

Statutory Licensing Sub-Committee

22nd August 2017

Application for the Grant of a Club Premises Certificate



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

Name and Address of Premises: Ustinov College Bar, Ustinov College, Sheraton House, Sheraton Park, Durham. DH1 4FL

1. Summary

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

Mr Ian Macdonald
Ustinov College Business &
Operations Manager
The Palatine Centre
Stockton Road
Durham. DH1 3LE

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 club premises certificate was received by the Licensing Authority on 29th 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 application is in respect of the following licensable activities and for the hours detailed:

Activities	Days & Hours Requested
Supply of Alcohol (for consumption on and off the premises). Live Music (indoors) and Recorded Music (indoors).	Monday to Friday: 19:30 – 23:00 hrs Saturday & Sunday: 14:00 – 23:00 hrs On a maximum of 6 occasions per year: Up until 02:00 hrs
Plays, Films, Performances of Dance, Similar Entertainment (All indoors).	Monday to Friday: 19:30 – 23:00 hrs Saturday & Sunday: 14:00 – 23:00 hrs

Opening Hours	Monday to Friday: 19:30 – 23:20 hrs Saturday & Sunday: 14:00 – 23:20 hrs On a maximum of 6 occasions per year: Up until 02:00 hrs
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On 18th July 2017, Mr Macdonald amended the college's application by adding additional conditions to the operating schedule to address concerns which had been raised by the Sheraton Park Residents Association.

Following this amendment, the Sheraton Park Residents Association confirmed that they were satisfied that the additional conditions removed any need for them to object to the application.

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

3. The Representations

During the consultation period, the Licensing Authority received two letters of representation; one from Councillor Liz Brown and one from the Nevilles Cross Community Association.

The representations relate to the following licensing objectives:

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

Copies of the representations are attached as Appendix 4.

No representations were received from any of the Responsible Authorities.

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

- Noise Action Team, Environmental Health Authority
- Durham Constabulary
- County Durham & Darlington Fire and Rescue Service
- Durham Local Safeguarding Children Board
- Planning Authority

Copies of these responses are attached at Appendix 5.

4. Parties

The Parties to the hearing will be:

- Mr Ian Macdonald, Ustinov College (Applicant)
- Councillor Liz Brown (Other person)
- Mr Alan Doig, Nevilles Cross Community Association (Other person)

5. Durham County Council Statement of Licensing Policy

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

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

Relevant information is attached as Appendix 6.

6. Section 182 Guidance

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

- 2.1 – 2.6 Prevention of Crime and Disorder
- 2.7 – 2.14 Public Safety
- 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 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)

