

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 Pickled Parson, 1-2 The Square,
Sedgefield TS21 2AB**

1. Summary

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

The Pickled Parson
1-2 The Square
Sedgefield
TS21 2AB

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 extend the current hours for the Sale of Alcohol, Regulated Entertainment and Late Night Refreshment
- To amend the premises plan attached to the licence due to internal layout changes.

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 current premises licence activities are listed below together with the proposed variation (changes in bold type):

Current Licensable Activities	Days & Hours
<p>Provision of Live Music, Recorded Music, Performance of Dance, Similar Entertainment (All Indoors)</p> <p>Late Night Refreshment (Indoors)</p> <p>Sale of Alcohol (on and off the premises)</p>	<p>Sunday to Thursday 12:00 until 23:00 hrs, Friday and Saturday 12:00 until 00:00 hrs. From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day. No entertainment on Good Friday or Christmas Day.</p> <p>Monday to Sunday 23:00 until 23:30 hrs. New Years Eve 23:00 hrs until 05:00 hrs.</p> <p>Monday to Saturday 11:00 until 23:00 hrs, Sundays and Good Friday 12:00 until 22:30 hrs. (Extension of one hour to persons having table meals). Christmas Day 12:00 until 15:00 hrs, 15:00 until 19:00 hrs for persons having table meals, and 19:00 until 22:30 hrs. From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day.</p>
Current opening times	<p>Monday to Thursday 11:00 until 23:30 hrs, Friday and Saturday 11:00 until 00:00 hrs, Sunday 12:00 until 23:00 hrs. (May open for one hour following end of permitted hours for alcohol sales for persons having table meals). Christmas Day 12:00 until 15:20 hrs, 15:00 until 19:20 hrs for persons having table meals, and 19:00 until 22:50 hrs. Good Friday 12:00 until 22:50 hrs. From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day.</p>
Proposed Licensable Activities	Days & Hours
Provision of Live Music, Recorded Music, Performance of Dance, Similar Entertainment (All Indoors)	<p>Monday to Sunday, Good Friday and Christmas Day 10:00 until 00:00 hrs.</p> <p>From the end of permitted hours on New Years Eve until the start of permitted hours</p>

<p>Late Night Refreshment (Indoors)</p> <p>Sale of Alcohol (on and off the premises)</p>	<p>on New Years Day.</p> <p>(Remove the condition which prevents regulated entertainment on Good Friday and Christmas Day)</p> <p>Monday to Sunday 23:00 until 00:00 hrs. New Years Eve 23:00 hrs until 05:00 hrs.</p> <p>Monday to Sunday, Good Friday and Christmas Day 10:00 until 00:00 hrs.</p> <p>From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day.</p>
<p>Proposed Opening Times</p>	<p>Monday to Sunday, Good Friday and Christmas Day 10:00 until 00:00 hrs.</p> <p>From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day.</p>

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 fourteen representations during the consultation period.

One of these is from an Other Person in support of the application and the remainder are from Other Persons objecting to the application.

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 thirteen 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 representation in support of the variation application is from:

- Councillor Joe Makepeace (Other Person)
-

The remaining representations are from the following persons:

- Rev M King & Mrs A King (Other Persons)
- Mr J Swindale (Other Person)
- Ms Kate Stanley & Mr Richard Stanley (Other Persons)
- Mr M Carr (Other Person)
- Prof W R Garside (Other Person)
- Mr M Williams (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)
- 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
- Environmental Health Authority

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

4. Parties

The Parties to the hearing will be:

- Crown Alderney Limited (Applicants / Licence Holder)
- Councillor Joe Makepeace (Other Person)
- Rev M King & Mrs A King (Other Persons)
- Mr J Swindale (Other Person)
- Ms Kate Stanley & Mr Richard Stanley (Other Persons)
- Mr M Carr (Other Person)
- Prof W R Garside (Other Person)
- Mr M Williams (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)
- 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:

