

Statutory Licensing Sub-Committee

7th September 2018

Application to Vary a Premises Licence



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

**Name and Address of Premises: The Cornerhouse, 1 High Street,
Sedgefield TS21 2AU**

1. Summary

The Sub-Committee is asked to consider and determine the application from The Pickled Parson of Sedgefield Limited for the variation of a premises licence for:

The Cornerhouse
1 High Street
Sedgefield
TS21 2AU

A plan showing the location of the premises is attached at Appendix 1.

2. Details of the Application

The application to vary the premises licence was received by the Licensing Authority on 18th July 2018.

The application is to request a variation to the premises licence as follows:

- To add the Provision of Films as a licensable activity both indoors and outdoors from 10.00 am until midnight, with no more than 12 outdoor Films per year
- To update the premises plan attached to the licence.

A copy of the variation application and plan are attached at Appendix 2.

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

The premises are currently licensed to permit the following licensable activities:

Existing Premises Licence Activities and Permitted Hours
Opening hours of the premises: Monday to Sunday: 10:00 – 00:30 hrs. Bank Holidays, Saints' days and seasonal timings (as per licence): Closing time extended by 1 hour
Sale of Alcohol (consumption on and off the premises): Monday to Sunday: 10:00 – 00:00 hrs. Bank Holidays, Saints' days and seasonal timings (as per licence): Extended by 1 hour
Live Music, Recorded Music and Similar Entertainment to Live & Recorded Music (all Indoors): Monday to Sunday: 10:00 – 00:00 hrs. Bank Holidays, Saints' days and seasonal timings (as per licence): Extended by 1 hour
Late Night Refreshment (Indoors): Monday to Sunday: 23:00 – 00:00 hrs. Bank Holidays, Saints' days and seasonal timings (as per licence): Extended by 1 hour

The applicant has proposed additional conditions and steps that they intend to take in order to promote the four licensing objectives, which are outlined within the application form at Section 16.

A copy of the existing premises licence plan is attached as Appendix 3 for information.

3. The Representations

The Licensing Authority received seventeen representations during the consultation period.

One of these is from a Responsible Authority, namely Environmental Health and the remainder are from Other Persons.

One of the Other Persons who made a representation has now withdrawn their objection after receiving clarification of the details of the variation application.

The remaining sixteen representations for consideration relate to the following licensing objectives:

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

The representations are from the following persons:

- Ms Susan Gallimore, Senior Public Protection Officer, Environmental Health Authority (Responsible Authority)
- Rev M King & Mrs A King (Other Persons)
- Ms P Buckley (Other Person)
- Ms Kate Stanley & Mr Richard Stanley (Other Persons)
- Mr M Carr (Other Person)
- Prof W R Garside (Other Person)
- Mrs G Bowman (Other Person)
- Mrs M Hood (Other Person)
- Mrs P Swindale (Other Person)
- Sedgefield Town Council (Other Persons)
- Mrs E Williams (Other Person)
- Mr B Watson (Other Person)
- Mr A Heath (Other Person)
- Ms L Dexter (Other Person)
- Mrs S Wright & Mr G Wright (Other Persons)
- Councillor John Robinson (Other Person)

Copies of the representations are attached at Appendix 4.

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

- Durham Constabulary
- Planning Authority
- Durham Local Safeguarding Children Board
- Fire Safety Authority

A copy of these responses are attached as Appendix 5 for information only.

4. Parties

The Parties to the hearing will be:

- The Pickled Parson of Sedgefield Limited (Applicants / Licence Holder)
- Ms Susan Gallimore, Senior Public Protection Officer, Environmental Health Authority (Responsible Authority)
- Rev M King & Mrs A King (Other Persons)
- Ms P Buckley (Other Person)
- Ms Kate Stanley & Mr Richard Stanley (Other Persons)
- Mr M Carr (Other Person)
- Prof W R Garside (Other Person)
- Mrs G Bowman (Other Person)
- Mrs M Hood (Other Person)
- Mrs P Swindale (Other Person)

- Sedgefield Town Council (Other Persons)
- Mrs E Williams (Other Person)
- Mr B Watson (Other Person)
- Mr A Heath (Other Person)
- Ms L Dexter (Other Person)
- Mrs S Wright & Mr G Wright (Other Persons)
- Councillor John Robinson (Other Person)

5. Durham County Council Statement of Licensing Policy

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

- 7.0 The Prevention of Crime and Disorder
- 8.0 Public Safety
- 9.0 The Prevention of Public Nuisance
- 10.0 The 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
- 2.7 - 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 variation application in light of the representations received.

Background Papers:

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

Contact: Yvonne Raine

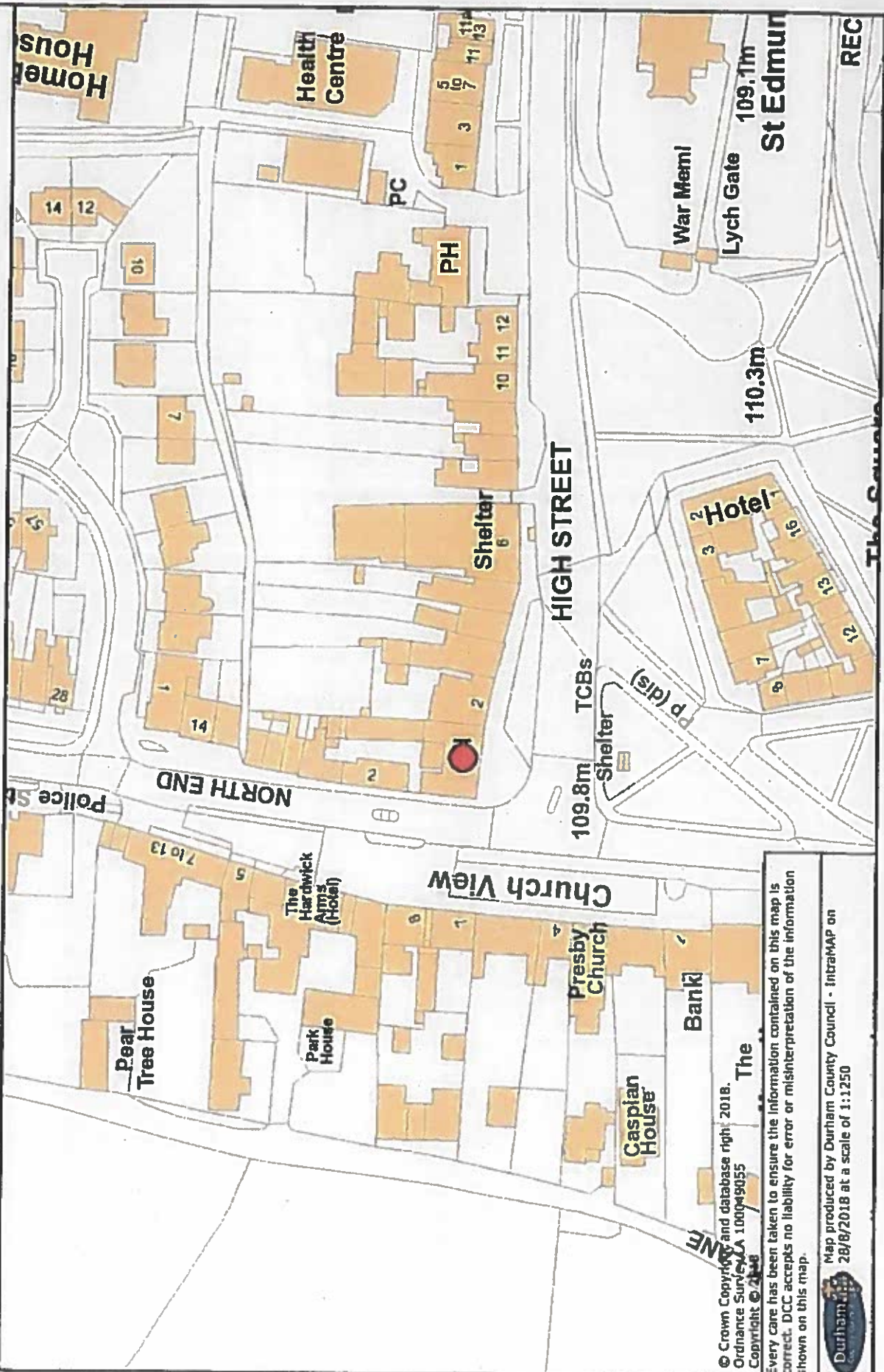
Tel: 03000 265256

Email: yvonne.raine@durham.gov.uk

APPENDIX 1 – LOCATION PLAN



Durham County Council - IntraMAP



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Every care has been taken to ensure the information contained on this map is correct. DCC accepts no liability for error or misinterpretation of the information shown on this map.
Map produced by Durham County Council - IntraMAP on 28/8/2018 at a scale of 1:1250

APPENDIX 2 – VARIATION APPLICATION AND PLAN



County Durham
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@durham.gov.uk
Telephone: 03000 261016

* required information

Section 1 of 18

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

System reference

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

Your reference

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- ☒ Applying as a business or organisation, including as a sole trader
☐ Applying as an individual

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

Applicant Business

Is the applicant's business registered in the UK with Companies House?