Contact: Yvonne Raine

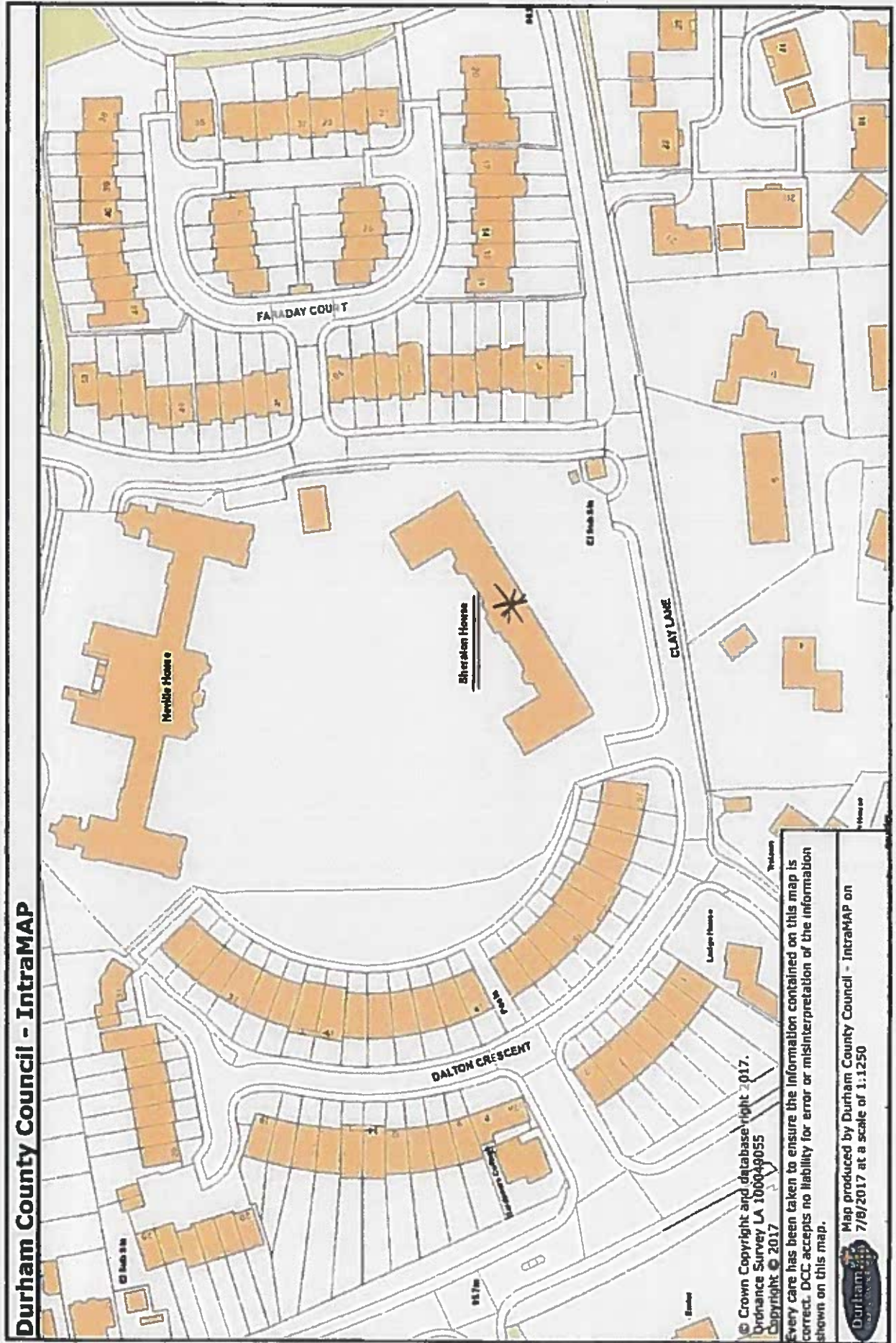
Tel: 03000 265256

Email: yvonne.raine@durham.gov.uk

APPENDIX 1 – LOCATION PLAN

Plan for identification purposes only; not to be used for scaling or formal documentation

Durham County Council - IntraMAP



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APPENDIX 2 – APPLICATION



* required information

Section 1 of 16

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

* Is your business registered outside the UK? Yes No

* Business name If your business is registered, use its registered name.

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

* Legal status

Continued from previous page...

* Your position in the business	<input type="text" value="Ustinov College Business & Operations Manager"/>	
Home country	<input type="text" value="United Kingdom"/>	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	<input type="text" value="The Palatine Centre"/>	
* Street	<input type="text" value="Stockton Road"/>	
District	<input type="text"/>	
* City or town	<input type="text" value="Durham"/>	
County or administrative area	<input type="text" value="Durham"/>	
* Postcode	<input type="text" value="DH1 3LE"/>	
* Country	<input type="text" value="United Kingdom"/>	

Section 2 of 16

APPLICATION DETAILS

Name of club

The above named club applies for a club premises certificate under section 71 of the Licensing Act 2003 for the premises described in this section 2 (the club premises).
The club is making this application to you as the relevant licensing authority in accordance with section 68 of the Licensing Act 2003.

Postal Address Of Club

Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="Ustinov College"/>
Street	<input type="text" value="Sheraton House"/>
District	<input type="text" value="Sheraton Park"/>
City or town	<input type="text" value="Durham"/>
County or administrative area	<input type="text" value="Durham"/>
Postcode	<input type="text" value="DH1 4FL"/>
Country	<input type="text" value="United Kingdom"/>

Continued from previous page...

Contact Details Of Club

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

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.

Yes

No

E-mail

Telephone number

Other telephone number

Name Of Person Performing Duties Of A Secretary To The Club

First name

Family name

Address Of Person Performing Duties Of A Secretary To The Club

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Secretary Contact Details

E-mail

Telephone number

Other telephone number

Non-domestic rateable value of club premises (£)

Are the club premises occupied and habitually used by the club?

Yes

No

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CLUB OPERATING SCHEDULE

When do you want the club premises certificate to start?

11	/	09	/	2017
dd		mm		yyyy

Continued from previous page...

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

/ /
dd mm yyyy

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

General Description Of Club

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.

Sheraton Park is a residential estate comprising a number of streets of two and three storey townhouses. The Sheraton Park development site at Clay Lane Durham City in the centre of Sheraton Park is currently being redeveloped by private developers. The building known as Neville House is being converted and a new building known as Sheraton House is being erected. The development site at Sheraton Park is a "Purpose Built Student Accommodation" (PBSA) comprising 418 bedrooms across the two buildings. Durham University have entered into partnership with the PBSA owners and taken out a long term lease on the site with the intention of using it as the permanent home for Ustinov College. Ustinov College is a postgraduate only college and occupancy of the PBSA by exclusively postgraduates meets a key planning condition on the site that limited to 40% the number of undergraduates that could be housed on the site.

The new college site comprising Neville House and Sheraton House is currently under development and is scheduled to be handed over to the university on the 11th September 2017 with subsequent occupation by students and staff of Ustinov College soon thereafter. On 7th April 2017 the authorising officer of Durham County Council granted a variation of condition to the planning consent for the Sheraton Park development permitting an extension to the Sheraton House building to provide a common room/bar and seminar room. A number of conditions were placed upon the grant of the variation. Durham University and Ustinov College as occupiers of the PBSA will comply with these conditions. To mitigate the impact on the neighbouring residential area of noise emanating from the common room/bar area a key condition placed upon the variation is that the extension must not be operated or occupied unless in accordance with the noise mitigation measures contained in the approved Environmental Noise Assessment: Common Room/Bar report prepared by the consultancy Cundalls. The common room and bar will be operated in accordance with this condition and all the other conditions placed upon the variation of condition.

