

# Statutory Licensing Sub-Committee

22<sup>nd</sup> August 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: The Olive Grove, Half Moon Lane,  
Spennymoor, Co Durham DL16 6HQ.**

#### 1. Summary

The Sub-Committee is asked to consider and determine the application for the grant of a premises licence from Mr Stephen Metcalfe for The Olive Grove, Half Moon Lane, Spennymoor, Co Durham.

The establishment previously held a premises licence. The licensing authority received information on 23<sup>rd</sup> June 2017 that the licence holder, in the name of Olive Grove Durham Limited, dissolved in August 2015 and in accordance with licensing legislation the premises licence lapsed with immediate effect.

For members information: The licensing authority are currently investigating alleged unauthorised sales of alcohol which took place at the premises after Mr Metcalfe was made aware there was no authorisation in place.

An application for the grant of a premises licence was submitted by Mr Stephen Metcalfe.

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 30<sup>th</sup> June 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 premises licence application is in respect of the following licensable activities and for the hours detailed:

Activities	Days & Hours Requested
Sale/Supply of Alcohol (On sales)	Monday to Sunday, 12:00 hrs– 23:00 hrs Christmas Eve until midnight New Year's Eve until 01:00 hrs

<b>Recorded Music (Indoors only)</b>	Monday to Wednesday 12:00 hrs - 21:00 hrs Thursday to Saturday 12:00 hrs until 22:00 hrs Sunday 12:00 hrs until 23:00 hrs (Background music only -Christmas Eve until midnight, New Year's Eve until 01:00 hrs)
<b>Hours premises open to public</b>	Monday to Sunday 12:00 hrs - 23:30 hrs

### **3. Mediation**

For Members Information: Durham Constabulary and Local Safeguarding Children Board mediated with the applicant within the consultation period and it was agreed with all parties to include additional conditions on the operating schedule. See attached Appendix 3.

### **4. The Representations**

The Licensing Authority received one representation from a Responsible Authority, namely The Licensing Authority.

The representation relates to the following licensing objective:

- The Prevention of Crime and Disorder

See attached Appendix 4.

No representations were received from any other 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:

- Fire & Rescue Service
- Environmental Health Department
- Planning Department

Copies of these responses are attached at Appendix 5.

### **5. Parties**

The Parties to the hearing will be:

- Mr Stephen Metcalfe (Applicant)
- Mrs Nicola Anderson (Responsible Authority – Licensing Authority)

### **6. 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

Relevant information is attached as Appendix 6.

## **7. 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 – 2.6 The Prevention of Crime and Disorder

Relevant information is attached as Appendix 7.

## **8. For Decision**

The Sub-Committee is asked to determine the application for the grant of a premises licence in light of the representation 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: Karen Robson**

**Tel: 03000 265101**

**Email: Helen.Johnson2@durham.gov.uk**

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# APPENDIX 1- LOCATION PLAN



Green L. Farr Stn

Council Offices

Allotment Gardens

Track

Jubilee Cottage

New House

The Hill Moon Inn

Shelter

Tudhoe Moor Nursery School

Play Area

MOUNT PLEASANT

Mount Pleasant Court

Graveyard

UPPER CHURCH STREET

Posta

Allotment Gardens

M.F. MOON LANE

BROOM STREET

Pearson Street

FOWKES ST

M.F. MOON LANE

Savin Street

Savin St

NORTH ROAD

Tudhoe Moor

Mount Pleasant Close

Pleasant View

130.2m

137.9m

127.4m

127.2m

122.7m

121.5m

## APPENDIX 2- APPLICATION FORM



\* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK?  Yes  No

Business name

VAT number

Legal status

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)



**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21****INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Stephen

Family name

Metcalfe

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="The Olive Grove"/>
Street	<input type="text" value="Half Moon Lane"/>
District	<input type="text"/>
City or town	<input type="text" value="Spennymoor"/>
County or administrative area	<input type="text" value="Durham"/>
Postcode	<input type="text" value="DL16 6HQ"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="dd - mm - yyyy"/>
* Nationality	<input type="text"/>

Documents that demonstrate entitlement to work in the UK

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Pub / Restaurant set in Residential area providing 60 covets in restaurant area and 26 in bar area.

Continued from previous page...