☐ Yes ☒ No

Is the applicant's business registered outside the UK?

☐ Yes ☒ No

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

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

☒ An agent that is a business or organisation, including a sole trader

☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

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

Is your business registered outside the UK? ☐ Yes ☒ No

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

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

19,750

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VARIATION

Do you want the proposed
variation to have effect as
soon as possible?

☒ Yes

☐ No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

☐ Yes

☒ No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend

Describe Briefly The Nature Of The Proposed Variation

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.

Variation to include the Provision of Films (in & out), update the floor plan and confirm the boundary of the licensable activities.

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to
vary is successful?

☐ Yes

☒ No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to
vary is successful?

☒ Yes

☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 10:00

End 00:00

Start

End

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

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 00:00

Start

End

SATURDAY

Start 10:00

End 00:00

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

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

☐ Indoors

☐ Outdoors

☒ Both

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

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

State any seasonal variations for the exhibition of film.

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

Continued from previous page...

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed above, list below.

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

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes

☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

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Continued from previous page...

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

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☐ Yes

☒ No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☐ Yes

☒ No

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ADULT ENTERTAINMENT

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

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

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

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

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

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

REMAINS THE SAME

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

RESTRICTIONS THAT NEED REMOVING ARE STATED THROUGHOUT THE APPLICATION

☒ I have enclosed the premises licence

Continued from previous page...

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

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

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

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

A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.

The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with Data Protection legislation.

CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition.

Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs.

There will be a minimum of 31 days recording.

The system will record for 24 hours a day.

The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.

The Digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images.

There will be at all times a member of staff who is trained in the use of the equipment and upon receipt of a request for footage from a governing body, such as Durham Police or any other Responsible Authority, be able to produce the footage within a reasonable time, e.g. 24hrs routine or less if urgently required for investigation of serious crime.

b) The prevention of crime and disorder

The business will maintain an incident book to record all instances where the staff deal with people who have been unruly, drunk, abusive, aggressive or have committed criminal acts or have had to call police for such incidents. This shall include the date and time of the incident, together with a description of the incident and whether the police were called/attended. The Designated Premise Supervisor/Store Manager/Business Owner will check and sign each page and the incident book will be made available to the Licensing Authority and/or Responsible Authorities upon request.

c) Public safety

All staff will be fully trained and the training must include the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18s (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated 'Challenge 25' policy. Staff will receive refresher training at least every 6 months

Training records, signed by both the staff member and the Designated Premise Supervisor/Store Manager/Business Owner will be retained for future reference and shall be updated at least every 6 months. All staff training records will be made available to the Licensing Authority and/or Responsible Authorities upon request.

d) The prevention of public nuisance

We intend on hosting no more than 12 outdoor films per year. The business will maintain a refusals book to record all instances where the sale of alcohol has been refused. This shall include the date and time of the attempted sale, together with a description of the incident. The Designated Premise Supervisor/Store Manager/Business Owner will check and sign each page and the refusals book will be made available to the Licensing Authority and/or Responsible Authorities upon request.

Continued from previous page...

request.

e) The protection of children from harm

There will be a minimum of two notices displayed on the premise indicating that the sale of alcohol to those under the age of 18 is illegal and that those adults who buy alcohol for immediate disposal to those under the age of 18 are committing an offence.

Children under the age of 18 years shall be accompanied by a responsible parent/guardian.

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NOTES ON REGULATED ENTERTAINMENT

In terms of specific regulated entertainments please note that:

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

Continued from previous page...

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

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PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

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

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

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

Continued from previous page...

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

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

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

IT IS AN OFFENCE, 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.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

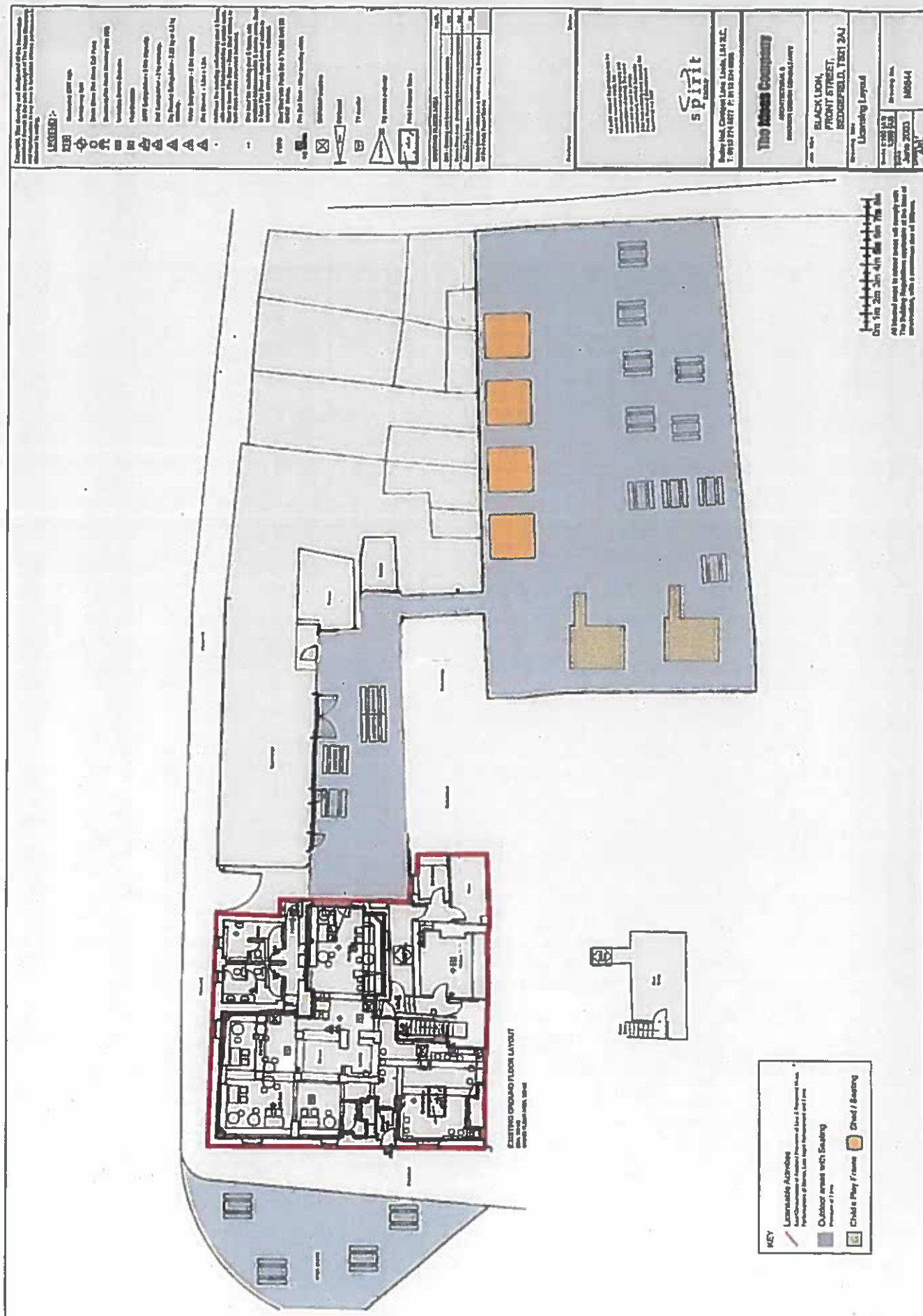
Approval deadline

Error message

Is Digitally signed ☐

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >

18.7.18



APPENDIX 3 – EXISTING LICENCE PLAN

LEGEND :-

McGraw-Hill

- | | |
|--|--|
| | Standard DDT sign. |
| | Emergency light. |
| | Strain Class Pre-Arm Cat Post-4 |
| | Electrolyte Pre-Arm Running (Pre D2) |
| | Infectious Spore Carrier |
| | Heat Carrier |
| | A44 Endospore - 0.8 lbs capacity. |
| | D2 Endospore - 2 lb capacity. |
| | Dry Powder Endospore - 2.50 lb or 0.3 kg capacity. |
| | Water Endospore - 0.8 lbs capacity. |
| | Pre-Arm - 1.2m x 1.2m |

1-800-Now-Are receiving 100-dollar door & keypad sets with wireless transmitters for 6 months supply. Door to Home Fire Door - Keep them without to learn today before supplies exhausted.

1

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THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
1200 Broadway, New York, N.Y. 10018

Free Fall Delay: Chassis operating safely.

STRENGTHS AND LIMITATIONS

Copyright

Abstract

Abstract

Post-Secondary Education

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DATE	1/12
TIME	11:12

度	度
度	度

1. What is the purpose of the study?

10

Figure 1

10

Date:

1231

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10

City

André
Borde

Cardigan Lane, Leeds, LS4 2LE.
677 F: 0113 274 6200

[illegible]

ideas Company

ARCHITECTURAL &
DESIGN CONSULTANTS

ACTION

BLACK LION,
FRONT STREET,
ROCKFORD, ILL.