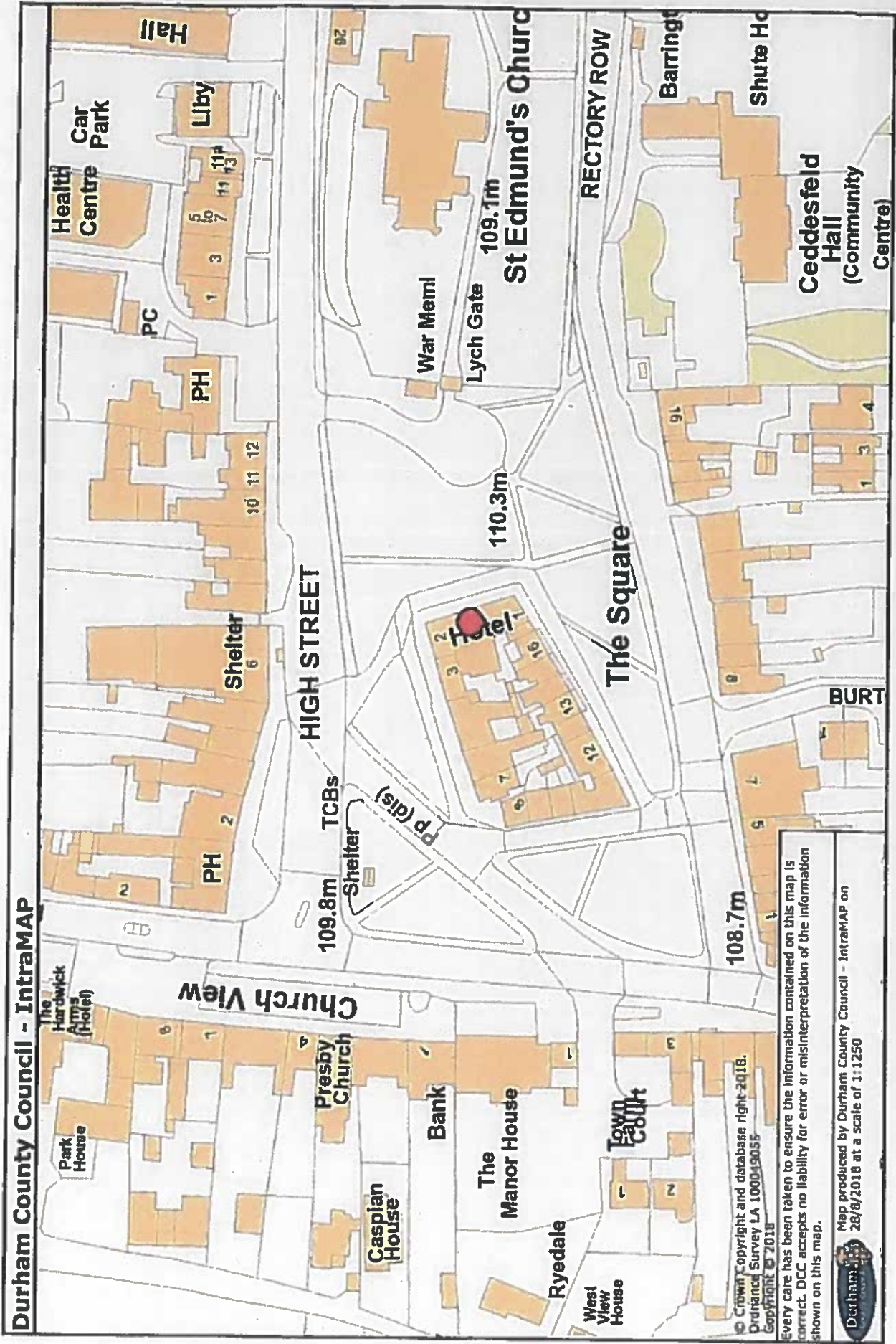
- Durham County Council's Statement of Licensing Policy
- Guidance issued under section 182 of the Licensing Act 2003 (as amended April 2018)

Contact: Yvonne Raine

Tel: 03000 265256

Email: yvonne.raine@durham.gov.uk

APPENDIX 1 – LOCATION PLAN



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

Not Currently In Use

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

Your reference

Pickled Parson PL

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

CROWN ALDERNEY LTD

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

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.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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

☐ A private individual acting as an agent

Agent Business

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

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

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

Business name

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 (£)

23,750

Section 3 of 18

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 increase the hours for Live Music (indoors), Recorded Music (indoors), Performance of Dance (indoors), Anything Similar (indoors), Late Night Refreshment, Sale of Alcohol (on & off) and extend the Opening Hours of the Venue. This variation is to also update the floor plan on file due to layout changes in the Venue.

