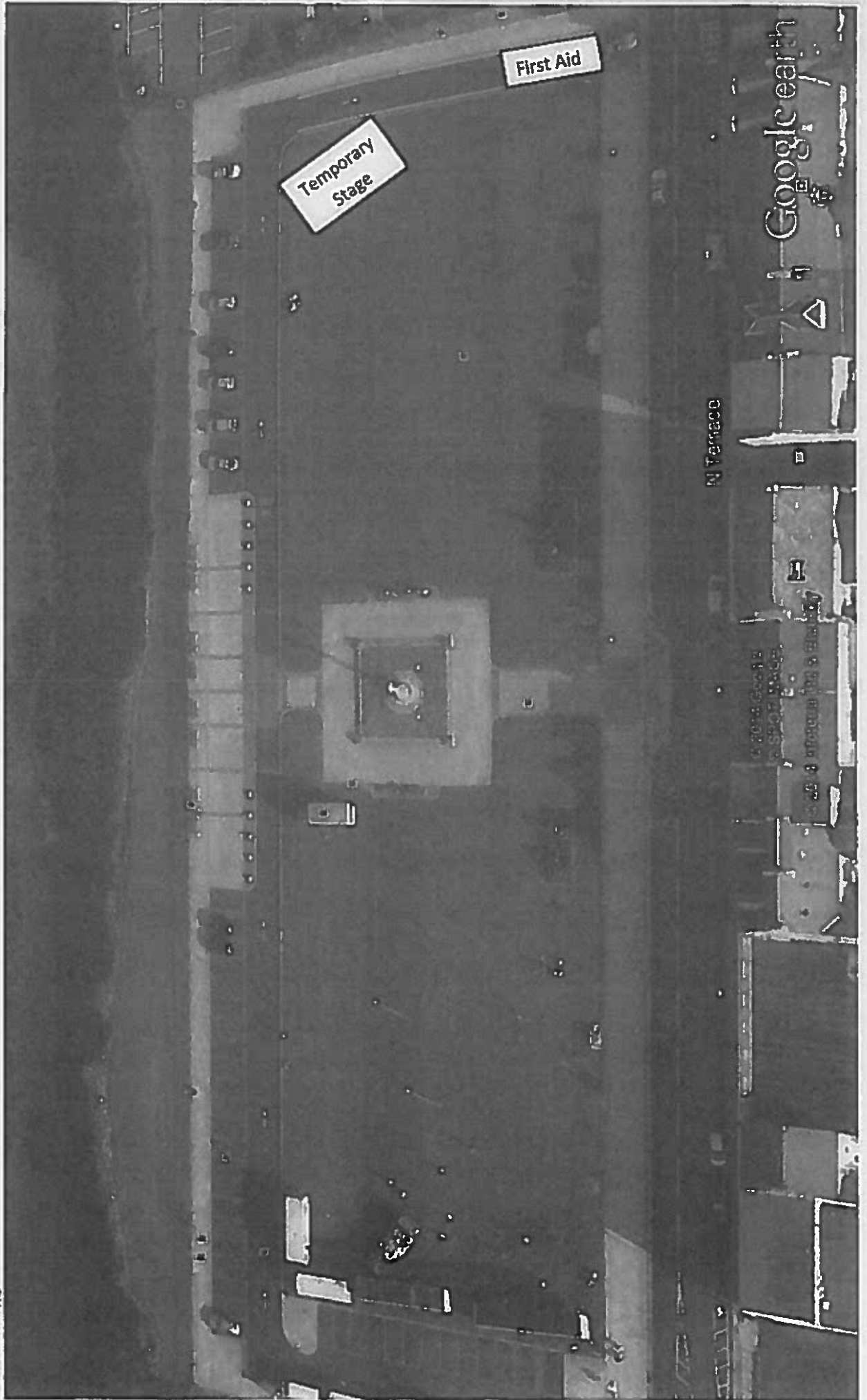
<b>Telephone number (if any)</b>	
----------------------------------	--

<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>
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#### 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. In terms of specific regulated entertainments please note that:

hb



**APPENDIX 3 –  
APPLICANT'S AMENDMENT**

**From:** Paul Fletcher  
**Sent:** 05 June 2017 15:47  
**To:** Yvonne Raine <Yvonne.Raine@durham.gov.uk>  
**Subject:** RE: Terrace Green Seaham

Yes I agree with that statement 5 licensable events per year.

