

Statutory Licensing Sub-Committee

24th September 2018

Application to Vary a Club Premises Certificate



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

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

1. Summary

The Sub-Committee is asked to consider and determine the application from Mr Ian Macdonald of Ustinov College, Sheraton House, Sheraton Park Durham for the variation of their Club Premises Certificate.

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

2. Details of the Application

The application to vary the Club Premises Certificate was received by the Licensing Authority on 1st August 2018.

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

- To extend the current hours for the Sale of Alcohol and Regulated Entertainment on Thursday, Fridays and Saturdays until 12.00 midnight

A copy of the variation application is 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
Provision of Plays, Films Performance of Dance and Similar Entertainment to Live or Recorded Music (All Indoors)	Monday to Friday: 19:30 to 23:00 hrs Saturday and Sunday: 14:00 to 23:00 hrs

<p>Provision of Live Music and Recorded Music (Indoors)</p> <p>Sale of Alcohol (on and off the premises)</p>	<p>Monday to Friday: 19:30 to 23:00 hrs Saturday and Sunday: 14:00 to 23:00 hrs. On a maximum of 6 occasions per year up until 02:00 hrs</p> <p>Monday to Friday: 19:30 to 23:20 hrs Saturday and Sunday: 14:00 to 23:20 hrs. On a maximum of 6 occasions per year up until 02:00 hrs</p>
<p>Current opening times</p>	<p>Monday to Friday: 19:30 to 23:00 hrs Saturday and Sunday: 14:00 to 23:00 hrs. On a maximum of 6 occasions per year up until 02:00 hrs</p>
<p>Proposed Licensable Activities</p>	<p>Days & Hours</p>
<p>Provision of Plays, Films Performance of Dance and Similar Entertainment to Live or Recorded Music (All Indoors)</p> <p>Provision of Live Music and Recorded Music (Indoors)</p> <p>Sale of Alcohol (on and off the premises)</p>	<p>Monday to Wednesday: 19:30 to 23:00 hrs Thursday and Friday: 19:30 to 00:00 hrs Saturday: 14:00 to 00:00 hrs Sunday: 14:00 to 23:00 hrs</p> <p>Monday to Wednesday: 19:30 to 23:00 hrs Thursday and Friday: 19:30 to 00:00 hrs Saturday: 14:00 to 00:00 hrs Sunday: 14:00 to 23:00 hrs On a maximum of 6 occasions per year up until 02:00 hrs</p> <p>Monday to Wednesday: 19:30 to 23:00 hrs Thursday and Friday: 19:30 to 00:00 hrs Saturday: 14:00 to 00:00 hrs Sunday: 14:00 to 23:00 hrs On a maximum of 6 occasions per year up until 02:00 hrs</p>
<p>Proposed Opening Times</p>	<p>Monday to Wednesday: 19:30 to 23:20 hrs Thursday and Friday: 19:30 to 00:20 hrs Saturday: 14:00 to 00:20 hrs Sunday: 14:00 to 23:20 hrs On a maximum of 6 occasions per year up until 02:00 hrs</p>

The applicant has proposed the 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.

On 30th August 2018, Mr Macdonald also added the following additional condition to the operating schedule after a suggestion by a local resident:

'Ustinov College will display a notice in both the Sheraton House reception and the Ustinov College bar advising customers that they should make use of the designated parking area when visiting or leaving the bar by vehicle or taxi and not to use the area next to the Main Reception as a pick up/drop off point.'

A copy of Mr Macdonald's e-mail confirming the addition of this condition is attached at Appendix 3.

3. The Representations

The Licensing Authority received two relevant representations during the consultation period from 'other persons'.

The representations relate to the following licensing objectives:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance

The representations are from the following persons:

- Mrs P A Bland (Other Person)
- Ms M Hogan (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
- Durham Local Safeguarding Children Board
- Fire Safety Authority
- Environmental Health Authority, Noise Action Team
- Public Health Authority

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

4. Parties

The Parties to the hearing will be:

- Mr Ian Macdonald (Applicant, Ustinov Club Secretary)
- Mr Tom Pitts (President of Ustinov College)

- Mrs P A Bland (Other person)
- Ms M Hogan (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
- 9.0 The Prevention of Public Nuisance
- Appendix B - Framework Licensing Hours

Relevant information is attached as Appendix 6.