Section 4 of 18

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

Section 5 of 18

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

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

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

Section 8 of 18

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

Standard Days And Timings

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

✓

Continued from previous page...

SUNDAY

Start 10:00

End 00:00

Start

End

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

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure 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 performance of live music

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

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

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

REMOVE 'NO ENTERTAINMENT ON GOOD FRIDAY OR CHRISTMAS DAY'

KEEP 'FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY'

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

Standard Days And Timings

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

Continued from previous page...

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 playing of recorded music 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 playing recorded music.

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

Non-standard timings. Where the premises will be used for the playing of recorded music 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.

REMOVE 'NO ENTERTAINMENT ON GOOD FRIDAY OR CHRISTMAS DAY'

KEEP 'FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY'

Continued from previous page...

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

Standard Days And Timings

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 performance of dance 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.

Continued from previous page...

State any seasonal variations for the performance of dance.

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

Non-standard timings. Where the premises will be used for the performance of dance 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.

REMOVE 'NO ENTERTAINMENT ON GOOD FRIDAY OR CHRISTMAS DAY'
KEEP 'FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY'

Section 11 of 18

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

Standard Days And Timings

MONDAY

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

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

Provide a description of the type of entertainment that will be provided.

Will this entertainment take place indoors or outdoors or both?

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

☒ Indoors

☐ Outdoors

☐ Both

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

State any seasonal variations for entertainment.

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

Non-standard timings. Where the premises will be used for entertainment 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.

REMOVE 'NO ENTERTAINMENT ON GOOD FRIDAY OR CHRISTMAS DAY'

KEEP 'FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY'

Continued from previous page...

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

Standard Days And Timings

MONDAY

Start 23:00

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 23:00

End 00:00

Start

End

WEDNESDAY

Start 23:00

End 00:00

Start

End

THURSDAY

Start 23:00

End 00:00

Start

End

FRIDAY

Start 23:00

End 00:00

Start

End

SATURDAY

Start 23:00

End 00:00

Start

End

SUNDAY

Start 23:00

End 00:00

Start

End

Will the provision of late night refreshment 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.

Continued from previous page...

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 the premises will be used for the provision of late night refreshment 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.

CHANGE TO 'FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY'

Section 13 of 18

SUPPLY OF ALCOHOL

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

☒ Yes

☐ No

Standard Days And Timings

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

Continued from previous page...

SATURDAY

Start 10:00

End 00:00

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

Will the sale of alcohol be for consumption?

☐ On the premises ☐ Off the premises ☒ Both

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

State any seasonal variations.

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

REMAINS THE SAME

Non-standard timings. Where the premises will be used for the supply of alcohol 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.

REMOVE 'GOOD FRIDAY 12:00 - 22:30' (MEANING GOOD FRIDAY REVERTS TO STANDARD LICENSED HOURS)
CHANGE 'CHRISTMAS DAY HOURS TO 10:00 - 00:00'

Section 14 of 18

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.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

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

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.

REMOVE 'GOOD FRIDAY 12:00 - 22:50' (MEANING GOOD FRIDAY WILL REVERT TO STANDARD OPENING HOURS)

CHANGE 'CHRISTMAS DAY HOURS TO 10:00 - 00:00'

THE PREMISES MAY BE OPEN FOR ONE HOUR FOLLOWING THE END OF PERMITTED HOURS FOR ALCOHOL (NO LONGER
NEEDS TO STATE ON CHRISTMAS DAY BETWEEN 15:00 AND 19:00 TO PERSONS TAKING TABLE MEALS)

FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY

Continued from previous page...

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

☐ 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.

Section 16 of 18

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

Continued from previous page...

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

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.

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

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

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

Continued from previous page...