Thanks

Paul

**From:** Yvonne Raine [<mailto:Yvonne.Raine@durham.gov.uk>]  
**Sent:** 05 June 2017 15:45  
**To:** Paul Fletcher  
**Subject:** RE: Terrace Green Seaham

Good Afternoon Paul

Further to your e-mail below and our telephone conversation today, please can you confirm by return e-mail that you wish to amend your application as follows:

- Number of events where licensable activities take place to be limited to 5 events per calendar year

Regards

Yvonne

**Yvonne Raine**  
**Senior Licensing Officer**  
Adult and Health Services

T: 03000 265256 (Direct Line)  
T: 03000 261016 (General Licensing Number)  
E: [yvonne.raine@durham.gov.uk](mailto:yvonne.raine@durham.gov.uk)

Web: [www.durham.gov.uk](http://www.durham.gov.uk)  
Follow us on Twitter @durhamcouncil  
Like us at [facebook.com/durhamcouncil](https://www.facebook.com/durhamcouncil)

**APPENDIX 4 -  
REPRESENTATIONS**

Bath Terrace

SEAHAM

Co. Durham

SR7 7EZ

26 MAY 2017

Durham County Council

PO Box 617

Durham

DH1 9HZ

24<sup>th</sup> May 2017

To whom it may concern,

**Re: Application for a new premises licence on Terrace Green, Seaham, SR7 7EU**

We would like to strongly oppose plans for a new premises licence for Plays, Films, Live Music, Recorded music and performance of Dance on the above address – SR7 7EU.

The application would have an impact on all who live in Bath Terrace due to the proximity of the events held.

The increase in noise would be of great concern as well as litter and parking congestion, and we feel we require more information on the frequency of the events proposed.

We look forward to hearing from you in due course.

Yours Faithfully,

Paul Hales

Patricia Hales

Bath Terrace  
Seaham  
County Durham  
SR7 7EZ

31 MAY 2017

28 May 2017

Licensing Department  
Durham County Council  
P O Box 617  
DURHAM  
DH1 9HZ

Dear Sir/Madam,

**Terrace Green, Seaham – New Premises Licence**

I would like to register my concerns regarding the above application by Seaham Town Council.

As a resident of Bath Terrace, on the north side of Terrace Green, these proposals will have a direct effect on all residents of the terrace. Whilst I accept the Green should be available for visitors and residents to enjoy occasional activities, the outcomes of previous events (e.g. Seaham Carnival etc.) have not been a pleasant experience with unacceptably high levels of noise from the music and film events, the increased traffic causing parking and access problems to Bath Terrace and the vicinity, as well as increased litter from food and alcohol consumption. Given this is a conservation area, strict safeguards must in place to ensure that the locality is not exposed to excessive amounts of 'rowdy and noisy' events and thereby retains its unique coastal character.

The application by STC is too vague and open-ended – the application should specify either the events proposed and/or there should be a limit on the number of events that can take place on Terrace Green – failing to do so, will make living at Bath Terrace and the immediate area on these occasions unbearable, as there could be events virtually every week, especially in the summer. Furthermore, the hours proposed by STC are too broad. To ensure a decent balance of residents' and visitors' requirements, it would be more appropriate to start events involving music/PA systems no earlier than 11.00am and finishing by 22.00 hrs (not 23.00hrs).

I hope you will consider these points when making your decision on this licensing application.

Yours faithfully,

John D Pemberton

**APPENDIX 5 - RESPONSES FROM  
RESPONSIBLE AUTHORITIES**



**Valerie Craig**

---

**From:** Ted Murphy  
**Sent:** 08 May 2017 13:54  
**To:** Valerie Craig  
**Subject:** RE: Licensing Act - Premises Licence Received

Hi Valerie,

No objection from NAT

Regards

Ted

---

**From:** Valerie Craig  
**Sent:** 05 May 2017 12:21

Dear Sir/Madam

The following application has been received/accepted by Durham County Council and is attached.

**Les - please check that the blue notice is being correctly displayed.**

1

Application Type - Application for a New Premises Licence

Applicant: - Seaham Town Council

Premises – Terrace Green, Seaham, Co Durham, SR7 7EU

Date of Application – 5<sup>th</sup> May 2017

Last date for representations – 2<sup>nd</sup> June 2017

Please note the last date for representations

**Valerie Craig**  
**Licensing Assistant**  
Adult and Health Services

T: 03000 261016 (General Licensing Number)

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

Web [www.durham.gov.uk](http://www.durham.gov.uk)

Follow us on Twitter @durhamcouncil

Like us at [facebook.com/durhamcouncil](https://www.facebook.com/durhamcouncil)

**Valerie Craig**

---

**From:** Judith Wilkinson - on behalf of Alcohol  
Harm Reduction Unit  
**Sent:** 15 May 2017 15:30  
**To:** Valerie Craig  
**Subject:** RE: Licensing Act - Premises Licence Received

15/05/17

To Durham County Council

The Harm Reduction Unit can confirm that the Police have No Objections to the below New Premise Application.