DGEFIELD, TS21 2AJ

Building Layout

Drawing No.

M6844

1000

EXISTING GROUND FLOOR LAYOUT

Area of biodegradable activity

A vertical line representing a slope with horizontal tick marks at 1m intervals. The intervals are labeled from bottom to top: 1m, 2m, 3m, 4m, 5m, 6m, 7m, 8m. The total height is 10m.

APPENDIX 4 – REPRESENTATION FROM ENVIRONMENTAL HEALTH

Karen Robson

From: Susan Gallimore
Sent: 14 August 2018 11:36
To: Carol Graham - Licensing Assistant (N'hoods); AHS Licensing; Yvonne Raine; Karen Robson
Cc: Graydon Martin
Subject: RE: Licensing - premises licence variation application received

Hello Carol,

Please note that I wish to submit a representation against the granting of this variation on the grounds of the prevention of public nuisance. Noise monitoring was carried out at a nearby premises on 02-08-18 during the showing of a film in the larger outdoor area. The results show that if the licence was granted the noise generated would amount to a statutory noise nuisance.

I would ask that films be shown indoors only, that the larger outdoor area be not used for any purpose after 22.00 hours and that the hours that the premises are open to the public be 10.00 to 00.00 Monday to Sunday.

If you have any queries on this representation can you please direct them to Graydon Martin?

Kind Regards,

Susan Gallimore MCIEH DipIOA
Senior Public Protection Officer
Regeneration and Local Services
Durham County Council
PO Box 617
Durham
DH1 9HZ

Direct
Switchboard 03000 26 0000
Mobile:
E-mail:

Web: www.durham.gov.uk
Follow us on Twitter@durhamcouncil
Like us at facebook.com/durhamcouncil
Follow us on linkedin.com/company/durham-county-council
Follow us on Instagram@durham_county_council

From: Carol Graham - Licensing Assistant (N'hoods)
Sent: 18 July 2018 14:13
To:
Cc:

Subject: Licensing - premises licence variation application received

Dear Sir/Madam

The following application has been received/accepted by Durham County Council and is attached.
The current licence and plan are also attached.

Les/enforcement – please can you check the blue notice

1

Application Type - Application for a variation of Premises Licence

Applicant: - The Pickled Parson of Sedgefield Ltd

Premises – The Cornerhouse, 1 High Street, Sedgefield. TS21 2AU

Date of Application – 18 July 2018 Last date for representations – 15 August 2018

Please note the last date for representations

Carol Graham

Licensing Assistant

Environment, Health & Consumer Protection

Regeneration and Local Services

Durham County Council

Annand House

Meadowfield

Durham

DH7 8RS

APPENDIX 4 – REPRESENTATIONS FROM OTHER PERSONS

From: M KING

Sent: 30 July 2018 15:22

To: Yvonne Raine <Yvonne.Raine@durham.gov.uk>

Subject: Re: The Cornerhouse, 1 High Street, Sedgefield - Revised licence variation application

Dear Yvonne,

We still object to the use of films, live music and service of alcohol etc outdoors after normal licensing hours. It is a quiet, residential neighbourhood including elderly and young children, with many who have to work next morning.

M Q King (Rev)

A J King (Mrs)

Yvonne Raine

From: M KING <
Sent: 03 August 2018 15:40
To: Yvonne Raine
Subject: Re: The Cornerhouse, Sedgefield - Licence variation application

Thank you, Ms Raine, for giving us such a full statement of the current situation at the Corner House, and for reminding us of the areas where licensing issues may be taken up by the Licensing Authorities.

In addition to the localised concerns about disruption of a peaceful community, we continue to be anxious about those families where alcohol causes major trouble, and the enhancement which these proposals would give to children to start early following problematic behaviours. The Corner House sets itself out to attract families.

We have ourselves been the victims of several thefts over the years, driven by drugs and alcohol dependency. While prohibition is not the answer, a middle way appears to lie roughly where the existing licensing system is.

M King (Rev)
A. King (Mrs)

Yvonne Raine

From: P Buckley
Sent: 01 August 2018 16:24
To: AHS Licensing
Subject: Black Lion / The Corner House Sedgefield.

I note that outdoor cinema etc is proposed 12 times per year but the time is unreasonable. To go on until midnight is far too late. The property and beer garden is surrounded by residential property and disturbance so late is unreasonable. An earlier end time should be considered.

Sent from Mail for Windows 10

Karen Robson

From: K Stanley <
Sent: 07 August 2018 19:00
To: AHS Licensing
Subject: Variation of premises licence: The Corner House

Categories: Yvonne, Karen

To whom it may concern,

Please accept this email as our joint written response to the variation to the premises licence at The Corner House in Sedgefield.

We live in the centre of Sedgefield and are soon to move to a house on Church View, across the road from The Corner House. We also own and rent out a property on North End, where the garden backs onto The Corner House beer garden. May we start by praising the current owner for all he has done to pull this establishment up and transform it into a fabulous family-friendly pub. It is just what Sedgefield needs.

However, we do have concerns about the terms of the new licence application and feel it necessary to voice our objection to plans to have "licensable activities including films" outdoors, licensed all 7 days of the week until Midnight. If this includes music and live sport as well as film then it really must be challenged given the huge noise disturbance created recently during the outdoor showing of the football.

The Corner House sits adjacent to two *residential* streets - Church View and North End. Its beer garden backs on to a number of homes and already the noise from outdoor drinking and screenings has had a huge impact on residents. The tenant in our property at North End has noted a significant number of occasions where noise disturbance has been well beyond what should be deemed acceptable. Not only noise but foul language, which isn't ideal when there are young children.

We have no objection to music and showings to happen indoors in the venue at reasonable times, and the beer garden to be just that, a place for people to enjoy a drink, but there has to be a sensible balance between operating as a friendly, varied pub while also having respect and showing awareness for the residents of the village who live in their homes just a stones throw from this pub. Allowing drinking and activities to spill out onto the street to the front of the pub, 7 days a week until midnight, is totally unnecessary, given many of the older residential properties predate the Corner House and sit just meters away.

Yours faithfully,

K and R Stanley

From: M Carr
Sent: 08 August 2018 13:54
To: Yvonne Raine; AHS Licensing
Subject: License: Corner House, Sedgefield
Attachments: The licensing committee Corner H Aug 6.docx

Good Afternoon,

Please find attached my objections to the Corner House Variation Application

Kind Regards,

Mr M Carr

The Square
Sedgefield
TS21 2AB
7th August 2018

The Licensing Committee, Durham County Council
Premises- The Corner House, 1 High Street, TS21 2AU

I wish to object to the hours and area applied for in the application.

The premises are a Grade II listed building in a conservation area with a large number of residential premises in the immediate and local area.

The surrounding buildings and style of the property create an echo that is very noticeable on quiet evenings and consider that the application for films outside until midnight would create extra late-night disturbance.

The current opening hours of the premises are 10:00-00:30. As public transport is limited to many areas and stops before midnight, cars and taxis already cause noise and disturbance the additional request would cause extra late-night disturbance.

The boundary of the area at the front of the premises is on a busy road junction, and part of the highway and footpath and is not suitable to allow consumption of alcohol until midnight. The area outside at the front is already being used by noisy patrons as the attached photos show, taken -

Sat 9th June 12.30 am,

Friday 15th June 12.30am, with customers there until 12.45am.(with police in attendance)
Further photos show customers still leaving after 12.30 am.

28th July 00:34 am

29th July 00:30 am

5th Aug 23:50 pm

I would ask that the above points are considered with the permitted outside film hours reduced to 22.00 pm, the outdoor seating area at the front of the building be removed from the application, and off sales removed as there are 5 off sales already in Sedgefield open late.

Plan of premises in relation to residential dwellings is attached and one showing position of footpath/highway at front of the building.

I would be pleased if you could acknowledge receipt of these.