No Off Sales Reqd

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

**Section 6 of 21**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded music?

Yes  No

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors       Outdoors       Both

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

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

Background Music

State any seasonal variations for playing recorded music

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

None

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve and New Years Eve until Midnight but Background Music Only

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

**TUESDAY**

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start 12:00

End 23:00

Start

End

THURSDAY

Start 12:00

End 23:00

Start

End

FRIDAY

Start 12:00

End 23:00

Start

End

SATURDAY

Start 12:00

End 23:00

Start

End

SUNDAY

Start 12:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

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

none

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve till Midnight  
New Years Eve till 1am

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

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

None

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

30 mins extra drinking up time to be allowed at the end of every day from 23:00 - 23:30

Continued from previous page...

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None



Continued from previous page...

Christmas Eve Midnight  
New Years Eve 1am

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

a) General - all four licensing objectives (b,c,d,e)

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

Crime and disorder is not tolerable on my premises and anyone engaging in it will be barred immediately, I believe if this rule is adhered to it will prevent any public nuisance I believe I have everything in place to keep the public safe which in turn will assist in children coming to no harm, Children should be off the premises by 9pm unless dining with parents

b) The prevention of crime and disorder

to avoid standing areas by making sure there is adequate seating ,  
Not serving alcohol to anyone who is deemed to be drunk  
Keep a detailed record of any incidents or refusals at the premises

c) Public safety

All relevant steps are taken to avoid trips and falls all signage is in place to warn of ramps or steps all walkways to be kept clear and all spills are cleaned up

d) The prevention of public nuisance

Making certain customers leave in an orderly and quiet manner, Gardens are shut by 1030 windows and doors are closed during particular noisy times eg parties etc  
Make sure smoking areas are kept clean from litter etc

e) The protection of children from harm

To ensure Children are protected from strong language drinking alcohol gambling violence any adult entertainment.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK (please see note below about which sections of the passport to copy).
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

*Continued from previous page...*

- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific regulated entertainments please note that:

- **Plays:** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 21 of 21

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Premises licence fees can be calculated by visiting the Department for Culture Media and Sport website at [http://www.culture.gov.uk/what\\_we\\_do/alcohol\\_and\\_entertainment/3193.aspx](http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/3193.aspx)

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time.

Details of these additional fees can be found on the website [http://www.culture.gov.uk/what\\_we\\_do/alcohol\\_and\\_entertainment/4040.aspx](http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4040.aspx)

\* Fee amount (£)

180.00

### ATTACHMENTS

#### AUTHORITY POSTAL ADDRESS

##### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

### DECLARATION

*Continued from previous page...*

[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). 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)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

**Add another signatory**

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/county-durham/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

