

Statutory Licensing Sub-Committee

19th June 2018

Application for the Grant of a Premises Licence



Report of Ian Thompson, Corporate Director, Regeneration and Local Services

**Name and Address of Premises: Players, Unit 3, Freemans Place,
Walkergate, Durham. DH1 1SQ**

1. Summary

The Sub-Committee is asked to consider and determine the application for the grant of a premises licence for Players, Unit 3, Freemans Place, Walkergate, Durham received from Inspired Leisure (Durham) Limited.

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 17th April 2018. A copy of the application is attached as Appendix 2.

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

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

Activities	Days & Hours Requested
Sale of Alcohol (for consumption on and off the premises)	Monday to Sunday: 10:00 – 02:00 hrs. From 10:00 hrs on New Years Eve until 02:00 hrs on 2 nd January. Extension until 03:00 hrs on the morning British Summertime begins. From 10:00 – 04:00 hrs on up to 15 occasions a year, giving 7 days written notice to Durham Constabulary and Durham Licensing Authority
Films, Live Music, Recorded Music, Performances of Dance, Any Similar Entertainment (All indoors)	Monday to Sunday: 10:00 – 02:30 hrs. From 10:00 hrs on New Years Eve until 02:30 hrs on 2 nd January. Extension until 03:30 hrs on the morning British Summertime begins.

<p>Late Night Refreshment (Indoors)</p>	<p>From 10:00 – 04:00 hrs on up to 15 occasions a year, giving 7 days written notice to Durham Constabulary and Durham Licensing Authority</p> <p>Monday to Sunday: 23:00 – 02:30 hrs. From 23:00 hrs on New Years Eve until 02:30 hrs on 2nd January. Extension until 03:30 hrs on the morning British Summertime begins. From 23:00 – 04:00 hrs on up to 15 occasions a year, giving 7 days written notice to Durham Constabulary and Durham Licensing Authority</p>
<p>Opening Hours</p>	<p>Monday to Sunday: 10:00 – 02:30 hrs. From 10:00 hrs on New Years Eve until 02:30 hrs on 2nd January. Extension until 03:30 hrs on the morning British Summertime begins. From 10:00 – 04:00 hrs on up to 15 occasions a year, giving 7 days written notice to Durham Constabulary and Durham Licensing Authority</p>

On 19th April 2018, the applicants added an additional condition to their operating schedule following discussions with the Durham Local Safeguarding Children Board.

On 15th May 2018, the applicants amended a condition in their operating schedule following discussions with the Fire Safety Authority.

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

3. The Representations

The Licensing Authority received four representations, one from a Responsible Authority and three from 'other persons'.

The objections are from the following persons:

- Durham Constabulary (Responsible Authority)
- Mr Chris Plummer (Other person)
- Mr John Metson (Other person)
- St Nicholas' Community Forum (Other person)

The representations relate to the following licensing objectives:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

Copies of the representations are attached at Appendix 4.

On 7th June 2018, St Nicholas' Community Forum submitted some additional information to the Licensing Authority and this is also included at Appendix 4.

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

- Environmental Health Noise Action Team
- Planning Authority

Copies of these responses are attached at Appendix 5.

4. Parties

The Parties to the hearing will be:

- Innspired Leisure (Durham) Limited (Applicants)
- Mr Tim Shield, John Gaunt & Partners (Applicant's Solicitor)
- Durham Constabulary (Responsible Authority)
- Mr Chris Plummer (Other person)
- Mr John Metson (Other person)
- St Nicholas' Community Forum (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 Crime and Disorder
- 8.0 Public Safety
- 9.0 Prevention of Public Nuisance
- 10.0 Protection of Children from Harm
- 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 Crime and Disorder
- 2.17 – 2.14 Public Safety
- 2.15 - 2.21 Public Nuisance
- 2.22 – 2.32 Protection of Children from Harm

Relevant information is attached as Appendix 7.

7. For Decision

The Sub-Committee is asked to determine the application for the grant of a premises licence in light of the representations received.

Background Papers:

- Durham County Council's Statement of Licensing Policy
- Guidance issued under section 182 of the Licensing Act 2003 (as amended April 2018)

Contact: Yvonne Raine

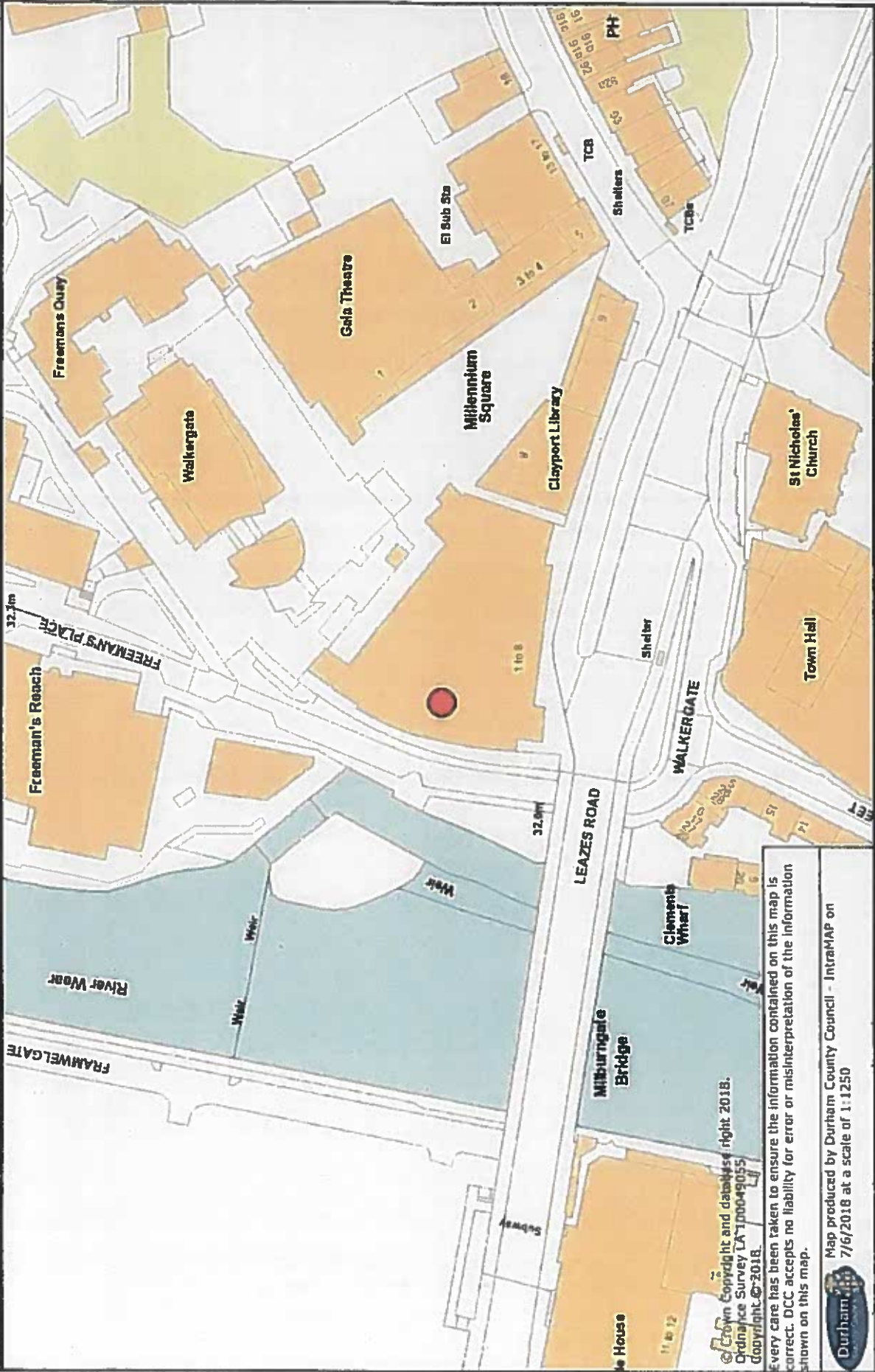
Tel: 03000 265256

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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Ordnance Survey LA100049055
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Map produced by Durham County Council - IntraMAP on
7/6/2018 at a scale of 1:1250