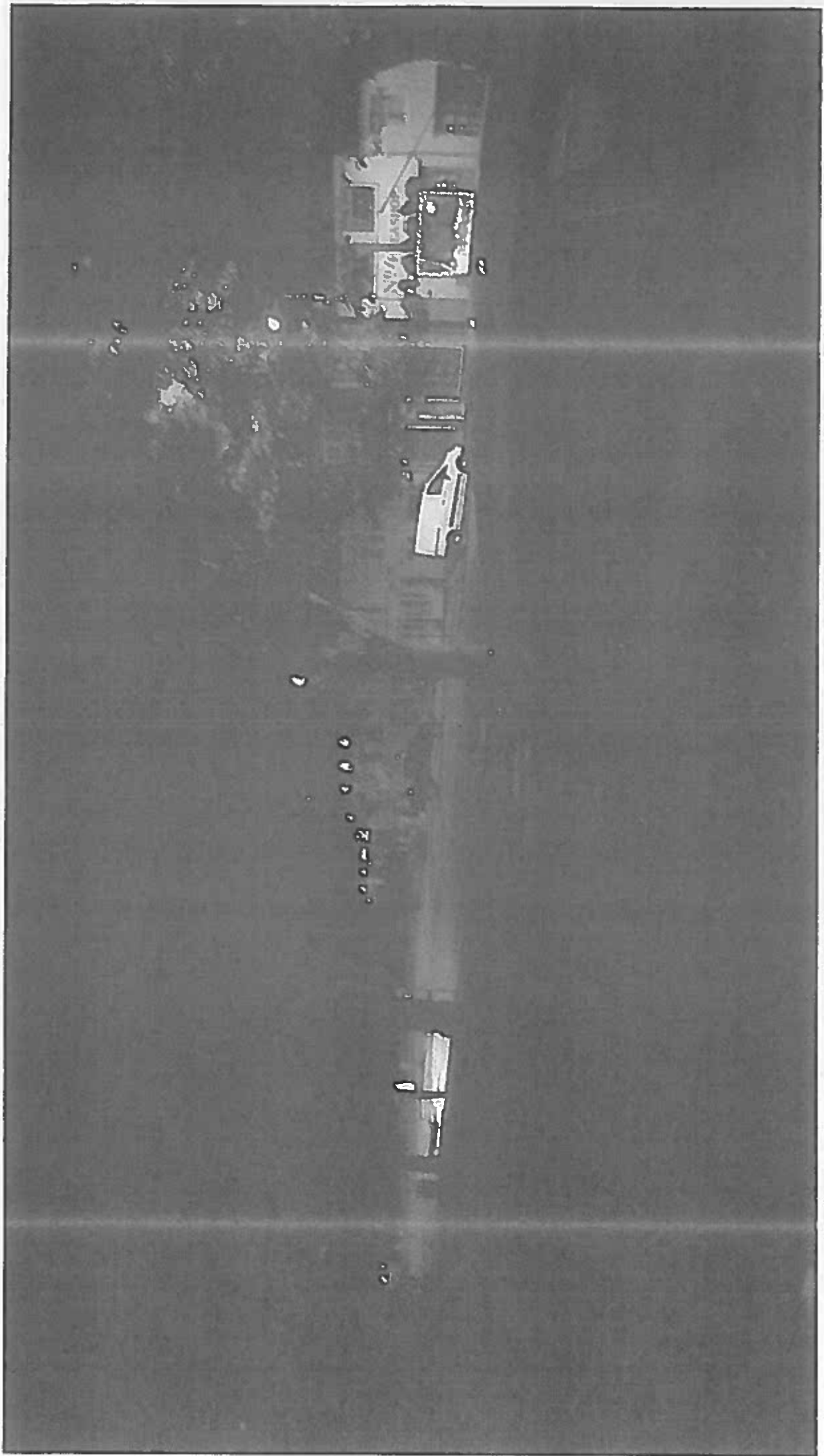
Yours sincerely,

M Carr













Yvonne Raine

From: wrgarside
Sent: 12 August 2018 13:46
To: Yvonne Raine
Subject: Licensing applications

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms Raine

I am writing in response to identical licensing applications concerning The Pickled Parson and The Comerhouse premises in Sedgfield.

Each application is a revised submission from earlier efforts to extend licensing activity in the village until midnight on a daily basis. If formality requires that you have a submission for each application please reproduce this email in its entirety for two separate purposes.

The current applications seek to 'confirm the boundary of licenseable activities' It is not clear from what can be gleaned online whether this range of activities is on this occasion limited only to the use of outdoor films or whether if such permission was to be granted it would include the sale and outside consumption of alcohol until midnight.

In either case i would like to object to a further attempt to negatively affect the quality of life in Sedgfield for what appears to be essentially commercial purposes. Many residents in the neighbourhood of these two premises have to work daily and are raising families. They do not want to be disturbed by outside alcohol fuelled activity until midnight every day including Sunday. Sedgfield is already becoming notorious for noise and anti-social behaviour at weekends and at other times. The applicants have already refurbished two eating and drinking establishments which ought to give consideration to the needs of residents if goodwill and the reputation of the owners are to be safeguarded.

The County Council make much of the local character and attractiveness of Sedgfield in its efforts to portray Durham at its very best. If as these applications threaten Sedgfield is transformed to a commercial hub for drinking and outside activity until midnight then it will have a lasting negative effect on anyone seeking to live here in the hope of enjoying a safe and pleasant community experience.

Local residents who are concerned with these applications are not against supporting commercial activity which could benefit the local area. But there comes a point (already been reached with these two applications) where the profit seeking intentions of business owners appear to be riding roughshod over the reasonable needs of long-term residents who in many other realms of activity work hard to preserve the quality of life in the local area. I am confident that you will receive other submissions along similar lines with regards to these applications, not least because of fears of establishing dangerous precedents.. I trust that the full range of concerns will be addressed seriously by your committee.

Sincerely
Professor W R Garside
Rectory Row
Sedgfield

North End
Sedgefield
TS21 385
08-08-18

Dear Sir,

I re-submit my letter
of June 2018 as my concerns
and objections remain.

Furthermore - I have
witnessed drunken behaviour
outside the front door of the
Crown House which was most
unpleasant.

Broken glass has littered
the pavement outside the Crown
House for several weeks now.

Yours faithfully

Mrs. G. Bowman

North End

Sedgefield

TS21 3BS

Durham County Council
PO Box 617
Durham
DH1 9HZ

27th June 2018

Dear Sir

Application to vary a premises licence - The Cornerhouse, 1 High Street, Sedgefield, TS21 2AU

I am writing to you in connection to, and objection to, the above-mentioned application to vary a premises licence. The details of the application are as follows:

- *Live music (indoors and outdoors) Sunday to Thursday 10.00am to midnight, Friday and Saturday 10.00am to 1.00am*
- *Recorded music (indoors and outdoors) Sunday to Thursday 10.00am to midnight, Friday and Saturday 10.00am to 1.00am*
- *Performances of dance (indoors and outdoors) Sunday to Thursday 10.00am to midnight, Friday and Saturday 10.00am to 1.00am*
- *Anything of a similar description to music and dancing (indoors and outdoors) Sunday to Thursday 10.00am to midnight, Friday and Saturday 10.00am to 1.00am*
- *Late night refreshment (indoors and outdoors) Sunday to Thursday 11.00pm to midnight, Friday and Saturday 11.00pm to 1.00am*
- *Sale of alcohol (on and off the premises) Sunday to Thursday 10.00am to midnight, Friday and Saturday 10.00am to 1.00am*
- *Films (indoors and outdoors) Sunday to Thursday 10.00am to midnight, Friday and Saturday 10.00am to 1.00am*

I am unaware what provisions there are in the existing licence, particularly in relation to live and recorded music, performances of dance and showing of films.

My primary concerns and objections to this application to vary the licence are:

- a) That all of these activities can be permissible "outdoors"; and
- b) That all of these activities can carry on until midnight Sunday to Thursday and 1am on Fridays and Saturdays.

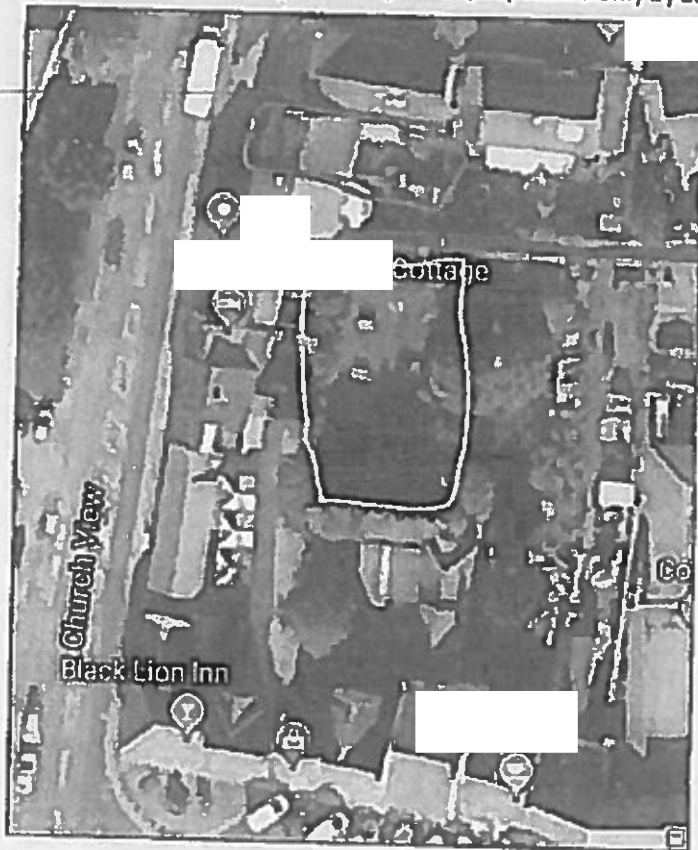
The public house (previously The Black Lion) has recently benefited from a change in owner and a significant make over. One of the key areas of this transformation is the opening of a substantial beer garden, children's climbing frames and play area, extensive outdoor seating and tables along with large outdoor TV screen.