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

Section 18 of 18

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 >

→ HIGH STREET ←



Licensable Activities
Sale of Alcohol On & Off / Provision of Live & Recorded Music
Performances of Dance / Provision of Late Night Refreshment

Outdoor area with Seating

Smoke Detector

Water Extinguisher

Fire Blanket

SCALE @ A3 - 1:100

GROUND FLOOR PLAN EXISTING LAYOUT

APPENDIX 3 – EXISTING LICENCE PLAN

APPENDIX 4 – REPRESENTATION IN SUPPORT

From: Cllr Joe Makepeace

Sent: 23 July 2018 17:14

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

Subject: Re: The Pickled Parson, 1-2 The Square, Sedgefield - Revised licence variation application

The premises represent an important social outlet and employment opportunity for local people. Historically the premises have always enjoyed an appropriate licence, I cannot default the application.

Sent from my Vodafone Smart

APPENDIX 4 – REPRESENTATIONS

From: M KING <

Sent: 30 July 2018 15:24

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

Subject: Re: The Pickled Parson, 1-2 The Square, 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.

We do not object to the internal alteration of the building.

M Q King (Rev)

A J King (Mrs)

Yvonne Raine

From: M KING <
Sent: 03 August 2018 16:00
To: Yvonne Raine
Subject: Re: The Pickled Parson, Sedgefield - Variation of Premises Licence

Thank you, Ms Raine, for your full and informative email.

It is regrettable that our national life is ceasing to have any identifiable markers to shape our communal life. It would be unfair and implausible, however, to demand that the Pickled Parson should stand aside from the changes of life, so we should accept the application to make no exception for religious holy days.

We are less clear of the need for drinking hours to be extended till midnight, and continue to be concerned that people's rest in the neighbourhood should be disturbed late into the night by ever-louder music and departing guests.

Yours,

M King (Rev)
A King (Mrs)

Yvonne Raine

From: J Swindale
Sent: 03 August 2018 19:53
To: Yvonne Raine
Subject: RE: The Pickled Parson, 1-2 The Square, Sedgfield - Revised licence variation application

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Yvonne

Thanks for the update. While pleased with the outcome of the Cornerhouse proposal, I would like to further comment in regard to the Re-submission by the Pickled parsons.

Comments :

As stated previously, the pub is in a residential area. I still have concerns about the Music of various types, going on until midnight. The amount of older people in this area, this is bound to affect there evenings. Also, sound travels, so it is not just houses in and around Rectory Row / High Street that will be affected.

I am not against Music completely, but think a much fairer time for Music to stop is 10 p.m, which seems to be inline more with other establishments.

Best Regards
J Swindale
Rectory Row.

From: K Stanley
Sent: 07 August 2018 19:05
To: AHS Licensing
Subject: variation of premises licence: The Pickled Parson

Categories:

To whom it may concern,

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

We, together with our three children, live in the centre of Sedgefield and are in the process of purchasing a house on Church View, which overlooks the green, perhaps 150 metres from The Pickled Parson.

While we *fully* support the upgrade to the pub and restaurant and use the establishment regularly, we do have real concerns over recent plans to have music outdoors and now new plans to create an outdoor area on all three sides of the pub where alcohol can be consumed until midnight every night of the week.

Outdoor drinking surrounding the pub will bring with it significant noise and this is unnecessary from morning until midnight all 7 days of the week. I feel this will have a significant detrimental impact to the privacy of all residents that live in the centre of Sedgefield and result in significance noise disturbance and public nuisance from people outside drinking until the early hours. We, like many other families in Sedgefield, have young children who will sleep in rooms overlooking the central street and green and really don't think this licence is favourable.

Sedgefield is a growing small town and we appreciate businesses need to be given the chance to thrive, but it must be remembered that Sedgefield has a strong residential heart with many of its beautiful old houses outdating the public houses and their very modern plans to play music and sell alcohol outside.

Yours faithfully,

K and R Stanley

From: M Carr
Sent: 08 August 2018 16:04
To: Yvonne Raine; AHS Licensing
Subject: Fwd: Licence: Pickled Parson Sedgefield
Attachments: Pick Parson licensing comm. aug.docx

-----Original Message-----

From: M Carr
To: m carr
Sent: Wed, 8 Aug 2018 16:01
Subject: Licence: Pickled Parson Sedgefield

Good Afternoon,

I wish to object to the application and attach a letter, and some photos, with details.

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

Kind regards,

M Carr

The Square,
Sedgefield,
TS21 2AB

6th August 2018

The Licensing Committee, Durham County Council
Premises- The Pickled Parson 1-2 The Square, TS21 2AB

I wish to object to the hours applied for and the area of sale of alcohol.