6. Section 182 Guidance

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

- 2.1 - 2.6 Crime and Disorder
- 2.15 - 2.21 Public Nuisance

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

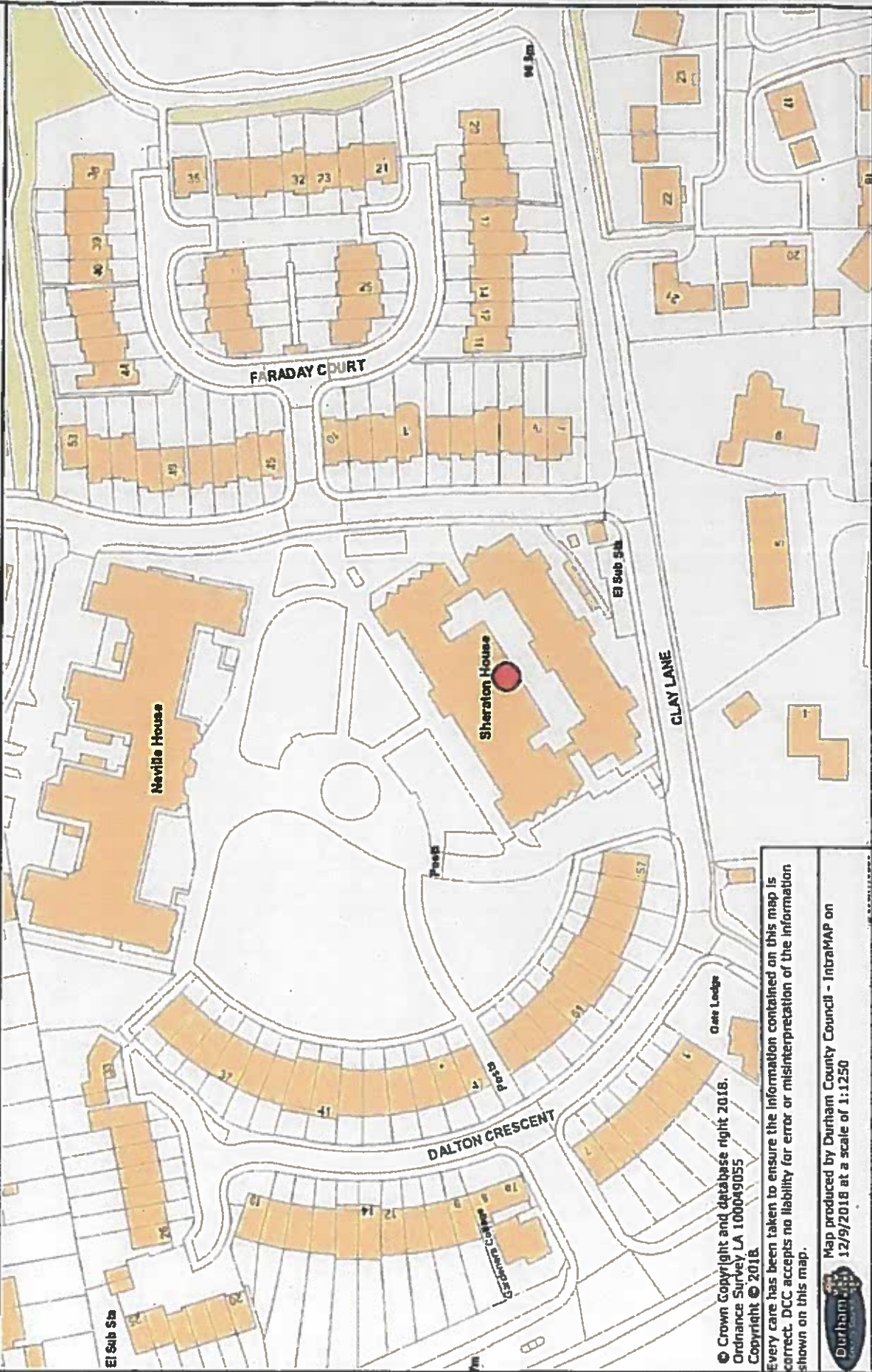
Tel: 03000 265256

Email: yvonne.raine@durham.gov.uk

APPENDIX 1 – LOCATION PLAN

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

Durham County Council - IntraMAP



© Crown Copyright and database right 2018.
Ordnance Survey LA 100049055
Copyright © 2018
Every care has been taken to ensure the information contained on this map is correct. DCC accepts no liability for error or misinterpretation of the information shown on this map.

Map produced by Durham County Council - IntraMAP on 12/9/2018 at a scale of 1:1250



APPENDIX 2 – VARIATION APPLICATION



County Durham
Application for a variation to a club premises
certificate
Licensing Act 2003

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

* required information

Section 1 of 18

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

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

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

Are you an agent acting on behalf of the applicant?