APPENDIX 2 – APPLICATION

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

We Innspired Leisure (Durham) Limited apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Players Unit 3, Freeman Place Walkergate	
Post town Durham	Post code DH1 1SQ

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- | | | |
|---|-------------------------------------|-----------------------------|
| a) An individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual* | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick
Nationality:

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick
Nationality:

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

B) OTHER APPLICANTS

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

Name Innspired Leisure (Durham) Limited
Address 2nd Floor, Alderman Fenwick House, 98-100 Pilgrim Street, Newcastle upon Tyne, NE1 6SQ
Registered number (where applicable) 11296858
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?
On Completion of the works - to be advised in due course

Day Month Year

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

Day Month Year

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

N/A

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

The premises are located in the City centre and have previously traded as licensed premises known as "Loveshack" and was closed in 2017 by the former Operators following a decade of trading (the former premises licence number was LAPRE/08/0885 and is no longer in force).

The Applicant proposes to recommence licensable activity at the venue, which has been dormant since closing in 2017.

The Applicant's Directors are vastly experienced operators of licensed premises and manage a number of significant establishments across the north of England including locations in Newcastle, Sheffield and Birmingham. All venues are in prominent city centre locations and trade beyond midnight.

The premises will offer entertainments primarily in the form of recorded music and refreshments to their clientele.

The proposal is to seek hours which mirror the former permission. The operating schedule of the former "Loveshack" licence has been adopted and/or updated as appropriate following consultation with the responsible authorities prior to the submission of this application.

The proposed hours and activities are:

- (1) Regulated entertainments, as specified below – from 10am to 2:30am daily, with extended hours on New Years Eve.
- (2) The retail sale of alcohol from 10am to 2am daily, with extended hours on New Years Eve.

Additional non-Standard timings proposed include:

- (1) Subject to giving 7 days written notice to Durham Constabulary and Durham Licensing Authority and on not more than 15 occasions in any calendar year, the premises may be used for any of the licensable activities permitted by the licence during the times detailed in the notice, provided that Durham Constabulary do not exercise a veto against any proposal contained in the notice. The activities will be provided at varying times Monday – Sunday between 10:00hrs and 04:00hrs, with the premises close at 04:00hrs.
- (2) To allow trading to be extended by 1 hour (BST) at the commencement of British Summer time.

The appropriate drawing deposited with this application is:-

- Drawing no. 2019/PRE/2

Please further note that the appropriate fire safety precautions will be incorporated within the development in consultation with the Fire Safety Officer and under the Building Regulation approval process.

It is not anticipated that the proposed development will adversely affect crime and disorder or public nuisance. The proposed operating plan reflects the former licence and discussion held with responsible authorities prior to the submission of the application.

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

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

Please tick π yes

Provision of regulated entertainment

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	π
Day	Start	Finish		Outdoors	
Mon	10:00	02:30	Please give further details here (please read guidance note 3) Exhibition of a film principally video entertainment on screens and tv screens.	Both	
Tue	10:00	02:30			
Wed	10:00	02:30			
Thur	10:00	02:30	N/A – save as below		
Fri	10:00	02:30			
Sat	10:00	02:30	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	10:00	02:30			
			<p>To permit regulated entertainment as authorised hereunder from 10.00 to New Year's Eve - terminal hour as proposed being 02.30 on 2nd January.</p> <p>On the morning British Summer Time (BST) is applied the premises terminal hour will extend on that morning to 03:30hrs (BST).</p> <p>Subject to giving 7 days written notice to Durham Constabulary and Durham Licensing Authority and on not more than 15 occasions in any calendar year, the premises may be used for any of the licensable activities permitted by the licence during the times detailed in the notice, provided that Durham Constabulary do not exercise a veto against any proposal contained in the notice. The activities will be provided at varying time Monday – Sunday between 10:00hrs and 04:00hrs, with the premises close at 04:00hrs.</p>		

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	π
Day	Start	Finish		Outdoors	
Mon	10:00	02:30		Both	
Tue	10:00	02:30			
Wed	10:00	02:30			
Thur	10:00	02:30			
Fri	10:00	02:30			
Sat	10:00	02:30			
Sun	10:00	02:30			

Please give further details here (please read guidance note 3)

Live music in the form of amplified and/or unamplified musicians, singers, performers or DJs. Music generated by instruments or electronic means.

State any seasonal variations for the performance of live music (please read guidance note 4)

N/A – save as below

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)

To permit regulated entertainment as authorised hereunder from 10.00 to New Year's Eve - terminal hour as proposed being 02.30 on 2nd January.

On the morning British Summer Time (BST) is applied the premises terminal hour will extend on that morning to 03:30hrs (BST).

Subject to giving 7 days written notice to Durham Constabulary and Durham Licensing Authority and on not more than 15 occasions in any calendar year, the premises may be used for any of the licensable activities permitted by the licence during the times detailed in the notice, provided that Durham Constabulary do not exercise a veto against any proposal contained in the notice. The activities will be provided at varying time Monday – Sunday between 10:00hrs and 04:00hrs, with the premises close at 04:00hrs.

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	π
Day	Start	Finish		Outdoors	
Mon	10:00	02:30		Both	
Tue	10:00	02:30			
Wed	10:00	02:30			
Thur	10:00	02:30			
Fri	10:00	02:30			
Sat	10:00	02:30			
Sun	10:00	02:30			

Please give further details here (please read guidance note 3)

Recorded music curated by DJ or via house controlled PA system within the premises.

State any seasonal variations for playing recorded music (please read guidance note 4)

N/A – save as below

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)

To permit regulated entertainment as authorised hereunder from 10.00

			<p>to New Year's Eve - terminal hour as proposed being 02.30 on 2nd January.</p> <p>On the morning British Summer Time (BST) is applied the premises terminal hour will extend on that morning to 03:30hrs (BST).</p> <p>Subject to giving 7 days written notice to Durham Constabulary and Durham Licensing Authority and on not more than 15 occasions in any calendar year, the premises may be used for any of the licensable activities permitted by the licence during the times detailed in the notice, provided that Durham Constabulary do not exercise a veto against any proposal contained in the notice. The activities will be provided at varying time Monday - Sunday between 10:00hrs and 04:00hrs, with the premises close at 04:00hrs.</p>
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G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	π
Day	Start	Finish		Outdoors	
Mon	10:00	02:30	Please give further details here (please read guidance note 3) Displays of dance by performers or members of staff.	Both	
Tue	10:00	02:30			
Wed	10:00	02:30			
Thur	10:00	02:30			
Fri	10:00	02:30			
Sat	10:00	02:30			
Sun	10:00	02:30			
			State any seasonal variations for the performance of dance (please read guidance note 4) N/A – save as below		
			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
			To permit regulated entertainment as authorised hereunder from 10.00 to New Year's Eve - terminal hour as proposed being 02.30 on 2 nd January. On the morning British Summer Time (BST) is applied the premises terminal hour will extend on that morning to 03:30hrs (BST). Subject to giving 7 days written notice to Durham Constabulary and Durham Licensing Authority and on not more than 15 occasions in any calendar year, the premises may be used for any of the licensable activities permitted by the licence during the times detailed in the notice, provided that Durham Constabulary do not exercise a veto against any proposal contained in the notice. The activities will be provided at varying time Monday – Sunday between 10:00hrs and 04:00hrs, with the premises close at 04:00hrs.		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	π
Mon	10:00	02:30		Please give further details here (please read guidance note 3) Entertainment of a similar nature to live or recorded music or performance dance.	Outdoors
Tue	10:00	02:30	Both		
Wed	10:00	02:30			
Thur	10:00	02:30			
Fri	10:00	02:30			
Sat	10:00	02:30			
Sun	10:00	02:30			
			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) N/A – save as below		
			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		