The premises are a Grade 2 listed building in an elevated position in the centre of the residential area which is also a conservation area. The surrounding buildings create an echo that is very noticeable on quiet evenings and consider the outside seating area would create late evening and night disturbance.

My property is attached to the Pickled Parson and the proposal allowing consumption of alcohol, up to midnight, in the outside area, is less than one metre from my window.

The exterior area shown is also a public footpath and attached to an access road to the resident's houses on The Square causing possible accidents.

There is no fixed time to stop consumption or leave the premises and this could be 12,30am or 1.00am. This would cause late night disturbance.

Public transport is limited to many areas and stops before midnight therefore cars and taxis would possibly be used with the access road to the building within a few metres of the resident's houses, especially on The Square causing late night noise and disturbance.

There have been noise problems in the past with various occupants when they have tried different types of music. My house The Square is attached to the Pickled Parson, and Environmental officers have been involved with noise complaints. In April 2007 and again August 2015 Durham County Council informed the tenant that their monitoring of the sound demonstrated that the noise emitted from the premises may amount to a statutory nuisance.

The DCC application guidance recommends that applicants should only ask for the hours they genuinely intend and reasonably expect to operate. Therefore, I would ask that the above points are considered and hours and suggest the following may be more appropriate for the premises and surrounding area.

Sunday to Thursday are 10:00 to 23.00, Friday and Saturday 10:00 to midnight, indoors only.

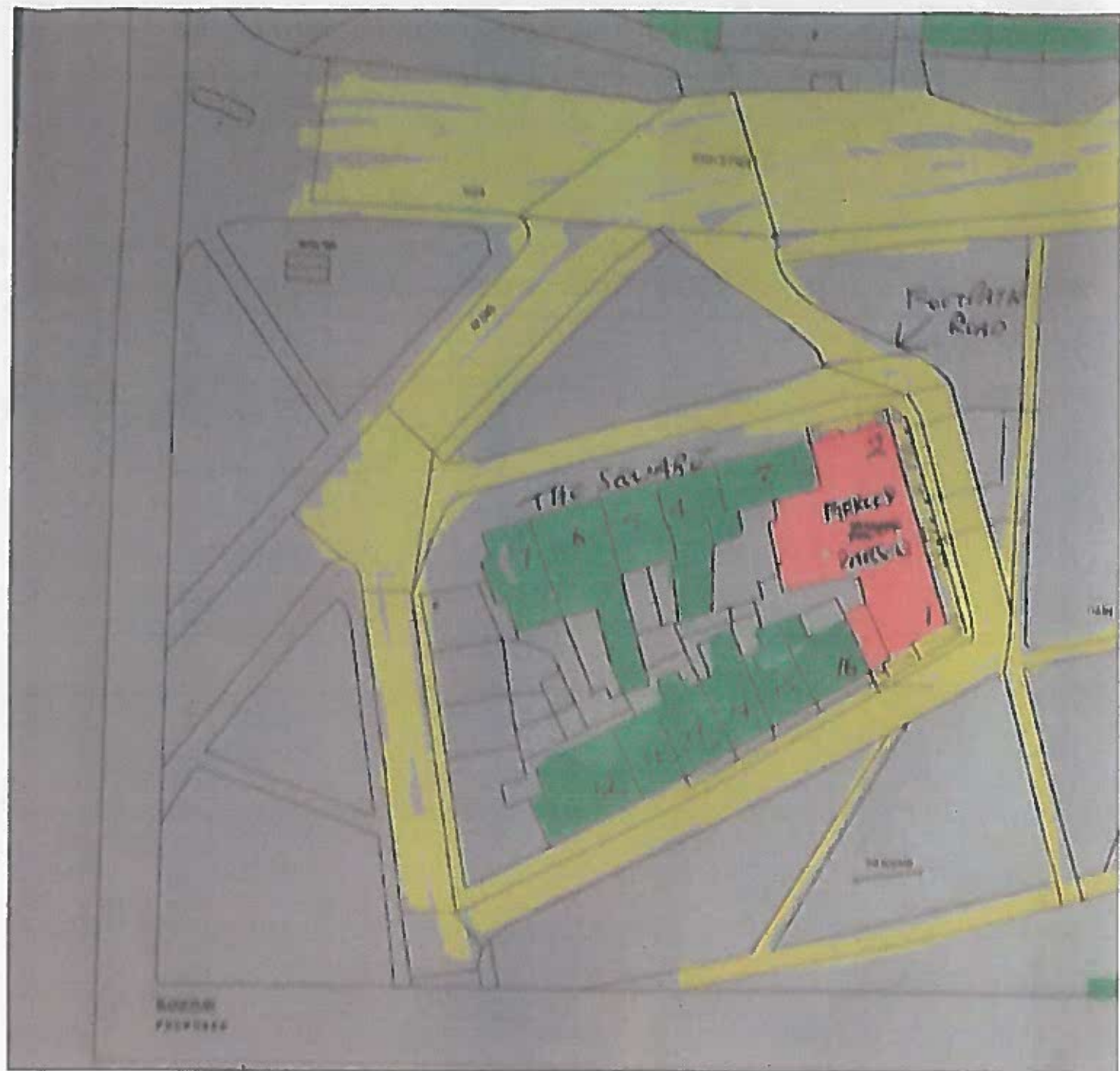
No alcohol consumed after the permitted hours. No off sale provisions. (There are 5 off license premises in Sedgefield with late opening, one 24 hours) The perimeter outdoor area with seating be removed.