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

Yes No

Applicant 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:

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

Applying as an individual

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

Applicant Business

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

* Is your business registered outside the UK? Yes No

* Business name

If your business is registered, use its registered name.

* VAT number

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

* Legal status

Continued from previous page...

* Your position in the business	Ustinov College Business & Operations Manager	
Home country	United Kingdom	The country where the headquarters of your business is located.
Business Address		If you have one, this should be your official address - that is an address required of you by law for receiving communications.
* Building number or name	The Palatine Centre	
* Street	Stockton Road	
District		
* City or town	Durham	
County or administrative area	Durham	
* Postcode	DH1 3LE	
* Country	United Kingdom	

Section 2 of 18

APPLICATION DETAILS

Club premises certificate number	DCCC/CL0007
Name of club	Ustinov College Bar
The above named club applies for a club premises certificate under section 84 of the Licensing Act 2003 for the premises named in this section 2 below.	
Club Premises Address	
<input checked="" type="radio"/> Address <input type="radio"/> OS map reference <input type="radio"/> Description	
Building number or name	Ustinov College
Street	Sheraton House
District	Sheraton Park
City or town	Durham
County or administrative area	Durham
Postcode	DH1 4FL
Country	United Kingdom

Continued from previous page...

Club Premises Contact Details

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

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

Yes

No

E-mail

Telephone number

Other telephone number

Name Of Person Performing Duties Of A Secretary To The Club

First name

Family name

Address Of Person Performing Duties Of A Secretary To The Club

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Secretary Contact Details

E-mail

Telephone number

Other telephone number

Section 3 of 18

VARIATION

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

Yes

No

If not what date do you want the variation to take effect from

24	/	09	/	2018
dd		mm		yyyy

Continued from previous page...

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 the club's 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 it is, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for people to consume these off-supplies, please include a description of where this will be and its proximity to the premises.

Sheraton Park is a residential estate comprising a number of streets of two and three storey townhouses. The Sheraton Park development site at Clay Lane Durham City in the centre of Sheraton Park has been operating as Durham University's Ustinov College since September 2017 housing 410 exclusively postgraduate students and 25 full time staff. Ustinov College is a postgraduate only college and occupancy of the site by exclusively postgraduates continues to meet a key planning condition on the site that limited to 40% the number of undergraduates that could be housed on the site. The new college site comprising Neville House and Sheraton House has been occupied by Ustinov College since the 11th September 2017. On 7th April 2017 the authorising officer of Durham County Council granted a variation of condition to the planning consent for the Sheraton Park development permitting an extension to the Sheraton House building to provide a common room/bar and seminar room. A number of conditions were placed upon the grant of the variation. Durham University and Ustinov College as occupiers of the premises fully comply with these conditions. To mitigate the impact on the neighbouring residential area of noise emanating from the common room/bar area a key condition placed upon the variation is that the extension must not be operated or occupied unless in accordance with the noise mitigation measures contained in the approved Environmental Noise Assessment: Common Room/Bar report prepared by the consultancy Cundalls. The common room and bar have been operated in accordance with this condition and all the other conditions placed upon the variation of condition. To date there have been no adverse reports from the local residents and the police concerning the operation of the college bar and associated events.

This application seeks to vary the terms of the club premises certificate currently granted for the site. The current club premises certificate licenses the common room/bar area and reception area of Sheraton House as shown on the attached plan. The licensed area is entirely enclosed with no overspill outside the building. The common room/bar area has a capacity of 300. The common room/bar area is the principle social hub of the college providing students, staff and guests with space to socialise and organise events such as plays, film nights, live music events, recorded music events such as discos, cultural events such as performances of dance and other events. The current operating hours for the licensed bar are 19:30 – 23:00 Monday to Friday and 14:00 – 23:00 Saturday and Sunday with 20 minutes drinking up time at the end of each licensed day. The sole variation sought in this application is to amend the operating hours on Thursday, Fridays and Saturdays to allow the premises to remain open until 12 midnight with 20 minutes drinking time to follow on to 12.20am and to permit the licensable activities permitted to run to that time. All other operating conditions will remain as granted in the current Club Premises Certificate (DCCC/CL0007) for the premises. On a maximum of 6 occasions a year the College will organise live music and/or recorded music events such as discos and parties where the music will be amplified. Use of any sound equipment will continue to be in accordance with the planning conditions set by the local authority in the variation of condition report dated 7th April 2017. Similarly management of the building - no open windows, doors etc. will continue to be in accordance with the planning conditions in the same report. On a maximum of six occasions per year events such as those described above will run beyond the standard timings. The non-standard timings will run to 02:00 hours at the latest for each of the six nominated events. Where such a non-standard timing is utilised Ustinov College will notify the local licensing authority, the Sheraton Park Residents Association and the Nevilles Cross Residents Association 14 days before the event. This notification will be via telephone call and/or email.