			<p>To permit regulated entertainment as authorised hereunder from 10.00 to New Year's Eve - terminal hour as proposed being 02.30 on 2nd January.</p> <p>On the morning British Summer Time (BST) is applied the premises terminal hour will extend on that morning to 03:30hrs (BST).</p> <p>Subject to giving 7 days written notice to Durham Constabulary and Durham Licensing Authority and on not more than 15 occasions in any calendar year, the premises may be used for any of the licensable activities permitted by the licence during the times detailed in the notice, provided that Durham Constabulary do not exercise a veto against any proposal contained in the notice. The activities will be provided at varying time Monday - Sunday between 10:00hrs and 04:00hrs, with the premises close at 04:00hrs.</p>
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I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place Indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	02:30	Please give further details here (please read guidance note 3) To allow the provision of hot food and drinks for consumption on and off the premises at the manager's discretion and in the areas identified.	Both	<input type="checkbox"/>
Tue	23:00	02:30			
Wed	23:00	02:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	02:30		N/A - save as below	
Fri	23:00	02:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	02:30			
Sun	23:00	02:30	To permit regulated entertainment as authorised hereunder from 10.00 to New Year's Eve - terminal hour as proposed being 02.30 on 2 nd January. On the morning British Summer Time (BST) is applied the premises terminal hour will extend on that morning to 03:30hrs (BST). Subject to giving 7 days written notice to Durham Constabulary and Durham Licensing Authority and on not more than 15 occasions in any calendar year, the premises may be used for any of the licensable activities permitted by the licence during the times detailed in the notice, provided that Durham Constabulary do not exercise a veto against any proposal contained in the notice. The activities will be provided at varying time Monday - Sunday between 23:00hrs and 04:00hrs, with the premises close at 04:00hrs.		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	10:00	02:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	10:00	02:00			
Wed	10:00	02:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur	10:00	02:00			
Fri	10:00	02:00	To permit sale of alcohol as authorised hereunder from 10.00 to New Year's Eve - terminal hour as proposed being 02.00 on 2 nd January.		
Sat	10:00	02:00			
Sun	10:00	02:00	On the morning British Summer Time (BST) is applied the premises terminal hour will extend on that morning to 03:00hrs (BST). Subject to giving 7 days written notice to Durham Constabulary and Durham Licensing Authority and on not more than 15 occasions in any calendar year, the premises may be used for any of the licensable activities permitted by the licence during the times detailed in the notice, provided that Durham Constabulary do not exercise a veto against any proposal contained in the notice. The activities will be provided at varying time Monday - Sunday between 10:00hrs and 04:00hrs, with the premises close at 04:00hrs.		

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

Name: Gordon James Codona.....

Address:

.....

Postcode:

Personal Licence number (if known):

Issuing licensing authority (if known):

K

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

Gaming machines the use of which is not permitted by persons under the age of 18.

The premises will primarily trade as an adult venue aimed at young persons (over the age of 18) providing entertainment and refreshments, the atmosphere may not be appropriate for children at all times.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	02:30	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>The premises will close after the end of the non-standard timings specified in sections above.</p>
Tue	10:00	02:30	
Wed	10:00	02:30	
Thur	10:00	02:30	
Fri	10:00	02:30	
Sat	10:00	02:30	
Sun	10:00	02:30	

M

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

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

The steps which we have identified in relation to the four licensing objectives are listed below:

1. The Licensing Authority and Police shall be given seven (7) days' notice of events ending later than 02:30hrs.

2. All activities to be provided pursuant to the variation are to be limited to between 10:00hrs and 04:00hrs Monday to Sunday with the premises close at 04:00hrs.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below:

1. The Licence holder shall ensure that at all times when the premises are open for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence.
2. The Licence holder shall provide at the premises radio communication equipment to be operated in conjunction and in liaison with the local police service. Any radio communication system provided under this condition shall:-
 - a. Be capable of sending and receiving messages to and from the local police and other licensees, designated premises supervisors, door supervisors, managers and club operators incorporated into any joint and mutually beneficial scheme operating in the area.
 - b. Be maintained in good working order at all times when the premises are being used for a licensable activity.
 - c. Be activated, made available to and monitored by the Designated Premises supervisor or a responsible member of staff at all times when the premises are being used for a licensable activity.
3. The Designated Premises Supervisors or other responsible person, appointed by the DPS from time to time, having responsibility for monitoring radio communication system provided under the provisions of this condition shall comply with any reasonable instructions or directions received through the system from the police.
4. The Designated Premises Supervisor or other responsible person, appointed by the DPS from time to time, shall use the radio communication system provided under the provisions of this condition to notify and report any incident of crime and disorder to the police as soon as practically possible, in accordance with agreed protocols.
5. The Licence holder and Designated Premises Supervisor shall conduct a risk assessment for the general operation of the premises and in the case of individual bespoke events shall:-

At all times, deemed necessary by the said risk assessment, ensure an appropriate number of Door Supervisors (as defined in the Private Security Industry Act 2001) are on duty at a ratio of not less than 1 per 100 customers.
6. Such risk assessments shall be made available to the police as soon as practicable upon receipt of a formal written request.
7. The Licence holder and Designated Premises Supervisor shall ensure that where physical searching of patrons is to be undertaken, there is sufficient number of appropriately trained staff to carry out such searches regardless of whether patrons are male and female.
8. Door supervisors shall wear clothing of the same style, type and colour which may be appropriate to the nature of the venue, but which will ensure that they are clearly distinguished and identifiable as Door Supervisors having regard to the events and activities taking place at the licensed premises.
9. The Designated Premises supervisor or other responsible person, appointed by the DPS from time to time, shall ensure that on each day that Door supervisors are engaged for duty at the premises that their details (names and licence numbers) are recorded in an appropriate form and kept at the premises. In conjunction with this record, the designated Premises supervisor or other responsible person, appointed by the DPS from time to time, shall also keep a record of incidents. These records must be available for inspection by the police or Authorised Officer at all times when the premises are open.
10. No persons carrying open or sealed glass bottles shall be admitted to the premises at any time that the premises are open for any licensable activity, save when they have been purchased at the premises.
11. No patrons shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage except for consumption in the area immediately outside of the premises. This condition shall not apply to patrons who have purchased beverages for consumption at the premises with the express consent of the designated Premises Supervisor or responsible person so authorised to do so by the designated Premises Supervisor.