Enclosed is a plan of the premises showing the position in relation to attached houses, local residences also the footpath and access road around The Square.

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 Cornerhouse premises in Sedgefield.

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 Sedgefield 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. Sedgefield 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 Sedgefield in its efforts to portray Durham at its very best. If as these applications threaten Sedgefield 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
Sedgefield

Yvonne Raine

From: m williams
Sent: 13 August 2018 13:54
To: AHS Licensing
Subject: The Pickled Parson, 1-2 The Square, Sedgefield - Revised licence variation application

Categories: Yvonne, Karen

With regard to the above reference

I live next door to the pickled parson at The Square and while I have no objections to the change in entertainment, floor plans or descriptions, I would be against any licensing extension as proposed. The pub currently stops serving at 11pm but my young son and I are often kept awake until well after midnight on weekdays and up to and after 1am on weekends while the staff tidy up, banging doors, extraction fan going, talking loudly and tipping bottles into recycling bins (which makes a horrendously loud noise), my son has to be up school and needs a good nights sleep. Any extension would see this activity continue on till 2-3 am which in opinion is totally unacceptable for residents of a quiet historic area. I am also concerned about the obvious increase in clients drinking more alcohol longer and later and the problems that brings with it, noise, rubbish and anti social behaviour.

Regards

M Williams

The Square

Sedgefield

TS21 2AD

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 21:48
To: AHS Licensing
Subject: Pickled Parsons (1-2 the Square Sedgefield TS21 2AB - Revised licence variation application

Licensing, Durham County Council.

I understand that the Pickled Parson (1-2 the Square Sedgefield TS21 2AB) have submitted a new application for the 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 new submission for variation of the licence for the following reasons:

1. If the Pickled Parson and Corner House are granted permission to the second variation of the current license (later closing time until midnight) 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 1pm 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 variation to the floor plan is unclear in the application in relation to the 2 meter strip to the 3 elevations outside the perimeter, which is village green. If the suggestion is that this area is used for the consumption of alcohol until midnight then this is unacceptable in a residential area.
6. Over recent months Sedgefield has witnessed some of the worse incidents of antisocial behaviour resulting in residents of Sedgefield feeling scared and worried to go out on an evening. 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 the 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 Pickled Parson, 1-2 The Square, Sedgefield:

The above requested variation to the Premises Licence requested by The Pickled Parson 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 Pickled Parson 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.