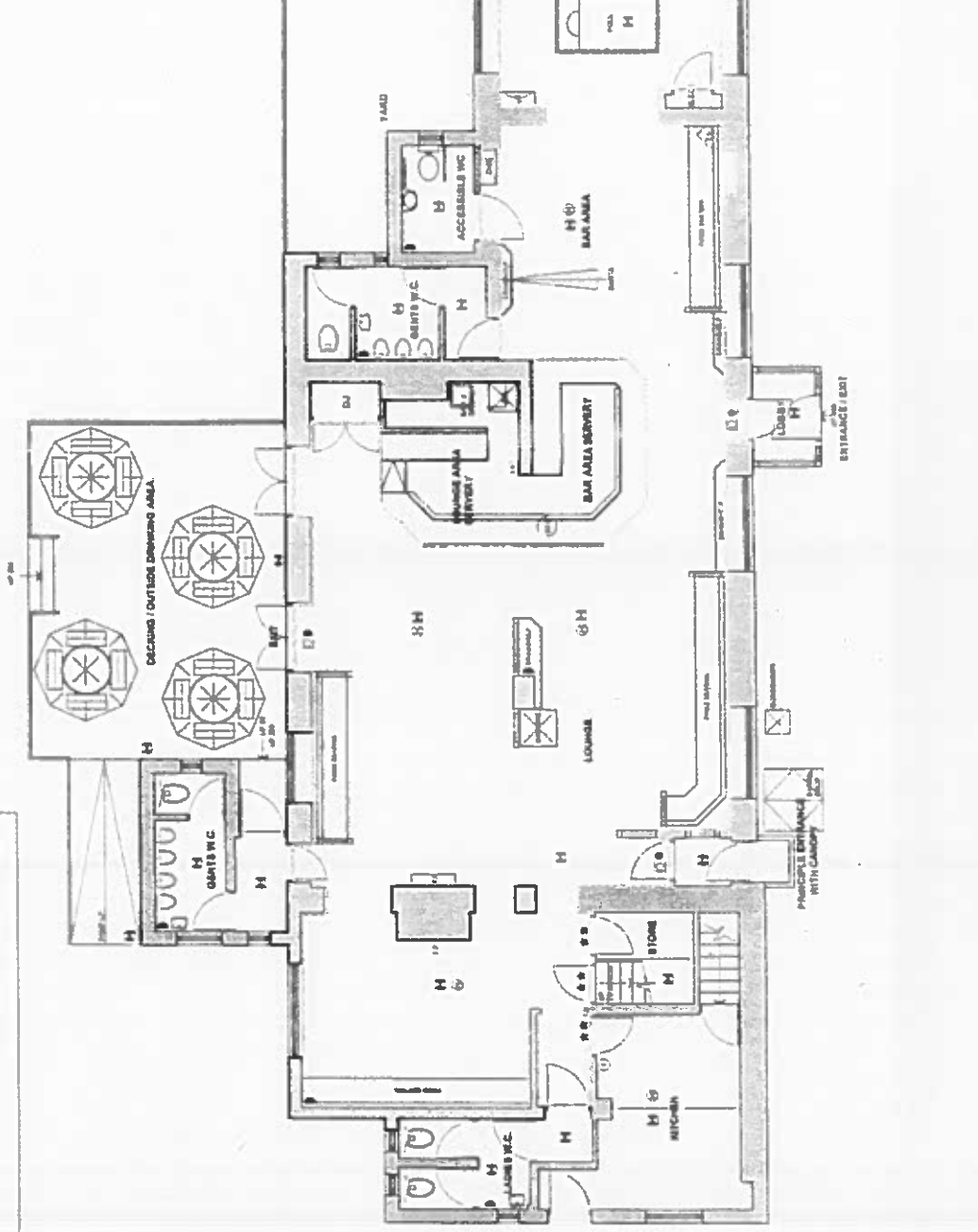
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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**

**COLOPHON COILING KEY**

Perimeter of Licensed Area

**LEGEND -**

- |                          |                            |
|--------------------------|----------------------------|
| (CIR) 1/2" x 1/2" x 1/2" | Perimeter of Licensed Area |
| (SOL) 1/2" x 1/2" x 1/2" | 1/2" x 1/2" x 1/2"         |
| (CIR) 1/2" x 1/2" x 1/2" | 1/2" x 1/2" x 1/2"         |
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**PLAN**

**PLUMBING NOTES:**

1. All plumbing work shall conform to the latest edition of the International Plumbing Code (IPC) and the International Mechanical Code (IMC).

2. All plumbing work shall be in accordance with the approved plans and specifications.

3. All plumbing work shall be installed in accordance with the approved plans and specifications.

4. All plumbing work shall be installed in accordance with the approved plans and specifications.

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18. All plumbing work shall be installed in accordance with the approved plans and specifications.