12. There should be no sale of alcoholic drinks for consumption off the premises on New Year's Eve/New Year's Day or when an event is taking place, subject to notice in writing being given to the Licensee for the Licensing Authority (In conjunction with the Durham Constabulary) at least seven days prior to the respective day(s).
13. The Licensee shall not advertise, promote, and sell or supply alcoholic drinks in such a way that is intended or likely to encourage persons to consume alcohol to an excessive extent.
14. A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of the Licensing Authority and in conjunction with the local Police. Such system shall:-
 - a. Be operated by properly trained staff,
 - b. Be in operation at all times that the premises are being used for a licensable activity save for periods of maintenance or repair,
 - c. Ensure coverage of all entrances and exits to the Licensed premises internally and externally,
 - d. Ensure coverage of such other areas as may be required by the Licensing Authority and the local police,
 - e. Provide continuous recording facilities for each camera to a good standard of clarity, save for periods of maintenance or repair. Such recording shall be retained for a period of 28 days, and shall be supplied to the Licensing Authority or Police on receipt of a request from the Authority for disclosure demonstrating an exemption to the first data protection principle as per the Data Protection Act 1998.
15. The premises will prepare a document detailing its entry procedures and policies - "the Entrance Policy". The Entrance Policy will be provided to Durham's Police Licensing section and a copy shall be lodged with the Licensing Authority. The premises shall operate in accordance with the same.

c) Public safety

No further risks have been identified which need to be addressed, save as below:

1. The maximum number of persons permitted on the premises at any one time shall not exceed a figure dictated by the premises' Fire Risk Assessment prepared and maintained in accordance with The Regulatory Reform (Fire Safety) Order 2005.
2. The Designated Premises Supervisor shall ensure that there are effective management arrangements in place to enable him/her to know how many persons there are in the premises at times prescribed within the management's risk assessment.
3. Safety checks including checks of exit doors must be carried out before the admission of the public. These must correspond with the risk assessment and the conditions of the licence.
4. Firefighting equipment shall be provided in the licensed premises in accordance with the risk assessment and staff shall be suitably trained as necessary.
5. At least one suitably trained first aider shall be on duty at all times when the public are present. Adequate and appropriate equipment and materials shall be provided for enabling first aid to be rendered to members of the public if they are injured or become ill whilst at the licensed premises.
6. Emergency lighting must be provided in accordance with BS5266 (current edition) or an equivalent standard approved by the Licensing Authority.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below:

1. The lobby doors at the premises must be kept closed after the hour of 20:00 except for access and egress.
2. Music played at the premises between 02:00 and 02:30 will gradually reduce in volume so as to create a 'wind down' period.
3. Lighting provided externally to promote advertising of the premises or activities associated with the premises shall not be of an intensity that would cause reasonable nuisance to neighbouring or adjoining properties.
4. Suitable ventilation and extraction systems shall be provided to eliminate noxious odours. Such systems must be maintained on a regular basis.
5. No glass or material or bottles shall be deposited in any skip bin or other container of a like nature, located in the open air outside of the premises, between the hours of 22:00 and 08:00 and any such skip, bin or container shall not be removed from the premises between those hours.
6. Clear and legible notices shall be displayed at exits and other circulatory areas requesting patrons to

leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting.

e) The protection of children from harm

No further risks have been identified which need to be addressed, save as below:

1. All members of staff at the premises including Door Supervisors shall seek "credible photographic proof of age evidence" from any persons who appears to be under the age of 18 years and who is seeking access to the premises or is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card saying a "PASS" logo.
2. Appropriate signage will be displayed in the immediate vicinity of any gaming or age sensitive product with the premises advising as to the relevant age restrictions. Such sensitive products will be situated in a position where they may be observed by members of staff and/or the installed CCTV system.

Please tick π Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- {Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships} I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Declaration	<ul style="list-style-type: none"> • {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)
--------------------	--

Signature: John Gaunt & Partners

Date: 16th April 2018

Capacity: Solicitors

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (Please read guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature:

Date:

Capacity:

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any)	0114 2668664
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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.

- 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.
3. Where taking place in a building or other structure please tick as appropriate (Indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. **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.
- 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 of 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.

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

Players, Durham – Premises licence application

Additional condition added by applicants following mediation with Local Safeguarding Children Board

- **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.**

Players, Durham – Premises licence application

Condition amended by applicants following mediation with Fire Safety Authority:

Original condition:

- The maximum number of persons permitted on the premises at any one time shall not exceed a figure dictated by the premises' Fire Risk Assessment prepared and maintained in accordance with The Regulatory Reform (Fire Safety) Order 2005.

Condition amended to the following:

- The maximum number of persons permitted on the premises at any one time shall not exceed a figure dictated by the premises' Fire Risk Assessment prepared and maintained in accordance with The Regulatory Reform (Fire Safety) Order 2005. **The FRA shall be available for inspection at the premises.**

APPENDIX 4 – REPRESENTATIONS

Karen Robson

From: Caroline Dickenson <
Sent: 21 May 2018 17:50
To: Karen Robson
Cc: Alcohol Harm Reduction Unit
Subject: Objection to players

To whom this may concern

Durham Constabulary are wishing to object to the application made by Players, Unit 3, Freeman Place, Walker gate on 16th April 2018

Durham Constabulary are objecting under the Public safety, The prevention of crime and disorder and the Prevention of public Nuisance

The applicant are requesting on no more than 15 occasions in any calendar year the premises can be used for any licensable activities permitted by the licence and are requesting a premises close time of 04:00hrs.

As per Durham County Council's statement of licencing policy 2014-2019 the recommended hours for the operation of licensable activities for licensed premises situated within the County of Durham are Weekdays Sunday – Thursday 07:00 to 00:00 and weekends Friday night into Saturday morning and Saturday night into Sunday morning are 07:00 to 01:00 plus an addition 1hr for Good Friday and for all other Bank holidays.

When consideration was made for appropriate times for the policy framework hours, Durham County Council Licensing Authority had regard to concerns expressed by residents, the licensed trade and the responsible authorities which included Durham Constabulary

The applicant has applied for 2am for the sale of alcohol with all other licenced activity being 02:30am, these hours already sit outside of the councils policy however, other licenced premises within the immediate vicinity have these closing times so there is no objection in regards to this from Durham Constabulary.

There is however an objection to 15 occasions whereby they can apply to be open until 4:00am. There is the TEN's process whereby they could apply for additional hours, however the applicants state due to the restraints on a TEN's being 499 this would not be a viable option. Durham Constabulary take the view that other premises within the vicinity of Players also have capacity levels of over 499 and use the TEN's process if they require extra hours.

In extending the hours that the patrons can consume alcohol, the propensity for drunkenness and alcohol fuelled violence will increase accordingly. Incidents of violent assaults occur on a weekend in Durham and this is primarily due to the fact that premises operate their longer opening hours during this time. In extending the hours further the patrons will consume more alcohol and the effects of excessive consumption will have an adverse effect on the quality of lives of those in the areas and clearly by allowing an extra 15 occasions will have an adverse effect on the Crime and Disorder, and Public Nuisance objectives.

In relation to Door staff Durham Constabulary are wanting the following condition to ensure promotion of the licencing objective

A minimum of 2 SIA door staff to start at 18:00hrs on a Friday and Saturday and any student night held.

An additional 2 SIA door staff to start at 21:00hrs Friday and Saturday and any student night held.

At all times, deemed necessary by the said risk assessment, ensure an appropriate number of door supervisors (as defined in the private security industry act 2001) are on duty at a ratio of not less 1 per 100 customers or part of.