Many Thanks

Judith Wilkinson  
Licensing Support

---

**From:** Valerie Craig [mailto:Valerie.Craig@durham.gov.uk]  
**Sent:** 05 May 2017 12:21

**Subject:** Licensing Act - Premises Licence Received

Dear Sir/Madam

The following application has been received/accepted by Durham County Council and is attached.

**Les - please check that the blue notice is being correctly displayed.**

**1**

**Application Type - Application for a New Premises Licence**

**Applicant: - Seaham Town Council**

**Premises – Terrace Green, Seaham, Co Durham, SR7 7EU**

**Date of Application – 5<sup>th</sup> May 2017**

**Last date for representations – 2<sup>nd</sup> June 2017**

**Please note the last date for representations**

**Yvonne Raine**

---

**From:** Sean Barry  
**Sent:** 15 May 2017 12:16  
**To:** Neighbourhood Services Licensing  
**Subject:** RE: Licensing Act - Premises Licence Received - Terrace Green, Seaham, Co Durham, SR7 7EU

**Categories:** Valerie

Good Afternoon

I have received an new licence application for the establishment: Terrace Green, Seaham, Co Durham, SR7 7EU

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

My Ref: SB/2017/039

Thanks  
Sean

## Valerie Craig

---

**From:** Sarah Seabury  
**Sent:** 30 May 2017 15:01  
**To:** Valerie Craig  
**Subject:** CON28/17/01166 - Seaham North Green North Terrace Seaham

Dear Ms Craig,

I refer to your correspondence received on 5 May 2017 regarding the above matter. I can confirm that the planning department have no comments to make with respect to the application for a new premises license. Should you wish to discuss the matter further, please do not hesitate to contact me directly.

Regards,

**Sarah Seabury**  
**Planning Officer**

Direct Line Telephone Number

Planning Development (North),  
Planning Development Management  
Regeneration and Local Services  
Room G73 - 82  
Durham County Council,  
County Hall,  
Durham,  
DH1 5UL

[www.durham.gov.uk](http://www.durham.gov.uk)

**\*Please note I work part-time and my normal working pattern is Monday, Tuesday and Wednesday\***

**DCC on Social Media:**



**Valerie Craig**

---

**From:** FS-Easington  
**Sent:** 15 May 2017 12:29  
**To:** Valerie Craig  
**Subject:** RE: Licensing Act - Premises Licence Received

Hello Valerie,

I can confirm that the Fire authority have no comments to make regarding this application.

Kind regards

Dave Mitchelson

---

**From:** Valerie Craig [<mailto:Valerie.Craig@durham.gov.uk>]  
**Sent:** 05 May 2017 12:21

**Subject:** Licensing Act - Premises Licence Received

**Dear Sir/Madam**

The following application has been received/accepted by Durham County Council and is attached.

**Les - please check that the blue notice is being correctly displayed.**

1

**Application Type - Application for a New Premises Licence**

**Applicant: - Seaham Town Council**

**Premises – Terrace Green, Seaham, Co Durham, SR7 7EU**

**Date of Application – 5<sup>th</sup> May 2017**

**Last date for representations – 2<sup>nd</sup> June 2017**

**Please note the last date for representations**

**Valerie Craig  
Licensing Assistant**

## **APPENDIX 6 – STATEMENT OF LICENSING POLICY**

## **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.**

<b>Category of Premise</b>	<b>Weekdays (Sunday to Thursday)</b>	<b>Weekends (Friday night into Saturday morning and Saturday night into Sunday morning)</b>	<b>Bank Holidays</b>
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	07.00 to 00.00	07.00 to 01.00	Good Friday Plus 1 Hour

<p>or supply of alcohol (community centres, village halls)</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>
<p>For licences authorising late night refreshment as the primary licensable activity (takeaways)</p>	<p>01.00</p>	<p>02.00</p>	<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 –  
S182 GUIDANCE**

## Public nuisance

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

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