19. All plumbing work shall be installed in accordance with the approved plans and specifications.

20. All plumbing work shall be installed in accordance with the approved plans and specifications.



**BY DESIGN**

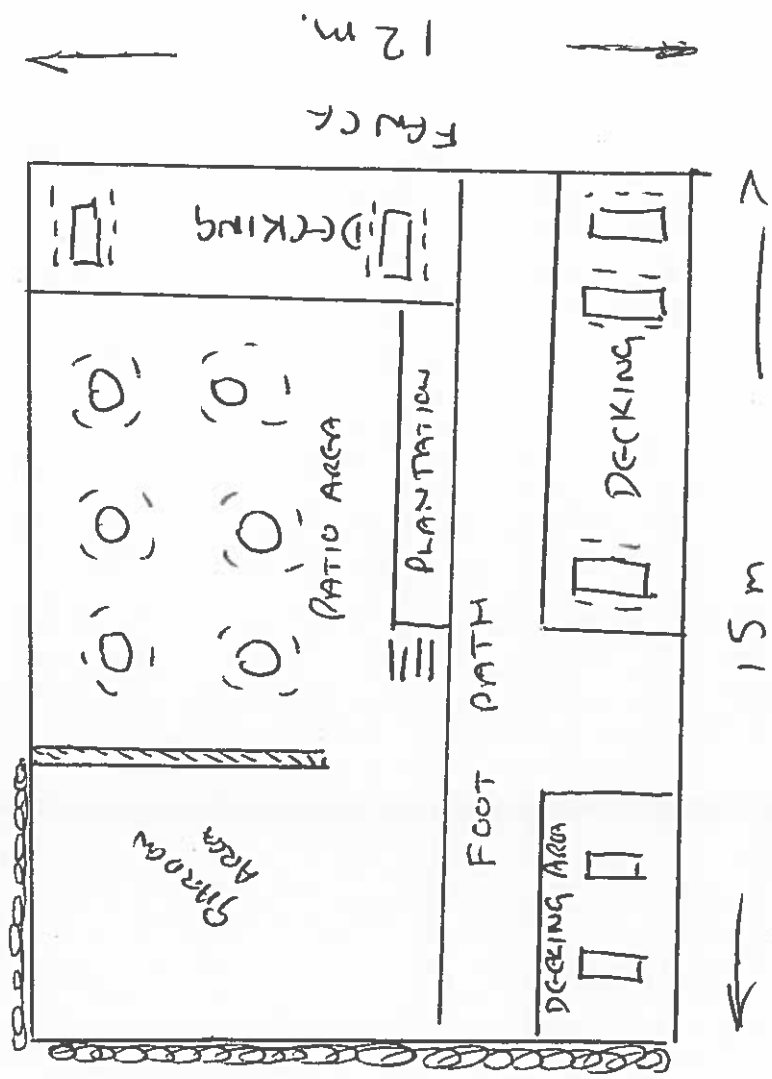
PUNCH TAVERNS

**THE HALF-MOON SPEAKEASY**

PREMISES LICENSE

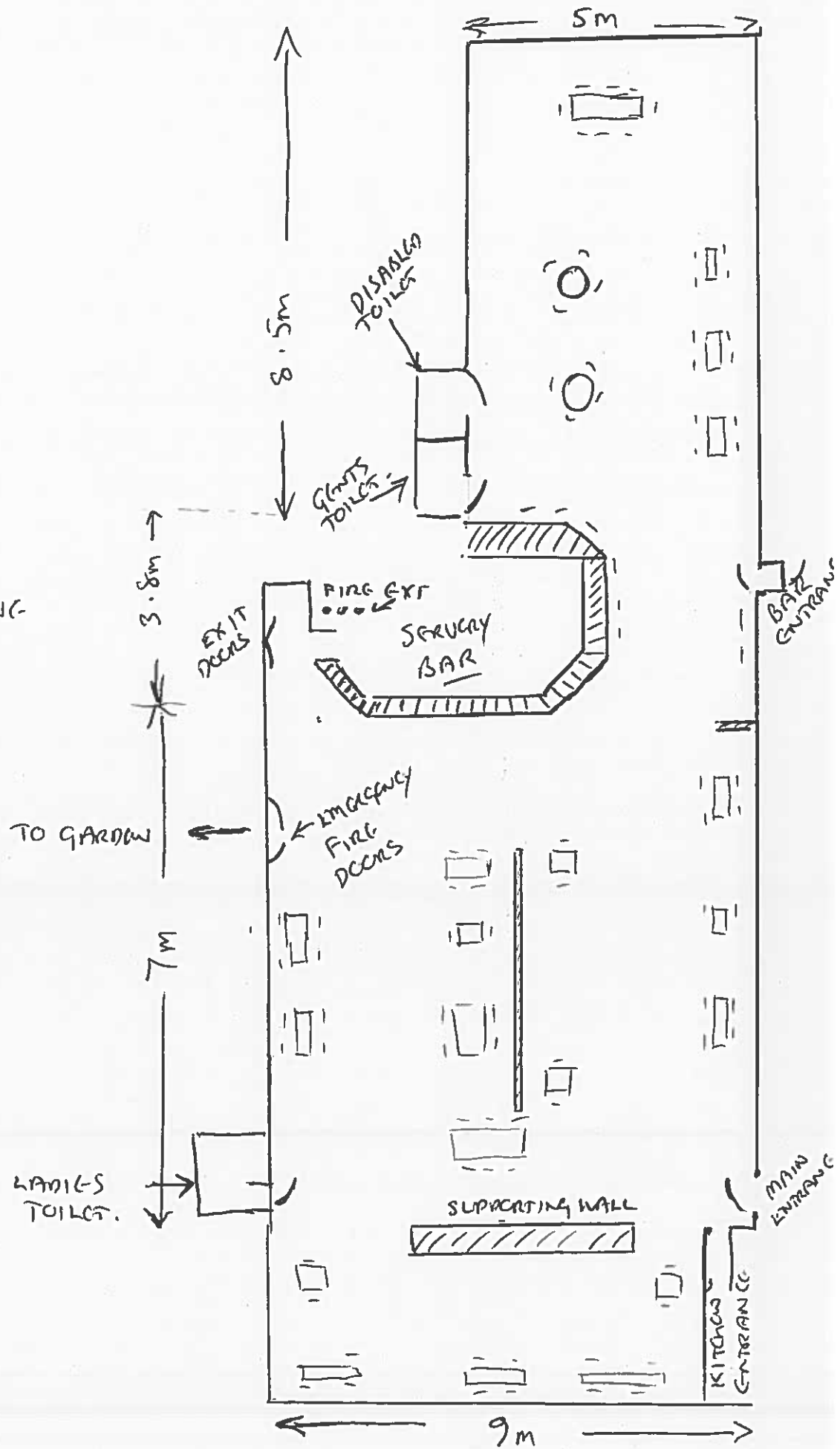
Scale: 1:100  
 Date: NOV 05  
 License No: 1588 / 18