Continued from previous page...

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

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will there be a change to the provision of plays?

Yes No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will there be a change to the provision of films?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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

Indoors Outdoors Both

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

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

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

State any seasonal variations for the exhibition of film.

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

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

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

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will there be a change to the provision of indoor sporting events?

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will there be a change to the provision of boxing or wrestling entertainments?

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will there be a change to the provision of live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Indoors Outdoors Both

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

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

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

State any seasonal variations for the performance of live music

Continued from previous page...

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

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

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

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

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will there be a change to the provision of recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Indoors Outdoors Both

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

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

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

State any seasonal variations for playing recorded music

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

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

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

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

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will there be a change to the provision of performances of dance?

Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

Indoors Outdoors Both

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

Give further details here

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

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

State any seasonal variations for the performance of dance

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

Continued from previous page...

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

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

Section 11 of 18

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

See guidance on regulated entertainment

Will there be a change to the provision of anything similar to live music, recorded music or performances of dance?

Yes No

Standard Days And Timings

MONDAY

Start 19:30

End 23:00

Start

End

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

TUESDAY

Start 19:30

End 23:00

Start

End

WEDNESDAY

Start 19:30

End 23:00

Start

End

THURSDAY

Start 19:30

End 00:00

Start

End

FRIDAY

Start 19:30

End 00:00

Start

End

SATURDAY

Start 14:00

End 00:00

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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

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

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

State any seasonal variations for entertainment

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

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

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

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

Section 12 of 18

SUPPLY OF ALCOHOL

Will there be changes to the supply of alcohol by or on behalf of a club to, or to the order of a member of the club?

Yes No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the supply of alcohol be for consumption?

- On the premises Off the premises Both

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

State any seasonal variations

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

Continued from previous page...

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

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

Section 13 of 18

HOURS CLUB PREMISES ARE OPEN TO THE MEMBERS AND GUESTS

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

Yes No

Standard Days And Timings

MONDAY

Start 19:30

End 23:20

Start

End

TUESDAY

Start 19:30

End 23:20

Start

End

WEDNESDAY

Start 19:30

End 23:20

Start

End

THURSDAY

Start 19:30

End 00:20

Start

End

FRIDAY

Start 19:30

End 00:20

Start

End

SATURDAY

Start 14:00

End 00:20

Start

End

SUNDAY

Start 14:00

End 23:20

Start

End

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

Continued from previous page...

State any seasonal variations

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

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

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

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

Section 14 of 18

ADULT ENTERTAINMENT

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

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

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

Section 15 of 18

CURRENT CONDITONS

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

Give details here.

There are no conditions currently imposed upon the licence that we would seek to have removed. The current conditions have enabled us to run an effective and efficient bar that has drawn no adverse comment from the authorities or the local communities.

I will be submitting the club premises certificate

I will be submitting the relevant part of the club premises certificate

Continued from previous page...

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)

Ustinov College is fully committed to the licensing objectives outlined in the Licensing Act 2003. The following general provisions are in place to ensure that they are achieved and regularly reviewed:

1. Authorised staff employed by Durham Police shall have free access to all parts of the licensed premises, at all reasonable times, for the purpose of inspection to ensure compliance with the terms and conditions of the club premises certificate and to ensure the promotion of the licensing objectives.
2. Policy on the management of university bars.
3. Standard Operating Manual and Schedule of General Bar Regulations.
4. Training strategy for personal licence holders, bar staff, bar management committee members and college porters. The records of training will be maintained by Ustinov College and made available for review by officers of the relevant responsible authorities as outlined in the Licensing Act 2003.
5. Performance management framework to ensure scrutiny and oversight of the bar operation and its management.
6. Annual application to the Durham City "Best Bar None" scheme for re-accreditation.

b) The prevention of crime and disorder

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

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

c) Public safety

The Ustinov College vision, mission and values statement clearly outlines the college is committed to providing a safe and enjoyable environment for all staff, students and visitors underpinned by mutual respect and responsibility. This

Continued from previous page...