This application seeks to license the common room/bar area and reception area of Sheraton House as shown on the attached plan. The licensed area will be entirely enclosed with no overspill outside the building. The common room/bar area will have a capacity of 300 (subject to confirmation following completion of the fire safety risk assessment). The common room/bar area will be the principle social hub of the college providing students, staff and guests with space to socialise and organise events such as plays, film nights, live music events, recorded music events such as discos, cultural events such as performances of dance and other events. The operating hours for the licensed bar will be 19:30 – 23:00 Monday to Friday and 14:00 – 23:00 Saturday and Sunday. On a maximum of 6 occasions a year the College will organise live music and/or recorded music events such as discos and parties where the music will be amplified. Use of any sound equipment will be in accordance with the planning conditions set by the local authority in the variation of condition report dated 7th April 2017. Similarly management of the building - no open windows, doors etc. will be in accordance with the planning conditions in the same report. On a maximum of six occasions per year events such as those described above will run beyond the standard timings. The non-standard timings will run to 02:00 hours at the latest for each of the six nominated events. Where such a non-standard timing is utilised Ustinov College will notify the local licensing authority, the Sheraton Park Residents Association and the Nevilles Cross Residents Association 14 days before the event. This notification will be via telephone call and/or email.

Access to the licensed premises will be restricted to those listed in section 5 of the document titled "Constitutional Arrangements Qualifying for a Club Premises Certificate" which is submitted with this application. The Ustinov College bar will be distinct from all other Durham University College Bars in that students from other colleges will not be classed as "associate members" of the Ustinov Bar and therefore will only be able to gain access if signed in as a guest of a member.

Continued from previous page...

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PROVISION OF PLAYS

Will you be providing plays?

Yes No

Standard Days And Timings

MONDAY

Start 19:30

End 23:00

Start

End

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

TUESDAY

Start 19:30

End 23:00

Start

End

WEDNESDAY

Start 19:30

End 23:00

Start

End

THURSDAY

Start 19:30

End 23:00

Start

End

FRIDAY

Start 19:30

End 23:00

Start

End

SATURDAY

Start 14:00

End 23:00

Start

End

SUNDAY

Start 14:00

End 23:00

Start

End

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

Indoors Outdoors Both

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

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

The activity authorised will be the performance of plays within the social space on a low level temporarily constructed stage. Use of any sound equipment will be in accordance with the planning conditions set by the local authority in the variation of condition report dated 7th April 2017. Similarly management of the building - no open windows, doors etc will be in accordance with the planning conditions in the same report.

Continued from previous page...

State any seasonal variations for performing plays.

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

Non standard timings. Where the club intends to use the premises for the performance of a play at different times from those listed in the column on the left, provide list.

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

Section 5 of 16

PROVISION OF FILMS

Will you be providing films?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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Start

End

THURSDAY

Start

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Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

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

Indoors Outdoors Both

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

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

The Ustinov College Graduate Common Room (GCR) will show films in the social space as part of the general entertainment provided for club members. Use of any sound equipment in support of the film projection will be in accordance with the planning conditions set by the local authority in the variation of condition report dated 7th April 2017. Similarly management of the building - no open windows, doors etc will be in accordance with the planning conditions in the same report.

State any seasonal variations for the exhibition of film.

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

Non standard timings. Where the club intends to use the premises for the exhibition of film at different times from those listed in the column on the left, provide list.

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

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

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PROVISION OF LIVE MUSIC

Continued from previous page...

Will you be providing live music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors

Outdoors

Both

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

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

Live music will be a feature of entertainment in the common room/bar area. The GCR host a music night called "Ustinov Live" up to three times a term when students perform for their peers. The music is amplified. Use of any sound equipment will be in accordance with the planning conditions set by the local authority in the variation of condition report dated 7th April 2017. Similarly management of the building - no open windows, doors etc will be in accordance with the planning conditions in the same report.

State any seasonal variations for the performance of live music

Continued from previous page...

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

Non-standard timings. Where the club intends to use the premises for the performance of live music at different times from those listed in the column on the left, provide list

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

Live music will be a feature of planned events that take place in the common room/bar during non-standard timings. The music will be amplified. Use of any sound equipment will be in accordance with the planning conditions set by the local authority in the variation of condition report dated 7th April 2017. Similarly management of the building - no open windows, doors etc will be in accordance with the planning conditions in the same report. On a maximum of six occasions per year events such as those described above will run beyond the standard timings. The non-standard timings will run to 02:00 hours at the latest for each of the six nominated events. Where such a non-standard timing is utilised Ustinov College will notify the local licensing authority, the Sheraton Park Residents Association and the Nevilles Cross Residents Association 14 days before the event. This notification will be via telephone call and/or email.

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start	<input type="text" value="14:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="14:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

Indoors Outdoors Both

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

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

Recorded music played at discos and on Karaoke evenings is a feature of a number of events held by the students. The music is amplified. Use of any sound equipment will be in accordance with the planning conditions set by the local authority in the variation of condition report dated 7th April 2017. Similarly management of the building - no open windows, doors etc will be in accordance with the planning conditions in the same report.