Since opening this beer garden there have been instances of excessive noise disturbance, both in terms of the levels of general conversation/laughter/clinking glass etc, but also in relation to offensive and vulgar language that can be clearly and easily heard from my property.

There have been some extreme examples of this in recent weeks as the pub has been showing outdoor screenings of football matches and other sporting events, which have been popular and well attended, helped by the good weather.

This has meant that I have not been able to enjoy my own garden at the same time. I have seven grandchildren under the age of 9, who regularly visit my home and may play in the garden. On occasion, I have had to bring them inside and close doors and windows to protect them from overhearing coarse and vulgar language.

Whilst the frontage of the pub is down the street from my home, the beer garden is less than 10 metres from my own garden and rear aspect of my house, separated only by an alleyway and a neighbour's garden.



My objections to all of the variations to the licence that have been applied for, are because of the direct impact it will have on my home. If loud music, live music and other performances should be allowed to go ahead, outdoors and only 10 metres from my home, and until midnight or even 1am, it would become an unbearable living situation.

In my view, in granting a licence to allow these activities both outdoors and until midnight or 1am, is creating a situation which directly opposes at least 2 of the 4 licensing objectives, that any application must comply with.

1) The prevention of public nuisance

Primarily the cause of my concern is the noise carrying on until late into the night, which will clearly be a disturbance.

If there are live music events, screened films or similar, it could also potentially cause disturbance from flashing lights and vibrations from low resonance noise.

In addition, this could lead to larger groups of people simultaneously leaving the premises in the early hours of the morning, and the associated drunken/anti-social behaviour in the vicinity of my home.

2) The protection of children from harm

As previously mentioned, I have 7 young grandchildren who visit and stay with me in my home.

I wouldn't be comfortable letting them play in my garden in situations where the bad language could be heard coming from the pub beer garden.

The bedroom in which the children sleep when they visit is to the rear of the house. Noise can be heard from that bedroom, especially if the window is open for ventilation. Even with the windows and doors closed, extremes of noise (eg cheers when watching football) can be heard inside the house. If there was loud or live music playing late at night, then it would be a disturbance for any child trying to sleep in that bedroom.

Sedgefield is small town, and part of its charm are the cottages and houses that are interspersed amongst the shops, cafés and pubs in the very centre of the community.

We don't need a live music venue or late-night dancing/drinking spot in the very heart of the town, so close to so many residences. Granting this licence could severely change the dynamic of the town centre, particularly late at night.

As a resident of one of those cottages, and as a senior person living alone, just a very short distance from the Cornerhouse, I would urge the council and/or review committee to not allow the licence variations for the Cornerhouse in relation to extending the hours until midnight or 1am and in relation to Live or recorded music, performances and dancing and screening of films "outdoors".

Yours Faithfully,

Mrs G Bowman

MRS M HOOD

The Leas
Sedgefield
TS21 2DS

10.08.2018

Pickled Parson

I am writing to object to the altering of the current hours. Serving late night refreshments from 23.00 hours to midnight would include longer drinking hours, possibly more people above the limit and more need for police intervention. It also encourages young people to drink more.

Entertainment every night until midnight is unacceptable the noise for people living nearby would be oppressive and of course would include late night drinking till midnight!!

I also object to the removal of seasonal variations and restrictions

Corner House

I am objecting to indoor and outdoor films until midnight again it would involve late night drinking. The noise would be incredible especially if a football match were being filmed.

It would lead to rowdiness, punch ups and unsuitable language. Again it would encourage young people becoming used to drinking too much as well as the older generation.

Mrs

L

Valerie Craig

From: P Swindale
Sent: 14 August 2018 21:58
To: AHS Licensing
Subject: The Corner House (1 High Street TS21 2UA) - Revised application for variation to premises licence.

Licensing, Durham County Council.

I understand that Corner House (1 High Street TS21 2UA) have submitted a revised application for a variation of premises licence. As a resident of Sedgefield living in Rectory Row Sedgefield whilst I continue to welcome new business into the Town I would like to object to the revised variation of the licence for the following reasons:

1. If the Corner House is granted permission to the variation of the current license (later closing time) this would result in significant numbers of people leaving these facilities at the same time which would no doubt cause noise and disturbance to residents within the vicinity of the premises.
2. If variation to the premises is granted then this will most certainly set a precedent for other business to request the same essentially turning the Sedgefield Village area into a late night drinking venue.
3. The request for recorded music indoors and outdoors of the application will impact on people living nearby as it opens the doors for others to play music into the early hours of the morning which would be detrimental to the health and wellbeing of residents and families living close by due to the disturbance of the music/entertainment.
4. Transport home from the venues after closing at midnight could also create a problem with no buses after midnight and limited taxi services people would be milling around the centre of the village for longer, again creating a disturbance for residents.
5. The consumption of alcohol until midnight on the highway/footpath outside of the pub would affect the residents living in close proximity which is wholly unacceptable.
6. Over recent months Sedgefield police have worked incredibly hard and effectively to manage antisocial behaviour issues. The Corner House still continues to have problems associated with antisocial behaviour both in and outside of the pub which has resulted in a police response. Residents are concerned that the late closing times, people under the influence of alcohol would lead to unwarranted behaviours in a concentrated area and how would this be managed by an already stretched police resource.

Sedgefield is a lovely Town and people chose to live here for that very reason we do not need late night opening hours with pubs turned into night club venues on a regular basis in a residential area. I hope the DCC licensing committee recognise the views and objections of residents to this revised variation of premises licence.

Kindest regards

Mrs P Swindale
Rectory Row Sedgefield



Sedgefield Town Council

Dr Jane Ayre (Town Clerk)
Tel. Sedgefield
Fax:

Email:

Council Offices
Sedgefield
Co. Durham
TS21 3AT

15th August 2018

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

Dear Yvonne

Variation of Premises Licence Application - The Cornerhouse, 1 High Street, Sedgefield:

The above requested variation to the Premises Licence requested by The Cornerhouse in Sedgefield was considered by Sedgefield Town Council at its Special Town Council meeting held on Monday 13th August 2018. Sedgefield Town Council wishes to object to the variations now being sought.

The Cornerhouse premises are in an area which has residential properties near and surrounding it. The Town Council notes that in your Licensing Policy there is a requirement for licenced premises which are located in highly residential areas to take into consideration the needs of those residents around them. It is noted that within the variations now being sought by The Cornerhouse is a request to show films in the outdoor area of the property, an area which is bordered by residential housing. Such an activity will create noise disturbance and measures must be put in place to mitigate.

The Town Council note that the variations now being requested mirror those recently sought by the nearby Impeccable Pig when it requested a new premises licence. As you are aware the Town Council took a very tough stance when it considered The Impeccable Pig application in order to ensure that noise disturbance and any potential for anti-social behaviour was minimised as much as possible to achieve a harmony between residents living nearby to the premises and the opportunity for licensed premises to operate to the benefit of the Town. As a result of this approach a premises licence was granted which was considered to be reasonable to both the Town and the business. It is important that the Town Council, and the Licensing Authority, consider the variations now being requested by The Cornerhouse and consistently apply the same conditions to ensure that all licenced premises are operated to the same conditions and timings as staggered closing hour in the Town would simply result in people moving from premise to premise. Of particular concern to the Town Council is the provision

within this variation request to allow off-sales which can then be consumed at the area to the front of The Cornerhouse adjacent to the main road which is now being included in the proposed licensed area when this is in fact Durham County Council adopted highway without any form of pavement or table licence in place. The Town Council has concerns as to how any consumption in this area can be controlled. Indeed, if this area is to be added to the premise's licensed area would it not require planning permission for change of use? The centre of Sedgefield, a Conservation Area, is very quiet at this time of night and due to the unique shape, layout and construction of the buildings, noise is echoed and carried all-round the centre. Sedgefield Town Council own and manage the Parish Hall, also on Front Street at a distance of approximately 200 metres away from The Cornerhouse, this has a maximum capacity of 160 and has restrictions imposed with regard to entertainment hours due to the residential area, having had problems in the past. The other licensed premises in Sedgefield also have limited licensing times with regard to alcohol and entertainment, the last such instance being that of Durham House on West End. Sedgefield Town Council considers that a reduction of one hour from the proposed closing times would be more acceptable and would like the opportunity for Councillor Gloria Wills to represent Sedgefield Town Council and to speak about these concerns at any future Licensing Committee meeting.

I look forward to hearing from you in due course.

Yours sincerely,

Dr Jane Ayre
Town Clerk

Valerie Craig

From: e williams <
Sent: 14 August 2018 15:45
To: AHS Licensing
Subject: The Pickled Parson and The Corner House, Sedgefield

THE CORNER HOUSE - 1 HIGH STREET, SEDGEFIELD TS21 2UA

I have only just become aware of the new Application for the Variation of Premises Licenses for the above two properties and I am appalled at the details of the applications.