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 Pickled Parson 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 outdoor area around the premise, an area which is actually village green and being used illegally by the

owner without the permission of the Town Council and for which legal proceedings are expected. The Town Council has concerns as to how any consumption in this area can be controlled. Such a variation would mean that people would be allowed to drink outside indefinitely beyond the licensed hours. There is a concern about the closing time effect when in some instances people may purchase several drinks or double which could then be drunk outside and lead to anti-social behaviour in this central area of the Town. 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 Pickled Parson, 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 <
Sent: 14 August 2018 15:59
To: AHS Licensing
Subject: Variation of Premise Licence for the Pickled Parson

I strongly & robustly object to this application for the following reasons:

- 1, The noise from outside drinkers will be very disturbing for the residents of the Square & Rectory Row, especially during the hours of darkness,
- 2, Parking is already a problem in the area & more vehicles stopping & starting, opening & closing of doors and engine noise late at night will be intolerable,
- 3, The proposed new times and the outside drinking can only lead to more antisocial behaviour,
- 4, Residents must already endure late closing on Fridays & Saturdays and it will be unbearable to extend this disturbance to the whole week,
- 5, The encroachment of the premises' perimeter onto the Village Green is not acceptable in any way; the Village Green is for the use of ALL residents & not only customers of the Pickled Parson; even if the submitted plans do not reach the grassed area, enforcing and controlling the limitations will be impossible.

B Watson
Rectory Row
Sedgefield

Carol Graham - Licensing Assistant (N'hoods)

From: Cllr John 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

Karen Baker

From: Daniel Darnton <
Sent: 23 July 2018 15:10
To: Karen Baker
Subject: FW: Licensing - Premises licence variation - The Pickled Parson, 1-2 The Square, Sedgefield, TS21 2AB
Attachments: Pickled Parson Variation Plan.18Jul18.pdf; Pickled Parson, Sedgefield Variation 18Jul18.pdf; Current plan The Pickled Parson.pdf; The Pickled Parson - current licence.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

Karen Baker

From: Hilary Sperring
Sent: 23 July 2018 17:59
To: Karen Baker
Subject: CON28/18/01744 Application to vary a premises licence. 1 - 2 The Square, Sedgefield

Dear Karen,

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

Website: www.durham.gov.uk

Contact Area Office: planning@durham.gov.uk or

Follow us on [Twitter@durhamcouncil](https://twitter.com/durhamcouncil)
Like us at facebook.com/durhamcouncil

Karen Baker

From: Mark Quinn
Sent: 19 July 2018 10:01
To: Karen Baker
Cc: AHS Licensing
Subject: RE: Licensing - Premises licence variation - The Pickled Parson, 1-2 The Square, Sedgefield, TS21 2AB

Good Morning

I have received a premises licence variation for the establishment: The Pickled Parson, 1-2 The Square, Sedgefield, TS21 2AB

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

My Ref: SB/2018/089

Thanks

Mark Quinn
Quality and Performance Coordinator
Durham Local Safeguarding Children Board

Tel

County Hall
Durham
DH1 5UJ

www.durham-lscb.org.uk

Karen Baker

From: Stuart Thew <
Sent: 25 July 2018 15:09
To:
Cc: Karen Baker
Subject: Minor Variation - The Pickled Parson

Hi Aaron

No representations will be made regarding the minor variation for the Pickled Parson

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

Safest People, Safest Places

2 or 3 breaths of toxic smoke and you're unconscious Don't drown in toxic smoke Test your smoke alarm today

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

Please consider the environment before printing this email.

The contents of this message are confidential intended for the named addressee. If you are not the named addressee you should not disseminate or copy this e-mail. Please notify the sender immediately if you have received this e-mail by mistake and delete the e-mail from your system. Any views or opinions presented in this message are solely those of the author and do not necessarily represent those of County Durham and Darlington Fire and Rescue Service.

E-mail transmission cannot be guaranteed to be secure or error free as information could be intercepted, corrupted, lost or destroyed, arrive late or incomplete, or contain viruses. County Durham and Darlington Fire and Rescue Service nor the sender accepts liability for any errors or omissions in the content of this message or any viruses it may contain, it is the recipient's responsibility to scan the message and attachments (if any). If verification is required please request a hard-copy version.

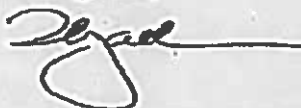
Karen Baker

From: Susan Gallimore
Sent: 14 August 2018 11:05
To: Karen Baker; AHS Licensing; Yvonne Raine; Karen Robson
Cc: Graydon Martin
Subject: RE: Licensing - Premises licence variation - The Pickled Parson, 1-2 The Square, Sedgefield, TS21 2AB

Hello Karen,

Please note that I have no adverse comments to make about this application.

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

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