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.

Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, provide list

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

Recorded music will be a feature of planned events such as discos that take place in the common room/bar during non-standard timings. The music will be amplified. Use of any sound equipment will be in accordance with the planning conditions set by the local authority in the variation of condition report dated 7th April 2017. Similarly management of the building - no open windows, doors etc will be in accordance with the planning conditions in the same report. On a maximum of six occasions per year events such as those described above will run beyond the standard timings. The non-standard timings will run to 02:00 hours at the latest for each of the six nominated events. Where such a non-standard timing is utilised Ustinov College will notify the local licensing authority, the Sheraton Park Residents Association and the Nevilles Cross Residents Association 14 days before the event. This notification will be via telephone call and/or email.

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

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 performance of dance take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

Performances of dance will be an activity that takes place in the common room/bar area. The music in support of the dance performances is amplified. Use of any sound equipment will be in accordance with the planning conditions set by the local authority in the variation of condition report dated 7th April 2017. Similarly management of the building - no open windows, doors etc will be in accordance with the planning conditions in the same report.

State any seasonal variations for the performance of dance

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

Continued from previous page...

Non-standard timings. Where the club intends to use the premises for the performance of dance at different times from those listed in the column on the left, provide list

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

Section 11 of 16

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

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

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

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...

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that the club will be providing

The students will arrange events in the social space/bar that require amplified sound such as quiz nights, race nights, Karaoke nights and comic nights. Use of any sound equipment will be in accordance with the planning conditions set by the local authority in the variation of condition report dated 7th April 2017. Similarly management of the building - no open windows, doors etc will be in accordance with the planning conditions in the same report.

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

State any seasonal variations for entertainment

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

Non-standard timings. Where the club intends to use the premises for entertainment at different times from those listed in the column on the left, provide list

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

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SUPPLY OF ALCOHOL

Will you be supplying alcohol by or on behalf of a club to, or to the order of a member of the club?

Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 19:30

End 23:00

Start

End

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

TUESDAY

Start 19:30

End 23:00

Start

End

WEDNESDAY

Start 19:30

End 23:00

Start

End

THURSDAY

Start 19:30

End 23:00

Start

End

FRIDAY

Start 19:30

End 23:00

Start

End

SATURDAY

Start 14:00

End 23:00

Start

End

SUNDAY

Start 14:00

End 23:00

Start

End

Will the supply of alcohol be for consumption?

- On the premises Off the premises Both

If the club wishes members and their guests
to be able to consume alcohol on the
premises tick on, if the club wishes people to
be able to purchase alcohol to consume
away from the premises tick off. If the club
wishes people to be able to do both tick
both.

State any seasonal variations

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

Continued from previous page...

Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, provide list

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

On a maximum of six occasions per year live music or recorded music events such as those described above will run beyond the standard timings. At these events the supply of alcohol will be different to the times stated in the columns above. The non-standard timings will run to 02:00 hours at the latest for each of the six nominated events. Where such a non-standard timing is utilised Ustinov College will notify the local licensing authority, the Sheraton Park Residents Association and the Nevilles Cross Residents Association 14 days before the event. This notification will be via telephone call and/or email.

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HOURS CLUB PREMISES ARE OPEN TO THE MEMBERS AND GUESTS

Will you be selling by retail alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

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End

SATURDAY

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...

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.

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, provide list.

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

On a maximum of six occasions per year live music or recorded music events such as those described above will run beyond the standard timings. At these events the supply of alcohol to a club member's guest will be different to the times stated in the columns above. The non-standard timings will run to 02:00 hours at the latest for each of the six nominated events. Where such a non-standard timing is utilised Ustinov College will notify the local licensing authority, the Sheraton Park Residents Association and the Nevilles Cross Residents Association 14 days before the event. This notification will be via telephone call and/or email.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the club 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.

In order to protect children from unsuitable and even harmful content in films and videos and to give consumers information they might need about a particular film or video before deciding whether or not to view it, the British Board of Film Classification (BBFC) examines and age rates films and videos before they are released. The graduate common room DVD/film club shows films of varying classifications and ensures the classifications are publicised in advance of the showing. DVDs and films are shown in the bar area and bar staff are briefed on the need to challenge people where they appear to be below the age of the classification of the film. The college will adopt the Challenge 25 scheme as the proof of age policy. The only forms of identification we will accept are a passport, a photo driving licence and a "PASS" hologram I.D.

Section 15 of 16

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.

Ustinov College is fully committed to the licensing objectives outlined in the Licensing Act 2003. The following general provisions are in place to ensure that they are achieved and regularly reviewed:
1. Authorised staff employed by Durham Police shall have free access to all parts of the licensed premises, at all reasonable times, for the purpose of inspection to ensure compliance with the terms and conditions of the club premises certificate and to ensure the promotion of the licensing objectives.

Continued from previous page...