OUTSIDE AREA.





FLOOR PLAN  
OLIVE GROVE  
HALF MOON LANE  
SPANNYMOOR



**APPENDIX 3 – MEDIATION WITH DURHAM  
CONSTABULARY AND LOCAL CHILDREN  
SAFEGUARDING BOARD**

**LICENSING ACT 2003**

**TO: The County Council of Durham as the Licensing Authority.**

**Application for New Premise Licence**

**Premises: The Olive Grove, Half Moon Lane, Spennymoor, DL16 6HQ**  
.....

**Applicant: ...Stephen Metcalfe**  
.....

**Responsible Authority: Durham Constabulary**

**Date application received: ...30<sup>th</sup> June 2017**

I Stephen Metcalfe request that the following conditions be included in my application for a premises license for The Olive Grove, Half Moon Lane, Spennymoor DL16 6HQ, submitted to the licensing authority.

The below conditions are to be applied in addition to the ones on the current licence:

A) General

We will hold the 4 objectives in high regard and will strive to keep staff fully trained on all of our policies and procedures. All training records will be made available to officers when requested.


B) The prevention of crime and disorder

- No serving of alcohol to any person who appears to be drunk.
- Full Initial staff training to be carried out by DPS 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 particularly facial recognition. Cameras shall encompass all entrances and exists to the premise, where the sale / supply of alcohol occurs.

E) The protection of children from harm

- A challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card i.e. ID4U.
- A refusal register will be kept and endorsed after every sale refused. This should be maintained and will be produced to a relevant officer of the police or other relevant officer of a responsible authority upon request. This is also to include over 18's purchasing alcohol and passing it on to under 18's (proxy sale).

Date: 27/7/17

Signed:  7  
3.....

Signed:.....

**From:** Steve Metcalfe

**Sent:** 06 July 2017 16:20

**To:** Sean Barry

**Subject:** Re: New Premises Licence Received The Olive Grove, Half Moon Lane, Spennymoor, Durham, DL16 6HQ

Hi Sean

Thanks for your e mail and help with the LSCB i am happy to implement of the proposals you have outlined and would like them insertes into my license application

Many thanks

Stephen Metcalfe

The Olive Grove

Spennymoor

On Thu, 6 Jul 2017 at 12:37, Sean Barry  
<Sean.Barry@...> wrote:

Good Afternoon,

I represent the Durham Local Safeguarding Children Board (LSCB) which is a responsible authority under the licensing act. I have received a copy of your application for a premises licence for your premises at The Olive Grove, Half Moon Lane, Spennymoor, Durham, DL16 6HQ

Having considered the steps you have recorded to promote the licensing objectives, in particular the protection of children, I consider that the steps require more clarity and there are some matters which I consider are absent and should be addressed.