The applicant are wanting to apply the following condition

2 SIA door supervisors shall be deployed from 6pm, rising to 4 by 10pm on Saturday evenings.

1 SIA door supervisor shall be deployed from 6pm, rising to 3 by 10pm on Friday evening an any 'Student Event' night."

At all times, deemed necessary by the said risk assessment, ensure an appropriate number of Door Supervisors (as defined in the Private Security Industry Act 2001) are on duty at a ratio of not less 1 per 100 customers of part thereof.

Durham Constabulary are currently not in agreement with the proposal made by the applicant for the door staff provision, however we do hope to mediate this and come to an agreement.

Thankyou

Caroline Dickenson
PS 484
Harm Reduction Unit
Darlington
Durham Constabulary
Airwave:
Email:
Direct dial
Durham Police: 101

If you are deaf, hard of hearing or speech impaired you can textphone 18001 101.

Delivering excellent policing inspiring confidence in victims and our communities by:

Protecting Neighbourhoods

Tackling Criminals

Solving Problems

Around the Clock

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NEIGHBOURHOOD POLICING: Use your postcode to get access to local news and events from your Neighbourhood Policing Team, at <https://www.durham.police.uk>

This email carries a disclaimer, a copy of which may be read at <https://www.durham.police.uk/Pages/E-Mail%20and%20SMS%20Text%20Disclaimer.aspx>

Yvonne Raine

From: Chris Plummer
Sent: 16 May 2018 07:17
To: AHS Licensing
Subject: Comment on Licensing Application - Innspired Leisure (Durham) Limited - Players

Dear Sir/Madam, I'd like to comment on the above application which reads

New premises licence application

Films (indoors) Monday to Sunday 10.00am to 2.30am, 36 hours opening on New Year's Eve. Extend to 3.30am for BST 15 occasions a year extend hours to 4am but must give written notice 7 days in advance to Licensing Authority and the Police

Live music Monday to Sunday 10.00am to 2.30am, 36 hours opening on New Year's Eve, Extend to 3.30am for BST 15 occasions a year extend hours to 4am but must give written notice 7 days in advance to Licensing Authority and the Police

Recorded music Monday to Sunday 10.00am to 2.30am, 36 hours opening on New Year's Eve, Extend to 3.30am for BST 15 occasions a year extend hours to 4am but must give written notice 7 days in advance to Licensing Authority and the Police

Performance of dance Monday to Sunday 10.00am to 2.30am, 36 hours opening on New Year's Eve, Extend to 3.30am for BST 15 occasions a year extend hours to 4am but must give written notice 7 days in advance to Licensing Authority and the Police

Anything of a similar description to live, recorded music and dancing Monday to Sunday 10.00am to 2.30am, 36 hours opening on New Year's Eve. Extend to 3.30am for BST 15 occasions a year extend hours to 4am but must give written notice 7 days in advance to Licensing Authority and the Police

Late night refreshment Monday to Sunday 11.00pm to 2.30am, 36 hours opening on New Year's Eve, Extend to 3.30am for BST 15 occasions a year extend hours to 4am but must give written notice 7 days in advance to Licensing Authority and the Police

Sale of alcohol (on and off the premises) Monday to Sunday 10.00am to 2.00am, 36 hours opening on New Year's Eve, Extend to 3.30am for BST, 15 occasions a year extend hours to 4am but must give written notice 7 days in advance to Licensing Authority and the Police

We live just further across the river in Sidegate, and were regularly disturbed by noises from Walkergate. The closing of Love Shack and Mesoula has reduced this happening. The valley acts as a conduit for noise, and as you know, this valley contains many residents. The re-opening of Love Shack, and the plans above, mean this menace is likely to come back.

Being disturbed until 4.00 in the morning is completely unacceptable. The noise, particularly from music, travels very well along the valley and will disturb my family and other residents as it has in the past

Durham is, first and foremost, a residential city, and businesses need to take account of that when locating here.

The combination of live music, volume of customers and additional movements in and around Walkergate means the noise disturbance will be worse than ever.

My second point is that the increased volume of students coming to the city is creating a problem in itself;

1. They create an enormous noise moving around the walkergate/milburngate bridge area at 2 in the morning, every Wednesday and Saturday Night. This will now extend to 4
2. There is a really a safety angle to all this. The growth of late night drinking, particularly amongst students, has already cost a number of deaths. We should not be encouraging this, in my view.

Given the above, I'd like to see standard licensing hours for the Riverside/Valley area on both sides of 11.00 close, with very few exceptions.

Best wishes

Chris

Chris Plummer

M: -

T: +

email

Yvonne Raine

From: Chris Plummer
Sent: 17 May 2018 08:51
To: Yvonne Raine
Cc: John Lowe
Subject: RE: Comment on Licensing Application - Innspired Leisure (Durham) Limited - Players

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Yvonne, thanks for your responses to my comments. I'd like to comment further on the operating schedule. Do you have a Word copy of this document please as that would make it so much easier.

I've copied John, who is chair of our residents association.

In brief, and regarding the four issues involved

- **The Prevention of Crime and Disorder**

We are shortly to have 21,000 students (based on DU expansion plans) and there will be fierce competition for their custom. We have already sadly seen a death due to too many people being in a very confined space (Walkergate) and there will be drinks promotions to attract custom.

the proprietor should agree to limit prices to a minimum cost (like Scotland) to avoid this.

However, in our small city, there isn't room in Walkergate to accommodate the thousands of students to go there every Weds and Saturday

- **Public Safety**

As above. Walkergate is massively busy without the Love Shack site re-opening as a night club.

What is the limit on people in the building?

It doesn't consider Walkergate itself. It is far to tight to accommodate the number of students (and others) that will want to use this facility. A night club is not the right use for this location due to the safety issues. Do we want more deaths?

- **The Prevention of Public Nuisance**

The operating schedule is hopelessly inadequate in a residential area.

Who will police the doors being kept closed. At busy periods and in the summer, they are likely to be open for large periods

What are the legal limits for noise coming from such establishments? Is there a cummualtive limit for all noise coming from Walkergate? It is worth noting that the noise of the crowds alone until 2.00 is disturbing in itself. The students and other users show no restraints and shouting continues well after closing time, whenever that is.

A wind down period starting at 2.00 a.m. for noise is unacceptable. Residents, many of whom are getting on in years are mostly in bed by 11.00. there should be no external noise from Walkergate establishments, beyond the legal limits (if existing) after 11.00. Any wind down period should end, in extremis at 11.30

Point 6 is a joke, who polices this. It just can't happen

Establishments in residential areas should close at 11.00 and the volume of customers to the Walkergate area after 11.00 is huge now, and will only produce more noise if this application goes ahead

How is all this noise and disturbance going to be controlled, including when patrons have left the venues?

- The Protection of Children from Harm

Taking children in the widest term, the City has a duty of care to all students, and over the last few years has failed dismally in this regard with several awful deaths, on in Walkergate. The whole Student culture in Durham needs to be toned down, particularly that based on Alcohol. This venue will be doing its best to attract as many students as possible and mayhem and worse will ensue.

Finally, what time of day is the hearing? I work full time, so won't be able to attend 9-5. However, if it is during these ours I'd like to make a statement to be read out to the hearing. Can this be done?