2. Policy on the management of university bars.
3. Standard Operating Manual and Schedule of General Bar Regulations.
4. Training strategy for personal licence holders, bar staff, bar management committee members and college porters. The records of training will be maintained by Ustinov College and made available for review by officers of the relevant responsible authorities as outlined in the Licensing Act 2003.
5. Performance management framework to ensure scrutiny and oversight of the bar operation and its management.
6. Annual application to the Durham City "Best Bar None" scheme for re-accreditation.

b) The prevention of crime and disorder

The Ustinov College vision, mission and values statement clearly outlines the college is committed to providing a safe and enjoyable environment for all staff, students and visitors underpinned by mutual respect and responsibility. This commitment clearly extends to the prevention of crime and disorder. The following specific provisions are in place to deliver this commitment:

1. Durham University community and social responsibility process.
2. Internal college regulations and disciplinary procedures.
3. Ustinov College Bar Code of Conduct.
4. Alcohol and drug abuse policies.
5. Alcohol awareness campaign.
6. Protocols with university security service for support.
7. "Best Bar None" accreditation.
8. Initial staff training to be carried out by an approved member of staff to ensure no alcohol is sold to anyone underage and refresher training to be carried out every 6 months.
9. 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.
10. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions.
11. Cameras shall encompass the inside and outside of the main entrance and exit to the premises and all areas inside the premise where the sale / supply of alcohol occurs.
12. Equipment will be maintained in good working order and be correctly time and date stamped. Recordings will be kept for a period of 28 days and handed to the responsible authorities within a reasonable time frame agreed between officers and an authorised person.
13. The CCTV system will incorporate a battery backup system to enable 24 hour continuous recording in case any power blackout / failure.
14. The licence holder will ensure at all times an appointed member of staff is capable and competent at viewing and downloading CCTV footage in recordable format, either disc, hard drive or memory stick to responsible authorities within a reasonable time frame agreed between officers and the authorised person.
15. The recording equipment and discs / memory sticks shall be kept in a secure environment under the control of responsible named individual.
16. An operational weekly log report will be maintained and endorsed by a signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

c) Public safety

The Ustinov College vision, mission and values statement clearly outlines the college is committed to providing a safe and enjoyable environment for all staff, students and visitors underpinned by mutual respect and responsibility. This commitment clearly extends to working to ensure the safety of everyone on the site. The following specific provisions are in place to deliver this commitment:

1. Ustinov College health and safety policy developed with the wider university health and safety framework.
2. Ustinov College health and safety management and risk control system supported by self-inspections and audits.
3. Durham University community and social responsibility process.
4. Fire safety risk assessment.
5. "Best Bar None" accreditation.
6. Standard operating procedure for the organising and running of college events.

Continued from previous page...

7. Agreed safety protocols for specific events stipulating the use of plastic glasses and decanting of drinks from glass bottles.

d) The prevention of public nuisance

The Ustinov College vision, mission and values statement clearly outlines the college is committed to developing enduring and mutually rewarding relationships with local people and communities. Minimisation of public nuisance created in and around the Ustinov College bar is part of this commitment. The following specific provisions are in place to deliver this commitment:

1. Implement all the recommendations in the Sheraton Park, Durham Environmental Noise Assessment document prepared by the consultants Cundall.
2. "Best Bar None" accreditation.
3. Durham University community and social responsibility process.
4. Hold a maximum of six events per academic year that utilise non-standard opening times. These events to end no later than 2am.
4. Standard operating procedure for the organising and running of college events including noise limitation guidelines and advance notification to nearby residents. Two weeks notice to be provided to the local authority, Sheraton Park Residents Association and Nevilles Cross Residents Association of licensable events to be held at non-standard times.

e) The protection of children from harm

Ustinov College is the only Durham University college that provides bespoke family accommodation. The college is committed to safeguarding children and protecting them from harm. The following specific provisions are in place to ensure this objective is achieved:

1. Proof of age checks carried out for all people under the age of 25 via the Challenge 25 scheme. The only forms of identification accepted will be a passport, photo driving licence and "PASS" hologram I.D.
2. A refusal register will be kept and endorsed after every sale of alcohol refused, this will include over 18s purchasing alcohol and passing it to under 18s (proxysales).
3. Designated children's areas at events located away from the licensed bar area.
4. Use of plastic glasses only at designated events and the decanting of drinks from glass bottles to minimise risk from broken glass.
5. Restricted use of photography to minimise unwanted use of child images.
6. Policy about children under the age of 18 having to be accompanied on licensed premises.
7. "Best Bar None" accreditation.

Section 16 of 16

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. Club 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

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00
Band E - £125001 and over	£635.00

* Fee amount (£)

100.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

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

I/we also understand that fees are non-refundable.

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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

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/club-licensing/county-durham/apply-1> to upload this file and continue with your application.