commitment clearly extends to working to ensure the safety of everyone on the site. The following specific provisions are in place to deliver this commitment:

1. Ustinov College health and safety policy developed with the wider university health and safety framework.
2. Ustinov College health and safety management and risk control system supported by self-inspections and audits.
3. Durham University community and social responsibility process.
4. Fire safety risk assessment.
5. "Best Bar None" accreditation.
6. Standard operating procedure for the organising and running of college events.
7. Agreed safety protocols for specific events stipulating the use of plastic glasses and decanting of drinks from glass bottles.

d) The prevention of public nuisance

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

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

e) The protection of children from harm

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

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

Section 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:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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 17 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*

* Fee amount (£)

100.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

I/WE UNDERSTAND THAT 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

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

Continued from previous page...

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

* Full name

* Capacity

Date (dd/mm/yyyy)

Add another signatory

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/club-licensing/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.

**APPENDIX 3 –
ADDITIONAL CONDITION**

Yvonne Raine

From: MACDONALD, IAN J. < >
Sent: 30 August 2018 16:38
To: Yvonne Raine
Subject: RE: Club Certificate Variation application - Ustinov College Bar

Yvonne,

I can confirm I wish to amend my club certificate variation application to include the following condition: Ustinov College will display a notice in both the Sheraton House reception and the Ustinov College bar advising customers that they should make use of the designated parking area when visiting or leaving the bar by vehicle or taxi and not to use the area next to the Main Reception as a pick up/drop off point.

I hope this wording meets the requirement.

Regards

Ian Mac.

Ian Macdonald
Business & Operations Manager

Ustinov College |
Tel: | www.durham.ac.uk/ustinov.college
Ustinov College: Local community, global citizens.

 Please consider the environment before printing this e-mail



50 YEARS
of postgraduate community



APPENDIX 4 – REPRESENTATIONS

Yvonne Raine

From: P Bland
Sent: 28 August 2018 21:32
To: AHS Licensing
Subject: Re: Application for variation of Licensing activities for Ustinov College PB

I would like to register my objection to the request to extend the current licensable activities until 12.00 midnight Thursday to Saturday inclusive for the following reasons:-

1. The licence was granted at that point on 22 August, 2017 and the attached document clearly outlines clearly the reasons why the late opening was not granted, and the Appendices detail the reasons for the objections at that point in time.

<https://democracy.durham.gov.uk/documents/s80085/Ustinov%20College%20Bar.pdf>

1. Nothing has changed in terms of the estate - it remains a residential estate and I strongly object to my own way of life being disturbed by late bar opening every week. The original agreement was for late opening on 6 occasions annually.
2. Whilst there is an escalation procedure in the event of disturbance, Ustinov will not be responsible for students/visitors from other Colleges or Student residences attending.
3. The residents of this estate have had to endure years of uncertainty, fight for their right to a peaceful life in their own homes against the various suggestions that have been put forward. This, together with the unlimited HMO certificates granted has had a negative effect on the estate and the sale of properties. Whilst Ustinov has proved thus far to be a good neighbour and the finished Ustinov site is excellent, I strongly object to granting of a concession regarding licensing when this was all covered, discussed and agreed in 2017.

Should this application be agreed to by licensing committee, I would like a full explanation of their reasons for doing so, since should this prove to be problematic they must be accountable.

Yours sincerely,

Mrs P A Bland

Yvonne Raine

From: M Hogan <
Sent: 29 August 2018 13:43
To: AHS Licensing
Subject: Ustinov College Bar Sheraton House

Dear Sir/Madam

Regarding the notice for a variation on the licence for the above.

I write to object to this change in licencing hours. The bar is in the middle of a residential area and the external area, in which the student drinkers already congregate on an evening, has fantastic acoustics such that the conversations of said students are amplified and overheard by all of the houses that surround the central courtyard area. Every weekend during this summer I have been kept up by the noise from the bar and therefore must strongly object to a permanent extension in the licence.

It was the understanding of the residents committee that the student accommodation would be sympathetic to the fact it was in the middle of a residential area however this proposed change in licencing hours does not seem to consider the impact on the residents. The bar is already loud and the students leaving it at 11pm can be heard for upwards of an hour leaving the area and congregating outside. To extend the licence to midnight every Thursday to Sunday is unfair to the residents who already have to put up with the noise and drunken behaviour. The students can easily frequent other college bars only a short walk away if they feel the need to drink for an extra hour.

I feel the council has a duty of care to the "normal" residents – student accommodation and associated licencing requests are overwhelming the town and the council needs to look after the permanent residents and not just the transient student population.