Many thanks for your help, and I look forward to your reply

Chris

Chris Plummer

M:

T:

Yvonne Raine

From: J METSON
Sent: 20 May 2018 22:49
To: AHS Licensing
Subject: Licensing application by Innspired Leisure for Unit 3, Freeman's Place, Walkergate, Durham

Categories: Yvonne, Karen

Dear Sir/Madam

I write on behalf of Sidegate Residents' Association to object in the strongest terms to the above licensing application. In Sidegate we are well within earshot of Freeman's Place, as are many other residents of Durham city centre, and we feel we suffer quite enough disturbance from that part of town as it is. We particularly object to the application to play music and sell alcohol until 2.30am six days a week, and until 4.00am 15 times a year.

Yours faithfully

John Metson

Sidegate, Durham DH1 5SY

Honorary Secretary: Janet George

Email:

17th May 2018

Valerie Craig
Senior Licensing Officer
Environment, Health & Consumer Protection
Adult and Health Services
Durham County Council
Annand House
Meadowfield
Durham
DH7 8RS

**New Premises licence application Innspired Leisure (Durham) Limited
Players Unit 3 Freemans Place Walkergate Durham DH1 1SQ**

I am writing on behalf of the St Nicholas' Community Forum (SNCF), a voluntary grouping of residents of the St Nicholas Ward of Durham City.

The objects of SNCF are essentially to promote community awareness and quality of life in our area. The Forum has a formal constitution and elects its officers at an Annual General Meeting.

At our monthly meeting held on 8th May 2018, we discussed the above application and wish to offer the following comments.

We wish to enter an objection to sections 1-7 of the above licence application. We are aware that the matter can only be considered by the Committee in line with the 4 Licensing objectives set out in the Authority's Licensing Policy 2003.

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.

This objection is made without the benefit of legal advice. It seeks to make the Committee aware of the likely impact of granting this licence on the local community and the local economy.

We note that the hours in the current application are - with one exception - those operated by the previous premise occupant. We hope the Authority's decision making is not constrained by this fact but that the hours and operating schedule can be considered on their own merit taking into account prevailing circumstances.

WE WISH TO OBJECT to the 2 00am closing time applied for the sale of alcohol on and off the premises.

We **STRONGLY OBJECT** to the extension to 4am on 15 occasions per year for all 7 sections of the application.

Our objection is made on made on the basis of

1. The applications details as listed on the Authority website
2. The local community around the premises
3. The nature of the business proposed as evidenced by Players in other cities
4. Impact on the local community
5. Public resources available to monitor and regulate the operation of the licence

We note that in the Introduction to its Licensing policy the Authority says para. 2.5 **In adopting this Licensing Policy, the Licensing Authority recognises that residents need to live and work in a safe and healthy environment. Also, that it is important licensed premises are safe and well run and that they add to both the local economy and vibrancy of the County. The Licensing Authority's aim is to facilitate well managed premises and to support licence holders displaying sensitivity to the impact of their premises on local residents.**

We believe that this application will compromise a 'safe and healthy environment' for residents; it will not 'add to the local economy' , indeed it risks an adverse effect on the local economy and by its very nature will have a negative 'impact on local residents'. We will enter a detailed explanation of our objection as soon as possible.

Yours sincerely

St Nicholas' Community Forum

Janet George
Hon. Sec.

Honorary Secretary: Janet George
Email

20th May 2018

Yvonne Raine
Senior Licensing Officer
Environment, Health & Consumer Protection
Adult and Health Services
Durham County Council
Annand House
Meadowfield
Durham
DH7 8RS

New Premises licence application Innspired Leisure (Durham) Limited
Players Unit 3 Freemans Place Walkergate Durham DH1 1SQ

Dear Ms Raine

Please find further comment regarding the St Nicholas' Community Forum objection to the application above.

First of all, the impact to the community of another large drinking and music establishment requesting to open to 2.00 am and 4.00 am on 15 occasions. I attach a noise log kept by one resident in one part of the city for two months. You will see that there is regular loud and distressing noise disturbance both when revellers walk (or use taxis) into Walkergate for the night (both from student houses, large groups from student PBSA's and locals walking down) and return home. This noise does not just happen once but throughout the night many nights a week and should you make contact with the other residents' associations in the City they will confirm to you that this experience is replicated across all parts of the City. Residents, who have to go to work the next day or have children trying to sleep and who are young or need a clear head for school find this hugely difficult, some resorting to sleeping on camp beds and one even in the bathroom.

The noise has been reported in the local paper, to the University, the Council and the Police. The only response to date has been from the Council confirming that street noise is not their remit. To allow yet more night time drinking until very late is to fail the people who live in the City. While the committee may say they are only concerned with inside the establishment they need to consider the actual impact that happens outside. It is unfair to the community that an organisation is able to run a place like this and take no heed of the consequences to others.

Secondly, to have another drinking establishment is to further unbalance the city centre. There is already a glut of the same and little else to be useful or attractive to visitors, families and those who do not want a nightclub experience. Projecting ahead

it appears that most of the Milburngate area will also be night time drinking. The City would do well to offer more imaginative and attractive alternatives to the many who do not wish to spend an evening in a place of very loud music and heavy drinking.

I refer you to the monthly Police and Communities Together reports. Virtually every month, particularly during term times there are multiple incidents of anti-social behaviour and anti-social behaviour orders issued. Much police time is spent on this which would be better served elsewhere and is funded by resident council tax and not the establishments selling alcohol and entertainment.

Worse still than the unbalanced community is the harm that has happened there to date and Walkergate is once again in the news this week for a club doorman having his head 'kicked like a football' and requiring hospitalisation (Durham Times 18th May 2018). This area of Durham has reached saturation point and our local MP has grave concerns regarding the safety of the area which need to be considered.

Adding a further late night place to drink most certainly unbalances the local community, causes constant disruption and distress to residents, does not contribute to the local economy but rather the organisations running them, further deteriorates the image of Durham City as a pleasant place to spend an evening (Walkergate recently described to me by a 30 year old as 'scummy'), is not a place of safety and misses the opportunity to make the venue an interesting and more attractive place to visit by all.

Yours sincerely
St Nicholas' Community Forum

Janet George
Hon. Sec.

Student noise – Bakehouse Lane, Durham – log Jan 18 – March 18

- We recorded any disturbance after 11pm, which either woke us up or was what we considered loud enough to be anti-social.
- We have inevitably missed some instances as it has been quite difficult to keep up with the number of times we were woken up or disturbed.
- When the time is 02:00am I have recorded this as the day and date before, not the actual date.
- I have recorded facts only at all times.
- **Please note - since term ended – no noise and finally a full night’s sleep.**