With regard to the Corner House, to even suggest that the existing licence, including films (indoors and outdoors) Monday to Sunday 10 a.m. to midnight should be allowable is, to my mind ridiculous.

You will be aware that the situations of the Corner House is among residential homes and the noise pollution would be devastating. As well as which the village would lose its attraction of being a nice place to live.

I note the boundary of the Corner House is described as the rear yard and garden area also the front outside of the building (High Street) onto the "highway/footpath" is not part of the boundary of the Corner House, it is part of the village itself.

There are already people in the village complaining at the noise coming from The Corner House, so what will happen if the hours are extended to midnight?

THE PICKLED PARSON 1-2 The Square, Sedgefield. TS21 2AB

Once again an Application for the variation of Premises Licences including the sale of alcohol (on and off the premises) 10 a.m. to midnight 7 days a week, the same principal applies as with The Corner House, that this is a residential area and the noise pollution will be devastating.

Apart from the noise created by the revellers there would be the noise from the taxis etc dropping off and picking up passengers, which would go on until at least 1 a.m. every day of the week.

To have permission to use a 2 metre strip of land to the 3 elevations outside the perimeter of the premises i.e. is absurd, it is land which belongs to the Village not The Pickled Parson and should be kept as such.

The Hope Inn, which was a blight on the village, has been vastly improved so why take one step forward and two steps backwards.

Finally I truly believe that all of the above would lead to the Death Knoll of the village as we have loved it for decades, all at the whim of a man who doesn't live in Sedgefield and never has.

Please give consideration to the above when making your decision.

Thank you

E Williams (Mrs)

Valerie Craig

From: B. WATSON <[REDACTED]>
Sent: 14 August 2018 16:15
To: AHS Licensing
Subject: Variation of Premises Licence, The Corner House

I strongly and robustly object to this application on the following grounds:

1, The noise generated from vehicles is already a gross disturbance to residents, and these proposals would add to it,

2, The use of the pavement for drinking purposes is outrageous,

3, Even the use of the area between the pavement and the highway is unacceptable and would inevitably lead to altercations between drinkers and pedestrians passing by, which would in turn lead to antisocial behaviour.

B Watson,
Rectory Row
Sedgefield.

Yvonne Raine

From: A Heath <
Sent: 14 August 2018 16:12
To: Yvonne Raine
Subject: Premises licence variation application The Cornerhouse.
Attachments: app obj.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms Raine,

I have attached a representation regarding the revised variation application for The Cornerhouse, 1 High Street, Sedgfield TS21 2AU

Kind regards

A Heath

The Licensing Authority
Durham County Council
PO Box 617
Durham
DH1 9HZ

Mr A.D. Heath
North End
Sedgefield
Co. Durham
TS21 3BS

13 July 2018

Dear Sirs

I live near to The Corner House pub, Sedgefield and have seen that an application for a Premises Licence is being made to allow dancing, music to be played, both indoors as well as outdoors and alcohol to be sold up to the hours of 1am. The flat I currently reside in is literally 3 metres away from the newly renovated beer garden. I would also like to draw attention to the fact that there is already a significant noise disturbance from the premises way after sunset.

I do not wish to be a killjoy as I am a lifelong resident of the village and spent much of my misspent youth enjoying the night life that Sedgefield had to offer and it is encouraging to see a renaissance of the pubs and restaurants in the area.

This is something that I would like to object to in the strongest possible terms. I feel that if this licence extension was to be granted, then I and the neighbourhood would suffer from noise, disturbance and anti-social behaviour because of the excessive noise from events, especially the planned outdoor ones and customers arriving/leaving.

I am also concerned about the potential for further anti-social behaviour if patrons are allowed to leave in the early hours of the morning, having drunk significant quantities of alcohol as the area is relatively quiet after 23:30.

The use of the Corner House as a venue for late night entertainment is not an appropriate one because it will only lead to the detriment of the character of the area which has recently been further eroded by increased traffic flow precipitated by the new housing developments in Sedgefield.

Yours faithfully

Yvonne Raine

From: I dexter <
Sent: 14 August 2018 09:50
To: Yvonne Raine
Subject: corner house
Attachments: The Corner House (3) (1).docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Yvonne,
Attached is my objection to the Corner House.

Kind regards

L Dexter

Premises details: **The Corner House**, 1 High Street, Sedgefield, TS21 2AU

I object to any **outdoor** music, outdoor recorded music, and performances of dance, anything of similar description to music and dancing, late night refreshment and film at **any time** for the following reasons:

According to the Licensing Act 2003 all organisations and individuals involved in the licensing process must carry out their functions or run their businesses with a view to promoting the licensing objectives. They have to show that they are working in partnership with local residents and local businesses. Since the Corner House started trading under the names the Corner House, they have shown complete disregard for local residents and local business also trying to make a living. For this reason I feel that they are not currently able to manage the running of this establishment whilst actively promoting the 4 licensing objectives.

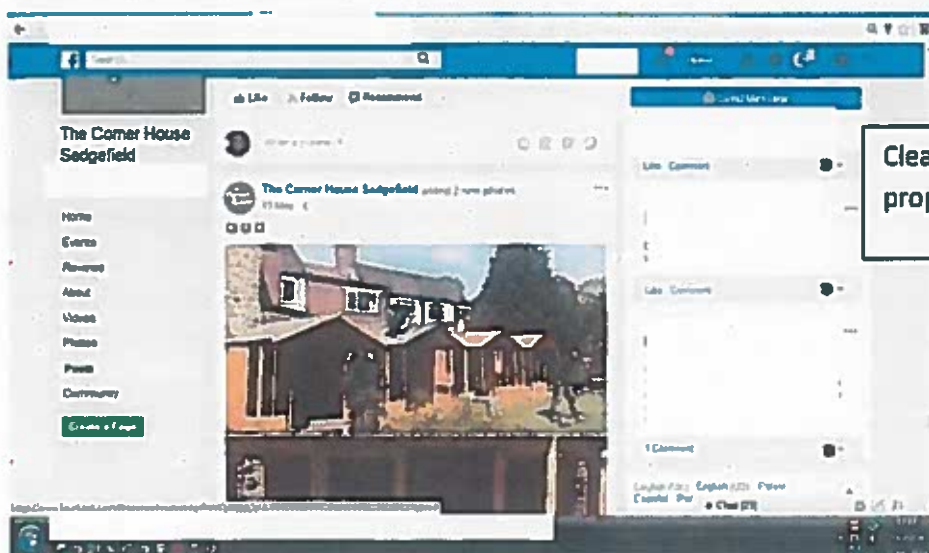


Pub and courtyard circled red.

Beer garden in orange.

Occupied houses in purple

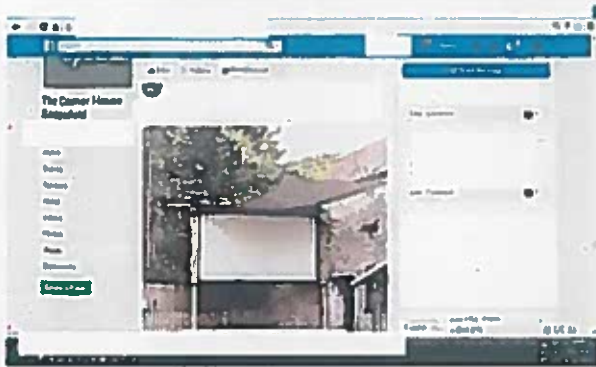
Arrow highlighting the shared wall between my property and the beer garden. Please note the distance from the main building to the beer garden.