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

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

**APPENDIX 3 – ADDITIONAL CONDITIONS
AGREED BY APPLICANT**

Amendments to Section 15 – Operating Schedule

1. Ustinov College seeks on and off sales to allow residents in Neville House and Sheraton House to purchase alcohol and soft drinks and return with them to their college accommodation to enjoy them whilst studying or socialising with friends in their cluster flats. College will establish a college rule prohibiting the purchase of alcohol for the purposes of consuming it outdoors in the space between Neville House and Sheraton House. This college rule will be policed by college staff including the 24/7 college porters.
2. The requested opening hours are as stated with a subsequent 20 minutes drinking up period. At the end of opening hours bar staff will be instructed only to sell quantities of alcohol to customers that could reasonably be consumed in the 20 minute drinking up time. Requests for excessive volumes of alcohol will be refused. At the end of the 20 minute drinking up period bar staff will clear all glasses and bottles whether empty or not.
3. The current document titled "Constitutional Arrangements Qualifying for a Club Premises Certificate" which outlines membership of the Ustinov College Bar will not be amended unless there is unanimous support from the Ustinov Bar Management Committee and subsequent ratification by the Ustinov College Council.
4. The Ustinov College Bar will operate primarily as a bottle bar with a limited space to provide keg beers. There will not be a "chill cellar" with the associated noise from an air conditioning device.
5. Issues of anti-social behaviour caused by patrons of the Ustinov College bar will be dealt with by a recognised escalation process. The 24/7 porter will provide an immediate response onsite. This response can, when appropriate, be supported by university security staff. The college operates a 365 days of the year on-call emergency duty officer rota. This officer can be contacted by the porter when appropriate. None of the above prevents the duty porter and or university security from contacting the local police if necessary. The escalation process will ensure that incidents of anti-social behaviour are dealt with in a timely manner. In addition management information concerning numbers and nature of incidents will be discussed at the regular Ustinov College Bar Management Committee meeting at which residents will be represented.

APPENDIX 4 – REPRESENTATIONS

George Street
Nevilles Cross
Durham
DH1 4PA

16th July 2017

Re: Licensing application for Ustinov College Bar at Sheraton House, Sheraton Park, Durham
DH1 3LE

As local councillor in the Nevilles Cross division I am writing to object to the granting of the above license. To be specific I am objecting to the granting of a license for off sales.

The Business and Operations Manager for Ustinov College has been very accommodating to residents requests and has done a great deal to ensure that this bar does not impinge on residents amenity. Measures taken include inviting residents association representatives to serve on Bar Committees, only allowing members and staff of Ustinov College bar membership, a stringent signing in regime, noise reduction measures and not allowing open air drinking. This is all very laudable but the granting of off sales negates all this good work.

This is a residential area. The two college buildings have planted open space in front which is open to the public. This was envisaged as a tranquil community area with seating and public art. One of the reasons for not introducing a beer garden was to preserve this tranquillity. The application for off sales now presents the contradiction of bar customers not being allowed outside with an open bottle but fine to leave the premises with one that is capped.

One of the licensing directives is to protect children from harm. This family space should be encouraged to remain alcohol free. This area is close to residences. How can public nuisance be prevented if alcohol is available just round the corner? This also brings us to the other two licensing directives, the prevention of crime and disorder and public safety. Both are a risk if off sales are allowed.

Apart from the off sales I have no objection to a license being granted for the licensing activities stated on the application. There should however be a proviso. All noise reduction methods should be stringently observed and I would be grateful if a condition could be attached to the license to that effect.

Councillor Liz Brown

LICENCING APPLICATION: CLUB PREMISES CERTIFICATE, USTINOV COLLEGE, SHERATON PARK

The Nevilles Cross Community Association at its meeting on 26th June 2017 discussed the application detail. It also received a presentation from Ian MacDonald, Business and Operations Manager, Ustinov College.

The Association understands that it will be formally offered representation on the bar management committee and thanks the College for this and other indications of its willingness to work with residents.

On the basis of the discussions, the Association agreed that would neither support nor oppose the licence application but asked the local councillors to ensure that the licence went to committee so that it could urge the committee to address a number of implementation issues as conditions of the licence.

The grounds for this is that this is the first college in the middle of a residential area - Sheraton Park - and adjacent to other residential areas, such as Geoffrey Avenue and Ellam Avenue. Further, Archery Rise is close by and, given the houses are in a bowl below the application site, particularly susceptible to carried noise. Finally all the areas have substantial numbers of families with young children and elderly residents whose lifestyles are potentially most likely to be affected by any noise after 9pm and before 8am.

The Association also wants to emphasise that there are a growing number of other university students taking up private accommodation in the area, and especially within Sheraton Park - from existing data this reaches up to 30% in parts of this area. Unfortunately outdated data on levels of occupancy means that applications for more HMOs are not being declined by the Central and East Planning Committee within the terms of the agreed policy on student occupation and the figures are likely to rise.

Further a PBSA is built within 800 yards of this College, again within a residential area. If this building does not have a bar then the facilities at Ustinov College become attractive; if there is a bar then setting precedents for student bars in residential areas is important.

The Association therefore wishes to make verbal representations on issues it wishes to be addressed explicitly and incorporated into the conditions for granting the licence relating to the following areas:

- 1. Operational use of the bar space;**
- 2. Access granted to students who are not residential within the building that comprise Ustinov College;**
- 3. Off-sales;**
- 4. Complaint management.**

For 1., the Association would ask that the licence is granted only if the College agrees to adhere to the totality of the conditions laid down in the revised Cundall report as at 13/03/2017. The Association has been reassured by the College's statements on the facts that the common room licence being sought applies only to the common room, not the adjacent courtyard or any other public space and that the windows and fire doors would not be open and the music equipment would have decibel and frequency limits built in. However, noise issues such as bottle emptying [Noise from litter / bottle disposal - Bottle disposal should not be carried out after 10pm or before 7am - p29] are equally relevant.