No	Date	Time	Description
1	Wed 17 th Jan	02:15; 02:20; 02:30	Woken up by students from Mayorswell Street (got up and followed footprints in the snow!)
2	Fri 19 th Jan	12:10	About 15 students coming out of Kepier Court shouting – going into town
3	Fri 19 th Jan	12:30	Fireworks from somewhere, and also more students coming out of Kepier Court screaming and shouting, going into town
4	Fri 19 th Jan	02:20	Female students walking up Bakehouse Lane screaming etc
5	Wed 24 th Jan	11:30	Students passing along Bakehouse Lane screaming and shouting
6	Fri 9 th Feb	00:45	A group of about 7 students passing, shouting etc
7	Sun 11 th Feb	00:45	Students arriving home in car with music banging, woke us up (these are from Mayorswell Street and they disturb us on a regular basis)
8	Wed 14 th Feb	11:00	4 male students with raised voices – asked them to keep it down – they went into Mayorswell Street
9	Wed 14 th Feb	11:27	Fireworks from Kepier Court
10	Thurs 15 th Feb	12:00am	Fireworks from Kepier Court, and a big group leaving to go out. I went out to ask them to keep it down and they said they didn't know about the 11pm curfew. Noise continued – party inside and people leaving – rang 101 and reported, Police said they had already been out that night to Kepier Court
11	Fri 16 th Feb	11:24	Huge group leaving Kepier Court making a

			massive amount of noise
12	Fri 16 th Feb	11:28	Another group leaving Kepier Court screaming and shouting
13	Fri 16 th Feb	11:31	Another group leaving Kepier Court screaming and shouting
14	Sat 17 th Feb	11:47	Group shouting on Bakehouse Lane – I shouted out of window to keep it down and they apologised
15	Sat 17 th Feb	11:50	20+ students leaving Kepier Court towards town, screaming and shouting
16	Mon 19 th Feb	01:45	Group passing along Bakehouse Lane shouting
17	Sat 24 th Feb	01:30	Group coming back from town along Bakehouse Lane shouting
18	Wed 28 th Feb	11:15	Group of about 15 students coming out of Kepier Court towards town, screaming and shouting
19	Fri 2 nd March	After 11pm – late	Several instances of students passing along Bakehouse Lane and leaving Kepier Court, lots of screaming and shouting
20	Mon 4 th March	11:23	Students arriving back in Black Mercedes music blasting, raised voices, went into Mayorswell Street
21	Tues 5 th March	01:27	Four students singing passing along Bakehouse Lane out of town
22	Wed 7 th March	02:19	Group of students passing along Bakehouse Lane from town shouting
23	Fri 9 th March	02:30	General shouting in the street
24	Fri 9 th March	02:40	General shouting in the street
25	Sat 10 th March	00:20	20 or so students leaving Kepier Court into town screaming and shouting
26	Thurs 15 th March	01:30	Screaming and shouting along the street
27	Thurs 15 th March	02:30	More screaming and shouting in the street
28	Thurs 15 th March	03:00	More screaming and shouting in the street

APPENDIX 4

Players, Durham – Premises licence application

Additional information received from St Nicholas Community Forum

St Nicholas Community Forum

Honorary Secretary: Janet George

Email:

Valerie Craig
Senior Licensing Officer
Environment, Health & Consumer Protection
Adult and Health Services
Durham County Council
Annand House
Meadowfield
Durham
DH7 8RS

New Premises licence application Innspired Leisure (Durham) Limited Players Unit 3 Freemans Place Walkergate Durham DH1 1SQ

I am writing on behalf of the St Nicholas' Community Forum (SNCF), a voluntary grouping of residents of the St Nicholas Ward of Durham City. The objects of SNCF are essentially to promote community awareness and quality of life in our area. The Forum has a formal constitution and elects its officers at an Annual General Meeting.

Objection to the Application by Innspired Leisure for Players Unit 3 Walkergate Durham City.

The local community

The premises sit in a designated leisure corner of the city centre. This is deceptive. Close by are 2 large blocks of flats, one immediately adjacent and one 200 yards away. Across the road most of the shops and food outlets have flats above and just around the corner the County Council is about to close a deal for the development of a new hotel. Next door to that 450+ student and visitor rooms are due to open early next year. Next to that building is a block of retirement flats. This leads to the entirely residential area of Claypath and Lower Gilesgate. Directly across the river from the premise there are plans for another much needed hotel.

Durham is very fortunate to have the World Heritage Site at its heart. While this helps boost the City's role in tourism there is a need to boost the numbers of visitors who stay overnight. Bodies such as Visit County Durham and the Business Improvement District are working very hard to promote this.

Local residents' groups are all concerned that visitors who come and stay overnight will not be put off returning to the city by the scenes which are common in Millenium Place in the late evening. Noise in the early hours risks undoing all the work being put into making the city work better for everyone.

While we support bars, pubs and restaurants that genuinely add to the local economy we feel that this application does not show that this is the case with Players.

General comments. on the application.

1 There is a lack of clarity about what is being permitted under the heading *Performance of dance and ANY similar entertainment*. If this includes professional dancers (eg pole, tabletop, laptop etc) etc are the necessary measures in place for their safe working conditions?

2 If the Committee is unable to take into account any representations as to the new licence's addition to the Cumulative Impact of the so called Night time Economy on the residents of the City Centre we respectfully request that no weight be given to comments about the business which previously occupied the premises under broadly similar hours and terms.

Comments on the Operating Schedule

We strongly object to any extensions beyond 2 30. However if the license is granted we request that the notice of late ending of events be amended by this addition after 02 30hrs

"and similar notice shall be given on the public notice board in Millenium Place."

This is so that local residents can make alternative sleeping arrangements as they already do on Wednesday, Friday and Saturday nights due to post 2 30 am noise. With 4am closure there will be 15 nights a year (probably concentrated to University terms) when residents will get no sleep at all with shouting and taxis noise on Claypath and Lower Gilesgate going on until the early hours.

b. Prevention of crime and disorder

para 5. We believe that Door Supervisors should be on duty at a ratio of 2 for the first hundred. This is to avoid one Supervisor needing to deal with an emergency among 100 patrons on his/her own. The Walkergate environment with steps, balconies and irregular spaces poses particular constraints on supervision and action.

para 10. Having witnessed police officers confiscating bottles of alcohol from patrons waiting to enter we think this should include a prohibition on queuing as well as admittance.

para 13. We wish to draw the Committee's attention to websites for Players in places like Leeds, Birmingham, Newcastle and many other towns, particularly ones with large student populations. We appreciate that each application has to be judged in its own terms. However it seems very unlikely that this premise will not target young people in the same way by cheap drink offers attached to student promotional nights advertised on line. It will be especially undesirable if these are part of the extended hours schedule. We hope that students away from home for the first time, many in a foreign country, can expect the closest scrutiny of businesses like this to safeguard their health and security.

d. The prevention of public nuisance.

para 2 makes no reference to the timing of volume reduction on the late extension nights. As a minimum music should be turned off and no drinks sold for a specified period - say one hour - before closing time.

Overall, this section limits itself to the physical attributes of the building and operation of the business.

However the business wouldn't exist without its customers and they are therefore an integral part of its operation. Ejecting drunken, noisy and often argumentative individuals into the local community surely warrants as much thought and careful organisation as dealing with noxious odours. Both are a public nuisance .

Apart from notices and turning down the music there is no indication of effective strategies to deal with this problem. On this ground alone we think the application should be rejected.

Finally, we note that in the Introduction to its Licensing policy the Authority says

para. 2.5 In adopting this Licensing Policy, the Licensing Authority recognises that residents need to live and work in a safe and healthy environment. Also, that it is important licensed premises are safe and well run and that they add to both the local economy and vibrancy of the County. The Licensing Authority's aim is to facilitate well managed premises and to support licence holders displaying sensitivity to the impact of their premises on local residents.

We believe that this application will compromise a 'safe and healthy environment' for residents; it will not 'add to the local economy' , indeed it risks an adverse effect on the local economy and by its very nature will have a 'negative impact on local residents'.

We thank the Committee for considering our objection.

Yours faithfully

Esther Ashby

APPENDIX 5 – RESPONSES FROM RESPONSIBLE AUTHORITIES

Valerie Craig

From: Martin Scott
Sent: 18 April 2018 10:15
To: Valerie Craig
Subject: Players, Unit 3. Freemans Place, Durham.

Dear Valerie

Thank you for consulting the Nuisance Action Team , regarding the New Premises License for:

Players, Unit 3. Freemans Place, Durham.