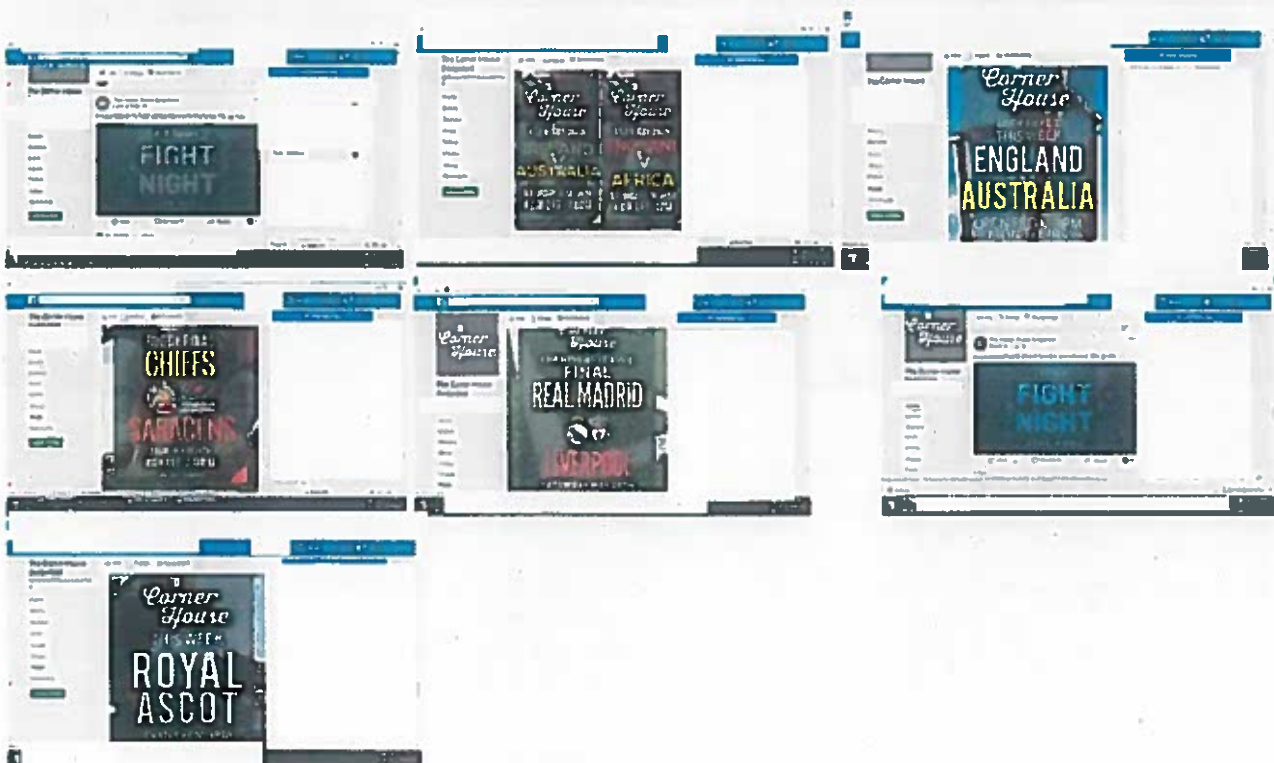
Clear view of my back bedroom of my property (redbrick building).

The prevention of public nuisance

When told me it was to be a family pub and that they were going to discourage previous customers he omitted to tell me about the large TV screen and the speaker he was putting in the beer garden. The speaker points directly to my back garden.



As a "sport bar" they are promoting the use of the outdoor space rather than encouraging customers to spend their time inside. If you look on their Facebook page the majority of promotions is the outdoor area not the inside. Please see the different sporting events that have been promoted on their facebook page. These include boxing, cricket, Champions League, rugby and racing



This shows that the current noise disturbance is not restricted to the world cup but will be actively encouraged for all events. These should be viewed inside the pub building rather than in the beer garden thereby reducing the impact of noise on local neighbours and businesses. By actively showing video clips of outdoor events in the beer garden, they are encouraging racous behaviour, shouting and swearing by the customers as the "norm" within the beer garden.

They are not taking a proactive approach to preventing and managing public nuisance from their premises, but are encouraging anti-social behaviour from customers. A noise management policy should be in place that sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises. This is not taking place currently and therefore I object to any outdoor music/events form taking place.

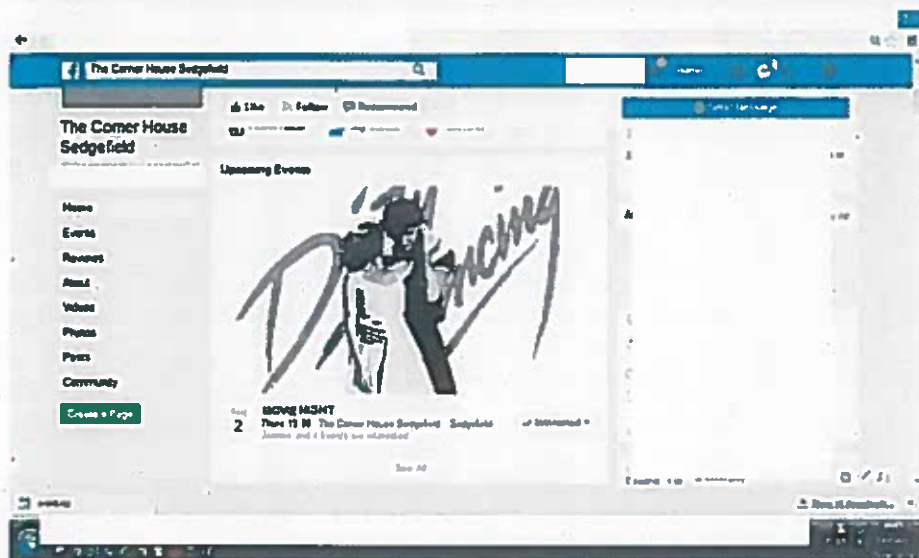
Good practice of licencing procedures suggests a contact telephone number should be made available to local residents and businesses which they can use to report noise disturbances to a responsible person at the venue as and when they occur. The phone line should be available at all times the licence is in use. Drinking currently takes place in 4 main areas. The building itself, the court yard, the beer garden and the front of the building on the pavement. Smoking takes place in all 3 outside areas. This is impacting in three different areas of the village and is a public nuisance

Guests at my holiday let (ladies) said they felt intimidated by the noise from men, the swearing and shouting after 10pm and felt uncomfortable using the hot tub on the evening (which they had paid for).

The Corner House Facebook page, clearly showing young men enjoying the facilities. No children in sight! The Corner House is clearly promoting the pub, in particular the beer garden as a place to come and be rowdy. Part of the licensing agreement is to promote the prevention of a public nuisance.

Whilst I have been informed that a TV outside is not a licensable activity and does not fall under the remit of licensing, I would argue that if it is causing a public nuisance it does fall under the remit of the licensing authority,

Film nights.



I would also query their selling of the event which is clearly an outdoor event only (tickets to be transferred to another viewing if bad weather) and their encouragement of noise and cheap drinks – free cocktail on arrival and singing during the interval. This event is advertised until 11pm without any consideration that people might be asleep (with windows open). It also states maracas to be shaken at your own risk. I realise that this is tongue in cheek, however this whole event is actively promoting noise and a good time at the expense of others living nearby.

They have asked for 12 events a year. Bearing in mind this is an outdoor event, I would make the presumption that these will take place predominantly over the warm summer months (rather than monthly) and that they will take place weekly therefore preventing local residents from enjoying their gardens in the summer months.

I am in touch with Noise Enforcement who have been fantastic in working with local residents to monitor the excessive noise from the pub. The noise is simply too loud and is continuous over the week for those who live in the vicinity.

In 9 years of living opposite the Black Lion I have never once complained. Music was played on weekends which could faintly heard, but was not constant. I knew both the previous land-lords as they were active in knowing neighbours and working together with them.

Already in the last 3 months, my life has been affected by the noise outside in the beer garden. The reality is, if you look at the first diagram, the beer garden is just too far away from the main building to be managed effectively. My paying customers at the holiday let are unable to enjoy the outside area/hot tub due to the noise and feel uncomfortable with swearing from intoxicated men. I have a duty to ensure my guests are happy as they have paid their money to have a holiday. They have already broken licencing laws and as such, I feel that I have had to "police" and report them as they are not following any procedures in terms of their licensing agreement.

I have a right to protect my business and my paying guests and will continue to do so. I pride myself on happy customers and wish for this to continue. I would not have minded the odd England game in the beer garden, but they have abused and pushed my limits to the extent that the noise is exhausting and detrimental to both myself and my business.

I am now closing the holiday let due to the noise as I do not feel I give my customers the experience they have paid for. I strongly believe that as a business community, other businesses should not force other businesses to close due to the way they operate. I continue to protest and object to add my voice to all those residents who live in the vicinity of the pub and wish to enjoy their properties in the summer months.