(Any premises licence should include a mandatory condition that an age verification policy is operated. Durham Local Safeguarding Children Board recommends and promotes the Challenge 25 standard)

The steps I consider should be included are identified in the proposed wording below:

- **Verification of age** – safeguards to be in place to see that alcohol is not served to or purchased on behalf of under age children. A 'Challenge 25' age verification policy is operated which requires anyone looking under the age of 25 to produce photographic evidence of proof of age from a passport, driving licence or PASS accredited scheme before any alcohol is supplied. The actions of staff operating the policy to be regularly monitored.
- **Minimise the risk of proxy sales** – The applicant will work with the police to minimise the risk of proxy provision / proxy sales. (This is alcohol purchased or obtained for young people by relatives or older friends).
- **Maintain a refusals register** – where a sale of alcohol is refused if a person appears intoxicated or appears to be under 18, a refusal register / log to be updated. The register to be made available to the police on request.
- **Training of staff** – all staff responsible for selling age restricted goods to be trained to implement the age verification policy. Staff training to include the risk from proxy sales. Training records for staff to be maintained and refresher training to be provided annually.

The purpose of this email is to make the LSCB representations to you and for you to consider these suggestions.

**Next Steps** – You need to consider the representations I have made.

If you are happy for the recommendations to be included in your application please confirm so by replying to me and the Licensing Section [Licensing@durham.gov.uk](mailto:Licensing@durham.gov.uk)

These recommendations will then be included in your application, the matter is deemed resolved and your application would progress.

The Durham Local Safeguarding Children Board are concerned about the availability of alcohol to children and encourage licensees to work with us in introducing steps, like those above in an attempt to safeguard children. I consider these steps are proportionate and have proven to be successful when implemented in similar applications.

Please don't hesitate to contact me if you require further information.

My Ref: SB/2017/060

Regards

Sean

Sean Barry

Strategy and Development Officer

Local Safeguarding Children Board

Durham County Council, DH1 5UL

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

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**APPENDIX 4 – REPRESENTATION FROM  
LICENSING AUTHORITY**



## **Representation against the grant of a Premises Licence under the Licensing Act 2003**

**Responsible Authority: Licensing Authority**

**Premises: The Olive Grove, Half Moon Lane, Spennymoor, DL16 6HQ**

**Applicant: Mr Stephen Metcalfe**

The Licensing Authority, as a Responsible Authority under the Licensing Act 2003, wish to make representations against the grant of a premises licence to Mr Stephen Metcalfe in respect of the Olive Grove, Half Moon Lane, Spennymoor, Durham, DL16 6HQ, in order to promote the Licensing Objective of the Prevention of Crime and Disorder.

A premises licence had previously been held in respect of the Olive Grove but unbeknown to the Council the Licence had lapsed when in August 2015 the company holding the Premises Licence had been dissolved. This eventually came to the attention of DCC Licensing Services in June 2017.

On the 23<sup>rd</sup> of June 2017 Mr Stephen Metcalfe, the tenant at the Olive Grove, was advised both verbally and in writing that the licence had lapsed and that no authorisation was in place under the Licensing Act 2003 to sell alcohol or carry out regulated entertainment. He was provided with information and guidance on submitting an application for a new premises licence and in connection with the use of Temporary Event Notices to enable him to apply to trade lawfully. Mr Metcalfe called the Licensing Administration Team confirming his receipt of the documents and requesting further guidance on Temporary Event Notices and specifically, how quickly a TEN could be submitted. This information was provided to him at his request.

Mr Metcalfe then submitted an application for a Temporary Event Notice on the 23<sup>rd</sup> of June to be effective from the 1<sup>st</sup> of July however, he also instructed his bar staff that they could continue to sell alcohol after 6pm on the 23<sup>rd</sup> of June despite being advised that there was no authorisation in place to do so.

On the 29<sup>th</sup> of June a Senior Licensing Officer telephoned Mr Metcalfe at the premises to discuss his premises licence application and during the conversation she asked him if he was open. He replied that he was open but only selling soft drinks. This was despite his later confirmation that alcohol was still being sold at the premises from the 23<sup>rd</sup> June.

Mr Metcalfe has shown scant regard for the provisions of Licensing legislation. He appears to have acted intentionally to deceive the Licensing Authority. This raises significant concerns about his honesty, integrity as a licence holder and his ability to comply with Licensing law in the future. Evidence indicates that he has wilfully failed to comply with licensing legislation and has also instructed others to act outside the

provisions of the necessary authorisations. Failure to comply with the Licensing Act 2003 is a criminal offence and undermines the crime and disorder licensing objective.

In Durham County Council's Licensing Policy at point 7.1 it states:

'Licensed premises, may sometimes, if not properly managed, become a source of public nuisance, generating crime and disorder problems'.