Thus the Association asks that, as a condition of the licence, the College agrees to implement each and every suggestion and requirement in the Cundall Report.

2. relates to the number of Ustinov College members who are not residential, and any other students. With only the Duke of Wellington in the area, and if the PBSA on the Berendsens laundry site does not have a bar then there should be strict and enforced limits on guests. Unless this is established at the start of the licence the potential for the College to become the focus for students in the area could become custom and practice unless the intended policies are strictly and visibly enforced from the outset.

The Association asks that residential members can only sign in up to 2 other guests in any 24-hour period, including occasions when the licence is extended, that an electronic means of measuring entry numbers and recording the member in terms of responsibility for the conduct of guests is introduced, and that any entrance measures are not capable of being bypassed, copied or duplicated. The College should formally state that associate or any status will not be granted to any student who is not residential in the College at the Sheraton Park site. The College should display notices at the entrance to the bar to ensure that the policy on admission is clearly stated and serves part of any agreement between it and resident students.

3. concerns the off-sales aspect of the licence. The College acknowledges that it wishes to ensure the bar is only for students residential in the College at Sheraton Park. It acknowledges the sensitivities of a College bar in a heavily residential area. Given the open space between the two College buildings and the space available on the adjacent playing field the Association feels that this recognition of potential disturbance should be extended to discouraging anyone buying alcohol that could be used for external consumption (most obviously in the summer and during the occasions when the licence is extended).

The Association asks that the application for off-sales be declined or at least wishes the College to state why an off-sales plan is needed and how it would intend to police off-premises drinking associated with their off-sales plans before it could support this aspect of the application.

4. relates to the need to ensure real-time resolution of disturbance. The Association welcomes the opportunity to participate on the bar management committee and feels this is a useful way to ensure the relationship between the community and the College. However, the Association acknowledges that there will be times when immediate action is necessary.

The Association invites the College, as part of the conditions for granting the licence, to provide a staffed 24-hour number where noise or other anti-social activities within the College parameters would be reported to a member of staff to take appropriate action.

The Association also invites the College to provide the Association with the dates of those occasions when the licence is extended for circulation to its members.

**Nevilles Cross Community Association
26 July 2017**

APPENDIX 5 – RESPONSES FROM RESPONSIBLE AUTHORITIES

Valerie Craig

From: Ted Murphy
Sent: 29 June 2017 14:11
To: Valerie Craig
Subject: RE: Licensing Act - New Club Premises Application Received

Hi Valerie,

No objection from NAT (recently assessed through planning process)

Ted

From: Valerie Craig
Sent: 29 June 2017 11:53

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 Club Premises Certificate

Applicant: - Ustinov College Bar

Premises – Ustinov College Bar, Sheraton House, Sheraton Park, Durham, DH1 4FL

Date of Application – 29th June 2017

Last date for representations – 27th July 2017

Please note the last date for representations

Valerie Craig
Licensing Assistant
Adult and Health Services

Valerie Craig

From: Daniel Darnton <
Sent: 30 June 2017 13:08
To: Valerie Craig
Subject: FW: Licensing Act - New Club Premises Application Received
Attachments: Ustinov College Bar Sheraton Park Plan.29.06.17.pdf; Ustinov College Bar Sheraton Park New Club.29.06.17.pdf; Ustinov College Bar Sheraton Park Club Rules.28.06.17.pdf

Good Afternoon,

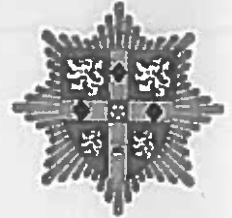
Durham Constabulary have no objections to the below application.

Thanks
Dan

Daniel Darnton
Harm Reduction Unit
Meadowfield Office tel 101 ext 75 2351
Darlington Office tel 101 ext 74 2782



Durham Constabulary
Altogether Better Policing



Chief Fire Officer: Stuart Errington

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

Date: 17 July 2017

This matter is being dealt with by: Chris Hockaday

Ext: 1714

Our Ref: 3440855120

Your Ref: XX

Direct Dial Telephone:

E-mail:

Ian Macdonald

Dear Sir,

Licensing Act 2003

Regulatory Reform (Fire Safety) Order 2005

HMO Student Accomodation and bar, Sheraton House, Darlington Road, New Sheraton Park, Durham,

I acknowledge your application dated 29 June 2017 for a Club Premises Certificate under The Licensing Act 2003 in respect of the above named premises.

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

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

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

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

Yours faithfully

Chris Hockaday
Fire Safety Section



www.ddfire.gov.uk



Yvonne Raine

From: Sean Barry
Sent: 06 July 2017 08:55
To: Neighbourhood Services Licensing
Subject: RE: Licensing Act - New Club Premises Application Received Ustinov College Bar
Sheraton House Durham DH1 4FL

Categories: Valerie

Good Morning

I have received a new club premises application for the establishment: Ustinov College Bar, Sheraton House, Sheraton Park, Durham, DH1 4FL

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

My Ref: SB/2017/058

Thanks
Sean

Valerie Craig

From: Michelle Hurton
Sent: 21 July 2017 12:42
To: Valerie Craig
Subject: Ustinov College Bar, Sheraton House, Durham

Hi Valerie

There are no planning implications with the new premises licence as it is in compliance with the management statement submitted with the previously approved planning application.