Recommendation	Licensing objective	Impact/effect
No outdoor music, outdoor recorded music, performances of dance, anything of similar description to music and dancing, late night refreshment and film at any time in either the beer garden or courtyard.	Prevention of public nuisance	Reduces noise pollution in neighbours home/garden
Encourage beer garden to be used by families rather than for sporting events. Beer garden to be closed at 6/7pm every evening. Drinkers to move into enclosed courtyard next to pub where drinkers can be monitored for noise. Secure door to be used between beer garden when closed (currently it is blocked off with bar stools which does not adequately prevent people from going back into the beer garden.) Proper noise assessment to be carried out in courtyard to assess impact on local residents	Prevention of crime and disorder, Prevention of public nuisance	More families will use the beer garden as opposed to predominantly young men. Low impact on neighbours sharing wall with beer garden. Less swearing to be heard whilst sitting in neighbours garden. Able to open back bedroom window which is currently closed. Able to enjoy garden without listening to music/ TV for up to 12 hours a day.
Smoking – regulated to one area –ie courtyard after a certain time.	Prevention of public nuisance	Reduces impact of noise in beer garden and therefore to neighbours. Reduces smoking/ drinking on public pavement at front of property which can be intimidating for those walking up and down the street.
Drinkers to sit on benches rather than stand on main street when drinking at the front of the pub. I have viewed the license application and it clearly stated no drinking on the pavement. They currently have doorstaff and they must make sure that customer sit on benches if drinking/smoking. Drinkers to move into the main building/ courtyard at an appropriate time	Prevention of crime and disorder, Prevention of public nuisance, Public safety	Can be intimidating walking past especially for young children and elderly residents who visit shops on the high street.
There is no indication on the amended license of what they are proposing to do in terms of live/recorded music dance/ films	Prevention of public nuisance,	Neighbours have evidence and knowledge of what is planned. If we knew in advance, we might be able to work with the pub.
Good practice suggests that where entertainment or other potentially noisy activity is planned, a noise assessment should be carried out. For some	Prevention of crime and disorder, Prevention of public nuisance,	To ensure neighbours are not inconvenienced by noise pollution.

premises, the assessment will need to be carried out by a suitably qualified consultant. This is currently not on their amended licence.		
Clear documented policies and procedures would be put in place which identify all public nuisance risks associated with their premises and measures implemented to prevent, manage and respond to those risks. Licence holders should also engage with local residents and businesses on a regular basis to ensure that they are being good neighbours and dealing with problems as they arise. This is currently not on their amended licence.	Prevention of public nuisance,	To ensure neighbours are not inconvenienced by noise pollution
A noise management policy should be in place that sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises. (b) The policy should be based on the findings of an acoustic consultant's assessment. (c) All staff should be trained on the content of the policy to ensure a commitment to good noise management. A record should be kept of the date and name of person trained and made available for inspection by the licensing authority or environmental health responsible authority. This is currently not on their amended licence.	Prevention of public nuisance,	To ensure neighbours are not inconvenienced by noise pollution
Windows and doors should be kept closed whilst the premises licence is in use to prevent noise breakout. Ventilation should be provided by mechanical means. (b) Windows should be sound insulated. (c) Emergency exits should be sealed acoustic doors. This is currently not on their amended licence.	Prevention of public nuisance,	To ensure neighbours are not inconvenienced by noise pollution
Some kind of screen to reduce the noise of people in the beer garden and to stop items being thrown into my outdoor area. The screen will also provide privacy for people sitting in my outdoor area.	Prevention of public nuisance,	To ensure my garden are not inconvenienced by noise pollution, safety from things being thrown over the wall eg glasses, cigarettes coconuts!!

Valerie Craig

From: S. Wright
Sent: 15 August 2018 01:34
To: AHS Licensing
Cc:
Subject: The Corner House, Sedgefield

FAO The Licensing Authority, Durham County Council

Dear Sir/Madam

I am writing on behalf of my husband, G Wright and myself, in relation to the application to vary a premises licence for the public house;

The Corner House
1 High Street
Sedgefield
TS21 2AU.

We wish to object to all the proposals to vary the premises licence for the above-named public house. The proposals are;

1. To update the floor plan and confirm the boundary of licensable activities.
2. Include films (indoors and outdoors) Monday to Sunday 10.00am to midnight.
3. No more than 12 outdoor films per year.

Since the opening of The Corner House public house, Sedgefield, we have become very aware of the unhealthy noise levels from the entertainment and from certain patrons leaving the premises. Whilst we appreciate that people want to enjoy themselves we feel it very unfair that we have to be exposed to the noise while we are in our homes. We worry that the disruption we've had so far indicates what we may expect in the future. It appears that there has been no consideration given to the fact that The Corner House actually sits within a residential area with residents who don't necessarily want to hear whatever entertainment's coming from that public house or the rowdy behaviour from patrons leaving the premises.

During the recent football World Cup we heard the TV coverage and associated noise from patrons as some matches were played on the outside TV screen at The Corner House. However, as far as we were concerned, those were special occasions that many people around the village and beyond were keen to watch and enjoy and we didn't begrudge them that. That said, we wouldn't want to hear football matches and related cheering and jeering from those premises regularly.

The noise that was generated from the film that was shown at the above premises 2 August was ridiculously loud - so loud that we heard not only the music but the words from the songs. We are told they had a temporary licence - although the film was played within the permitted time that doesn't make the noise acceptable. We considered it totally unacceptable but couldn't contact the owner/manager as we were unable to obtain any telephone number to complain.

The proposal for The Corner House to 'include films (indoors and outdoors) Monday to Sunday 10.00am to midnight' could mean that we would be exposed to noise all day, every day. We worry that may happen, not least because Mr Wright has been ill and needs to go to bed around 7pm, but also because of the constant noise we may have to endure.

We are also very worried about the proposal 'to update the floor plan and confirm the boundary for licensable activities'. Our concerns are that any changes to the floor plan could mean that where the entertainment which

happens outside, be it TV screen or live entertainment, could actually be classed as happening inside and therefore there could be potential for any entertainment and resulting noise to occur at any time between 10.00am and midnight, 7 days a week.

Yours faithfully

G and S Wright
North End
Sedgefield
TS21 3BT

Carol Graham - Licensing Assistant (N'hoods)

From: 'Cllr. Robinson
Sent: 14 August 2018 19:07
To: Carol Graham - Licensing Assistant (N'hoods),
Subject: Corner House and Pickled Parson

Good evening. I wish to raise concern in regards to the above licence applications.

Both venues are prominently sited in the middle of Sedgefield a Conservation area and surrounded by housing. Indeed to the rear of Corner House is a housing estate.

I appreciate the Committee awarded a late licence to other establishments and the applicants would ask for parity. However we are a small community and businesses with late licences of this level tend to be in Main Town Centres. What evening economy would we become.

I am and indeed have been approached by residents expressing similar views, concerned about the outdoor times and activities being requested. The times etc will have a major impact on local residents. Do we really need music/films/dancing outside at these times when many residents will be in bed.

I would request my comments and concerns are made aware to the sub-committee and i am happy to appear before them if required.

Cllr. J. Robinson
Sent from my Windows Phone

APPENDIX 5 - RESPONSES FROM RESPONSIBLE AUTHORITIES

Carol Graham - Licensing Assistant (N'hoods)

From: Daniel Darnton
Sent: 23 July 2018 15:18
To: Carol Graham - Licensing Assistant (N'hoods)
Subject: FW: Licensing - premises licence variation application received
Attachments: Cornerhouse Sedgefield Variation.18Jul18.pdf; Cornerhouse Sedgefield Variation Plan.18Jul18.pdf; Cornerhouse - current plan.pdf; Cornerhouse Sedgefield.pdf

Good Afternoon,

Durham Constabulary have no objections to the below application.

Thanks
Dan

Daniel Darnton
Harm Reduction Unit
Meadowfield Office tel 101 ext
Darlington Office tel 101 ext



Durham Constabulary
Altogether Better Policing

Carol Graham - Licensing Assistant (N'hoods)

From: Hilary Sperring
Sent: 23 July 2018 17:56
To: Carol Graham - Licensing Assistant (N'hoods)
Subject: CON28/18/01743 Application for a variation of Premises Licence, The Cornerhouse, 1, High Street, Sedgefield

Dear Carol,

Thank you very much for your recent consultation in respect of the above.

On the basis that no internal or external changes are proposed I can confirm that I have no comments or objections to make from a planning point of view.

Kind Regards,
Hilary

Mrs Hilary Sperring

Planning Officer | Development Management

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

□ 0

Website: www.durham.gov.uk

Contact Area Office:

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Carol Graham - Licensing Assistant (N'hoods)

From: Mark Quinn
Sent: 19 July 2018 09:49
To: Carol Graham - Licensing Assistant (N'hoods)
Cc: AHS Licensing
Subject: RE: Licensing - premises licence variation application received

Good Afternoon

I have received an application to vary a licence for the establishment: The Cornerhouse, 1 High Street, Sedgefield, TS21 2AU

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

My Ref: SB/2018/087

Thanks

Mark Quinn
Quality and Performance Coordinator
Durham Local Safeguarding Children Board

Tel.

County Hall
Durham
DH1 5UJ

www.durham-lscb.org.uk

Carol Graham - Licensing Assistant (N'hoods)

From: Stuart Thew
Sent: 25 July 2018 14:55
To:
Cc: Carol Graham - Licensing Assistant (N'hoods)
Subject: The Cornerhouse (minor variation)

Hi Aaron

No representations will be made by CDDFRS regarding the minor variations for the above premises.

Regards

Stuart

Stuart Thew Fd FSI, G.I.Fire E

Senior Business Fire Safety Officer (Bishop Auckland/Newton Aycliffe/Wear and Tees)

Tel: (

Mob: (

Email:

www.ddfire.gov.uk

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**County Durham and Darlington Fire and Rescue Authority Belmont Business Park, Durham,
DH1 1TW.**

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

APPENDIX 7 – S.182 GUIDANCE

Crime and disorder

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

licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Public safety

- 2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.8 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
 - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
 - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
 - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
 - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
 - Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).
- 2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Ensuring safe departure of those using the premises

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

Maintenance and repair

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

Safe capacities

- 2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of

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