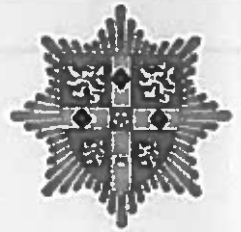
In addition the Licensing Authority recommends that all applicants demonstrate in their operating schedules that suitable and sufficient measures have been identified and will be implemented and maintained with the intention of preventing crime and disorder. It is the opinion of the Licensing Authority that the operating schedule submitted by Mr Metcalfe does not adequately identify measures that will be taken in order to prevent crime and disorder at the premises.

Conditions which Members may consider suitable in order to address the concerns regarding the operating schedule are as follows:

- 1) Initial staff training to be carried out by the DPS or approved member of staff to ensure that 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.
- 2) CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting.  
Equipment will be maintained in good working order, be correctly timed and date stamped. Recordings must be kept for a period of 28 days. 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 that the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.
- 3) A proof of age policy is in place for people under 25 years of age via the Challenge 25 scheme. Acceptable forms of identification are a passport, photo driving licence and 'PASS' hologram I.D.

**Laura Cloney**  
**Licensing Enforcement Team Leader**  
**20<sup>th</sup> July 2017**

**APPENDIX 5 – RESPONSES FROM  
RESPONSIBLE AUTHORITIES**



Chief Fire Officer: Stuart Errington

Fire and Rescue Service Headquarters,  
Belmont Business Park, Durham, DH1 1TW

Date: 19 July 2017

This matter is being dealt with by: Chris Hockaday

Ext: 1714

Our Ref: 7A71400050

Your Ref: XX

Direct  
E-mail

Mr Stephen Metcalfe  
The Olive Grove,  
Half Moon Lane,  
Spennymoor,  
Durham,  
DL16 6HQ

Dear Sir

**Licensing Act 2003**

**Regulatory Reform (Fire Safety) Order 2005**

**Mr Steven Metcalfe, The Olive Grove, Half Moon Lane, Spennymoor, DL16 6HQ**

I acknowledge your application dated 30 June 2017 for a Premises Licence under The Licensing Act 2003 in respect of the above named premises.

No representations will be made to the Licensing Authority subject to the responsible person for the above premises ensuring compliance with the requirements of the Regulatory Reform (Fire Safety) Order 2005.

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

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

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

Yours faithfully

Chris Hockaday  
Fire Safety Section



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

## Valerie Craig

---

**From:** Susan Gallimore  
**Sent:** 20 July 2017 15:42  
**To:** Valerie Craig  
**Subject:** RE: New Premises Licence Received

Hello Valerie,

Please note that I have no adverse comments to make about this application. I am aware that the Police and/or Licensing Enforcement may be raising objections but there are no noise issues.

Kind Regards,

Susan

**Susan Gallimore, DipIOA  
Senior Public Protection Officer  
Adult and Health Services**

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Follow us on Twitter @durhamcouncil  
Like us at facebook.com/durhamcouncil

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**From:** Valerie Craig  
**Sent:** 30 June 2017 15:59  
**To:** Amanda Healy; Business Rates; Christine Edgar; Craig Hudson; Durham Constabulary; EHCP; Emma Maynard; Fire Authority; Graham Blount; Home Office; Jane Sunter; John Benson; Laura Cloney; Les Bolton; LSCB; Lynn Wilson; Planning; Rebecca Carey  
**Cc:** Helen Johnson - Licensing Team Leader (N'hoods); Karen Robson; Yvonne Raine; Carol Graham - Licensing Assistant (N'hoods); Karen Baker; Kelly Watson - Licensing Assistant (N'hoods); Kelsey Bates; Kersha Russell; Mary-Anne Hunter; Pamela Woods; Tracey Lock; Ian Dargue; Martin Haigh; Nicola Gill; Nicola.Anderson; Rebecca Young  
**Subject:** New 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: - Mr Stephen Metcalfe

Premises - The Olive Grove, Half Moon Lane, Spennymoor, Durham, DL16 6HQ

Date of Application - 30<sup>th</sup> June 2017

Last date for representations - 28<sup>th</sup> July 2017

**Please note the last date for representations**

**Valerie Craig**

---

**From:** Adrian Caines  
**Sent:** 03 July 2017 16:17  
**To:** Valerie Craig  
**Subject:** The Olive Grove Spennymoor - premises licence application

Valerie,

No planning issues with this.