Kind regards,

Michelle Hurton BA (Hons) MSc
Assistant Planning Officer
Planning Development Management
Regeneration and Local Services
Planning Development(Central/East)
Room 4/86-102
County Hall
Durham
DH1 5UL

Web: www.durham.gov.uk



APPENDIX 6 - 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.

8.0 Public Safety

8.1 The Act covers a wide range of premises that require Licensing. Each of these types of premises presents a mixture of risks, with many common to most premises, and others unique to specific operations. It is essential that applicants acknowledge these risks and that premises are constructed or adapted and operated to safeguard occupants.

8.2 Applicants are advised to seek advice on such matters from the Council's Occupational Safety and Health team, Health and safety Executive, Durham Constabulary and the Durham and Darlington Fire and Rescue Service, and incorporate any recommendations in their Operating Schedule before submitting their applications.

- First Aid
- Public security
- Event control
- Polycarbonate Glass
- Fire Safety
- Electrical safety
- Building safety
- Transport
- Drink driving issues
- Occupancy levels

9.0 Prevention of Public Nuisance

9.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.

9.2 The concerns relate, amongst other things, to litter, light pollution, noxious odours and noise nuisance resulting from music, human voices, ventilation equipment and vehicles. The Licensing Authority will expect applicants to demonstrate that suitable and sufficient measures have been identified, and will be implemented and maintained, with the intention of preventing public nuisance relevant to the individual style, location and characteristics of the premises and events.

9.3 If an external structure or area is to be used by customers, whether for consumption of alcohol or for smoking, the applicant will be expected to offer measures designed to minimise its impact on local residents in respect of both public nuisance and crime and disorder. These measures may include a restriction on

hours that areas / structures will be used, appropriate signage requesting customers to consider local residents and monitoring of such areas by staff.

9.4 The placement of tables and chairs outside of licensed premises may give rise to public nuisance including noise and litter. When tables and chairs are situated on the public highway relevant consents will often be required. Enquiries for such consents should be made to the Council's Highway's Section of the Regeneration and Economic Development Department. In predominantly commercial areas such as shopping centres the Licensing Authority, the use of tables and chairs outside may be allowed however, the Council will normally expect them to be removed before the premises close, and any resulting litter/ debris cleared away.

9.5 Applicants should give consideration to reducing potential noise nuisance by, for example (this list is not exhaustive):

- Assessment of likely noise levels in the premises.
- Assessment of likely noise levels if outdoor drinking is allowed.
- The sound insulation the building would provide (e.g. double glazing, double doors / lobbies to entrances, windows used for ventilation).
- The distance and direction to the nearest noise sensitive premises.
- Likely noise sources outside of the premises (e.g. emptying bottle bins, taxis, unruly customers leaving the premises).
- Dispersal of patrons – where necessary the Licensing Authority will expect a dispersal policy for patrons at the end of the evening. The policy will specify such issues as alterations to the style and volume of music played, public address announcements and use of appropriate signage at exits.
- Ways to limit noise / disorder from patrons leaving the premises.

9.6 The extent to which the above matters will need to be addressed will be dependent on the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided, operational procedures and the needs of the local community.

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

9.8 Takeaways and fast-food outlets: The Licensing Authority expects takeaways and late night refreshment premises to take reasonable steps in clearing litter from outside their premises and along the pavement in either direction as necessary, whilst the premises are open and at the end of the working day. These premises should maintain clean, dirt or grease free frontages. Such premises should also provide notices displayed advising customers of the location of bins and patrons should use the bins any provided.

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

Category of Premise	Weekdays (Sunday to Thursday)	Weekends (Friday night into Saturday morning and Saturday night into Sunday morning)	Bank Holidays
For premises licences and club premises certificates authorising the sale or supply of alcohol for consumption on or off the premises	07.00 to 00.00	07.00 to 01.00	<p>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</p> <p>(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).</p>
For licences not including the sale or supply of alcohol	07.00 to 23.30	07.00 to 00.30	<p>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</p> <p>(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).</p>
For licences not including the sale or supply of alcohol (community centres, village halls)	07.00 to 00.00	07.00 to 01.00	<p>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</p>

			(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).
For licences authorising late night refreshment as the primary licensable activity (takeaways)	01.00	02.00	<p>Good Friday Plus 1 Hour</p> <p>For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday</p> <p>(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).</p>

APPENDIX 7 - S.182 GUIDANCE

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.

Public safety

- 2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.8 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
 - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;

- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Ensuring safe departure of those using the premises

- 2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:
- Providing information on the premises of local taxi companies who can provide safe transportation home; and
 - Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

Maintenance and repair

2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

Safe capacities

- 2.12 "Safe capacities" should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the "permitted capacity" of those premises should be.
- 2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

¹ S 177 of the 2003 Act now only applies to performances of dance.

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.