Dated: 17th, April, 2018.

I have no representations to make regarding the application.

Regards

Mr M Scott
Senior Environmental Health Officer
Adult and Health Services

Contact: Allan Fenwick
Direct Tel: 03000
Fax:
email: planning@durham.gov.uk
Your ref:
Our ref: CON28/18/00900



Durham County Council
Environment, Health and Consumer Protection
Annand House
John Street North
Meadowfield
County Durham
DH7 8RS

27/04/2018

For the Attention of Ms V Craig

Proposed Development Premises Licence
Location: Unit 3, Freemans Place, Durham City, County Durham,
DH1 1SQ

I write further to your recent correspondence submitted to and received by the Local Planning Authority on 17 April 2018 in respect of the above development.

As requested and based upon the information provided, I can confirm the Local Planning Authority offers no objection to the *Application for a Premises Licence* as legislated under the *Licensing Act 2003* given the premises relates to an established *Drinking Establishment* within the designated *Conservation Area of Durham City Centre*.

Please note the information provided within this correspondence contains informal officer advice made for guidance purposes only and cannot prejudice any future decision of the Local Planning Authority.

I trust this information is of value, however, should you require any further information please do not hesitate to contact me direct.

Yours faithfully

Allan Fenwick
Planning Services

Regeneration and Local Services

Durham County Council, Central and East, Room 4/86-102, County Hall, Durham, DH1 5UL
Main Telephone: 03000 262 830

**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.

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.

10.0 Protection of Children from Harm

10.1 While the Act does not prohibit children from having free access to any licensed premises, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from physical, moral or psychological harm and the effects of alcohol on parenting.

10.2 The Act makes it an offence for any child under the age of 16 who is not accompanied by an adult from being present:

- At any time on pub premises, or other premises being used exclusively or primarily for the supply of alcohol for consumption on those premises; or
- Between the hours of midnight and 05:00 hours on restaurant premises or other premises that supply alcohol for consumption on the premises
- The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises where it is necessary to prevent physical, moral or psychological harm.

10.3 The Licensing Authority may consider the following when dealing with a licence application where children may have limited access:

- Limitations on the hours when children may be present.
- Limitations on under 18s
- Limitations or exclusion when certain activities are taking place.
- Requirements for an accompanying adult to be present.
- Full exclusion of people under 18 from the premises when certain licensable activities are taking place (e.g. entertainment of a sexual nature).
- Limitations on the parts of premises to which children might be given access.
- Any other limitations appropriate to the application and according with the four licensing objectives.

10.4 The Licensing Authority will work closely with the Police and the Council's Trading Standards service to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children. Alcohol must not be served to persons under the age of 18, except in limited circumstances allowed by the law, and then only after verifying a person's proof of age e.g. 16 and 17 year-olds may drink beer, wine or cider with a table meal in relevant premises, where accompanied by an adult aged 18 years or over. The currently accepted verifications for proof of age are a passport, a photo card driving licence or a proof of age scheme such as Challenge 25.

10.5 The Licensing Authority is aware of young persons' vulnerability to alcohol and events which are aimed at children under the age of 18 years on licensed premises will not be supported by the licensing authority unless the applicant can demonstrate that all safeguards for children have been addressed such as the removal of alcohol advertising.

10.6 The Licensing Authority, Durham Constabulary Alcohol Harm Reduction Unit and the Local Safeguarding Children Board have produced a "good practice guide" for an event catering for under-18's and mixed events of under and over 18's. This

guide is highly recommended by the Licensing Authority and should be adhered to by licence holders and event organisers.

10.7 Recorded staff training programmes, the use of a refusals register, in-store signage and limited access to alcoholic drink can all reduce the likelihood of illegal sales and proxy sales and are to be encouraged.

10.8 The Licensing Authority commends the use of the 'Portman Group' Code of Practice on the naming, packaging and the promotion of alcoholic drinks in all licensed premises.

10.9 Access to Cinemas: In the case of premises requiring an licence to show films, applicants should include in the operating schedule arrangements for restricting access only to those children who meet the required age limit, in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Local Authority.

10.10 The Act provides that it is mandatory for Licensing Authorities to include a condition in all premises licences and club certificates authorising the exhibition of film, for the admission of children to the exhibition of any film to be restricted in accordance with the recommendations given to films either by the British Board of Film Classification or by the Licensing Authority itself.

10.11 Should the Licensing Authority need to adopt its own system of film classification the information regarding such classifications will be published on the Local Authority's website.

10.12 Children and Public Entertainment: Many children go to see and / or take part in an entertainment arranged especially for them. For example, children's film shows and dance or drama school productions, and additional arrangements may be required to safeguard them while at the premises.

10.13 Where entertainment requiring a Licence is specifically presented for children, the Licensing Authority will normally expect the presence of at least one member of staff from the Licensed premises for every 50 children present to ensure their safety and protection from harm and to control their access and egress from the premises. The Council will require those caring for or supervising children to have undergone an appropriate Criminal Record check with the Disclosure and Barring Service.

10.14 With regard to this Licensing Objective, the Licensing Authority considers Durham County Council Safeguarding Children Board to be the competent authority for matters relating to the protection of children from harm. A protocol exists between Durham Local Safeguarding Children Board and Durham Constabulary. All safeguarding concerns identified as a result of premises, personal applications and all variations to licences are covered by this protocol.

10.15 Applicants are advised to seek advice from the Local Safeguarding Children Board and incorporate any recommendations in their Operating Schedule before submitting their applications

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

Category of Premise	Weekdays (Sunday to Thursday)	Weekends (Friday night into Saturday morning and Saturday night into Sunday morning)	Bank Holidays
For premises licences and club premises certificates authorising the sale or supply of alcohol for consumption on or off the premises	07.00 to 00.00	07.00 to 01.00	Good Friday Plus 1 Hour For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday (i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).
For licences not including the sale or supply of alcohol	07.00 to 23.30	07.00 to 00.30	Good Friday Plus 1 Hour For all other bank holidays, an additional hour be added to the terminal hour of the day preceding the bank holiday (i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).
For licences not including the sale or supply of alcohol (community centres, village halls)	07.00 to 00.00	07.00 to 01.00	Good Friday Plus 1 Hour For all other bank holidays, an additional hour be added to the terminal hour of

			<p>the day preceding the bank holiday</p> <p>(i.e. if the Monday is the bank holiday, the Sunday is normal trading plus 1 hour).</p>
<p>For licences authorising late night refreshment as the primary licensable activity (takeaways)</p>	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

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

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.

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.

Protection of children from harm

- 2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
 - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - it is known that unaccompanied children have been allowed access;
 - there is a known association with drug taking or dealing; or
 - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible

authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

- 2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
 - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.
- 2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

- 2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

- 2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

Table of relevant offences under the 2003 Act

Section	Offence	Prosecuting Authority
Section 145	Unaccompanied children prohibited from certain premises	Police and/or Licensing Authority
Section 146	Sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147	Allowing the sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147A	Persistently selling alcohol to children	Police and/or Local Weights and Measures Authority
Section 149	Purchase of alcohol by or on behalf of children	Police and/or Licensing Authority
Section 150	Consumption of alcohol by children	Police and/or Licensing Authority
Section 151	Delivering alcohol to children	Police and/or Licensing Authority
Section 152	Sending a child to obtain alcohol	Police and/or Licensing Authority
Section 153	Prohibition of unsupervised sales by children	Police and/or Licensing Authority