Regards

Adrian Caines

**BScTP MScTP MRTPI | Principal Planning Officer | Development Management**

Durham County Council  
Planning Development (South West)  
County Hall  
Durham  
DH1 5UL


Website: [www.durham.gov.uk](http://www.durham.gov.uk)  
Contact Area Office: [planning@durham.gov.uk](mailto:planning@durham.gov.uk) or 03000262830

*Rewarding great design, environmental guardianship and community spirit in County*

**Nominations close:**  
**28 July 2017**

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

**Environment Awards 2017**



**APPENDIX 6 – STATEMENT OF LICENSING POLICY**

## **DURHAM COUNTY COUNCIL STATEMENT OF LICENSING POLICY**

### **7.0 The Prevention of Crime and Disorder**

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

7.2 As a matter of policy, the Licensing Authority will require every holder of a premises licence, club premises certificate or temporary event notice to be responsible for minimising the impact of crime, disorder and anti-social behaviour by their patrons both on and within the immediate vicinity of their premises, including for example on the pavement, in a beer garden or in a smoking shelter.

7.3 The Licensing Authority recommends that all applicants demonstrate in their Operating Schedules that suitable and sufficient measures, ranging from the design and layout of the premises through to the daily operation of the business have been identified and will be implemented and maintained with the intention of preventing crime and disorder. Procedures to deal with drunken customers, violence and anti social behaviour in and outside premises and the provision of closed circuit 14 television in certain premises should be considered by applicants, licensees and event organisers when addressing this issue.

7.4 The Licensing Authority encourages Personal Licence holders to actively participate in established "Pubwatch" schemes, where issues relating to crime and disorder can be addressed. The Licensing Authority support involvement in "Best Bar None" initiative which enables premises to demonstrate good safe operating procedures. Such schemes have been very successful in reducing the negative impact of alcohol across a range of circumstances.

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

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

7.7 Someone should always be present on premises or at an event during times when licensable activities are taking place who can discuss any problems or



issues arising from the licensable activities offered on the premises with officers from Licensing Authority and Police. The Licensing Authority considers it to be good practice if the DPS or Premises Licence Holder is present in the licensed area of the premises:

- Between 22:00 hours and closing time, when the premises is one that regularly opens after midnight for both regulated entertainment and the sale or supply of alcohol for consumption on the premises.
- At all times when the premises is a “vertical drinking establishment” where little or no seating is provided.
- At times where there is a substantial increase in customers i.e. for televised major sporting events etc.

7.8 The Licensing Authority will only impose a maximum number of people that can attend premises or an event where there is a clear and justifiable need in respect of that particular premises or event. Any such decision will be based on the nature and style of the operation. The Licensing Authority will consider information provided by the applicant and any other body, in particular the Council’s Building Control Section, Environmental Health Section and the Durham and Darlington Fire and Rescue Service before setting a maximum number. Applicants will be expected to detail the arrangements that would be put in place e.g. provision of door staff to ensure that the permitted number of people attending the premises or event will not be exceeded.

7.9 Whenever security operatives/door supervisors are employed at licensed premises to carry out security functions they must be licensed by the Security Industry Authority (SIA). If a licensee directly employs security operatives they will need to be licensed by the SIA as a supervisor/manager.

7.10 The numbers of licensed door supervisors, both male and female, required at any premises will be dependent upon the nature of the activities licensed and the characteristics and capacity of the establishment and hours of trading.

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

**7.12 Toughened/Safety Glass Policy:** Licensed venues that provide the sale or supply of alcohol for consumption on the premises should consider the introduction of toughened/safety glass. This policy expectation applies to those premises that would be considered as carrying a higher risk for potential crime and disorder. In particular it is expected in premises considered to be high volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues (but not premises in those areas that are viewed as low risk in this context).

**7.13 Drugs/Knives/Weapons:** The Licensing Authority will expect licensees to take all reasonable steps to prevent the presence of drugs on licensed premises and to take appropriate steps to prevent drugs changing hands within the

premises in order to prevent tragedies as a result of drug misuse. The Licensing Authority will expect licensees to be familiar with the Home Office Drug Strategy booklet entitled Safer Clubbing (ISBN 1840827807) or other subsequent editions. The Licensing Authority also expects that licence holders will also take steps to prevent the presence of knives and other weapons on their premises and that a log be kept of all drug, knife and weapon incidents. Licence holders should also consider arranging training for their staff on drugs, knives and weapons and to have policies for dealing with the possession of drugs, knives and weapons and the supply of drugs.

**APPENDIX 7 – SECTION 182 GUIDANCE**

## **Crime and disorder**

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will

usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.