Thanks in advance

M Hogan
Dalton Crescent
Durham

Sent from [Mail](#) for Windows 10

**APPENDIX 5 - RESPONSES FROM
RESPONSIBLE AUTHORITIES**

Carol Graham - Licensing Assistant (N'hoods)

From: Daniel Darnton
Sent: 09 August 2018 15:40
To: Carol Graham - Licensing Assistant (N'hoods)
Subject: FW: Licensing - variation of Club Premises Certificate received
Attachments: Ustinov College Durham - club variation.pdf; Ustinov College Durham - current club certificate.pdf

Good Afternoon,

Durham Constabulary have no objections to the below application.

Thanks
Dan

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



Durham Constabulary
Altogether Better Policing

Carol Graham - Licensing Assistant (N'hoods)

From: Mark Quinn
Sent: 07 August 2018 14:57
To: Carol Graham - Licensing Assistant (N'hoods)
Cc: AHS Licensing
Subject: Licensing - variation of Club Premises Certificate received

Good Afternoon

I have received an application to vary a licence for the establishment: Ustinov College Bar, Sheraton House, Sheraton Park, Durham

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

My Ref: S8/2018/099

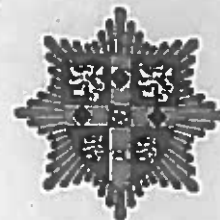
Thanks

Mark Quinn
Quality and Performance Coordinator
Durham Local Safeguarding Children Board

Tel.

County Hall
Durham
DH1 5UJ

www.durham-lsrb.org.uk



Chief Fire Officer: Stuart Errington

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

Date: 09 August 2018

This matter is being dealt with by: Chris Hockaday

Ext:

Our Ref: I

Your Ref: XX

Direct Dial Telephone:

E-mail: I

Ian McDonald

Dear Sir

Licensing Act 2003

Regulatory Reform (Fire Safety) Order 2005

Ustinov College - New Build, South Road, Durham, DH1 3DE

I acknowledge your application dated 1 August 2018 for a Premises Licence under The Licensing Act 2003 in respect of the above named premises.

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

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

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

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

Yours faithfully

Chris Hockaday
Fire Safety Section



Carol Graham - Licensing Assistant (N'hoods) .

From: Ted Murphy
Sent: 07 August 2018 09:03
To: Carol Graham - Licensing Assistant (N'hoods)
Subject: RE: Licensing - variation of Club Premises Certificate received

Hi Carol,

NAT have no objection to the variation.

Regards

Ted Murphy
Senior Environmental Health Officer
Regeneration and Local Services

T:

E:

Web: www.durham.gov.uk

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

Like us at facebook.com/durhamcouncil

Carol Graham - Licensing Assistant (N'hoods)

From: Sean Barry
Sent: 06 August 2018 13:28
To: Carol Graham - Licensing Assistant (N'hoods)
Cc: AHS Licensing
Subject: RE: Licensing - variation of Club Premises Certificate received Ustinov College Bar, Sheraton House, Sheraton Park, Durham

Good Afternoon

I have received an application to vary a licence for the establishment: Ustinov College Bar, Sheraton House, Sheraton Park, Durham

I have no comments or objections to make on behalf of County Durham Public Health.

My Ref: PH/2018/007

Thanks
Sean

**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.

9.0 Prevention of Public Nuisance

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

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

9.3 If an external structure or area is to be used by customers, whether for consumption of alcohol or for smoking, the applicant will be expected to offer measures designed to minimise its impact on local residents in respect of both public nuisance and crime and disorder. These measures may include a restriction on hours that areas / structures will be used, appropriate signage requesting customers to consider local residents and monitoring of such areas by staff.

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

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

- Assessment of likely noise levels in the premises.
- Assessment of likely noise levels if outdoor drinking is allowed.
- The sound insulation the building would provide (e.g. double glazing, double doors / lobbies to entrances, windows used for ventilation).
- The distance and direction to the nearest noise sensitive premises.
- Likely noise sources outside of the premises (e.g. emptying bottle bins, taxis, unruly customers leaving the premises).
- Dispersal of patrons – where necessary the Licensing Authority will expect a

dispersal policy for patrons at the end of the evening. The policy will specify such issues as alterations to the style and volume of music played, public address announcements and use of appropriate signage at exits.

- Ways to limit noise / disorder from patrons leaving the premises.

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

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

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

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

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

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

APPENDIX 7 – S.182 GUIDANCE

Crime and disorder

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

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

Public 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.