

City of Durham Parish Council

c/o 5 Alexandra Close
Ponteland
Northumberland
NE20 0BS

Telephone 07704 525630
Email: adamshan89@hotmail.com

1 April 2019

Dear Councillor,

In accordance with the Local Government Act 1972 I hereby give you notice that a **MEETING** of the **LICENSING COMMITTEE** will be held in **ROOM 2, ALINGTON HOUSE, 4 NORTH BAILEY, DURHAM, DH1 3ET** on **5th APRIL 2019 AT 14:00** to transact the following business: -

- 1. TO RECEIVE ANY APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS**
- 3. TO APPROVE THE MINUTES OF THE LAST LICENSING COMMITTEE, HELD ON 22nd MARCH 2019**
- 4. DISCUSSION WITH HELEN JOHNSON AND CRAIG RUDMAN, DCC LICENSING OFFICERS RE: DCC LICENSING CONSULTATION**
- 5. PUBLIC PARTICIPATION**
- 6. VERBAL UPDATE ON RECENT LICENSING APPLICATIONS**
- 7. DCC STATEMENT OF LICENSING POLICY – CONSULTATION 2019**

And pursuant to the provisions of the above-named act, I Hereby Summon You to attend the said meeting.

Adam Shanley
Clerk to City of Durham Parish Council
<http://cityofdurham.parish.durham.gov.uk>

CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the Licensing Committee held on Friday 22nd March 2019 at 14:00 in Room 2, Alington House, 4 North Bailey, Durham, DH1 3ET

Present: Councillors L Brown, E Ashby, A Doig, D Freeman and R Cornwell

Also present: A Shanley, Cllr V Ashfield, Ms Lynda Delf, PC Sgt Caroline Dickenson and PC Insp Siobhan Jones.

Cllr L Brown in the Chair

1. APOLOGIES FOR ABSENCE

Cllr Carole Reeves

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

None received.

3. DISCUSSION WITH PC SGT CAROLINE DICKENSON AND PC INSP SIOBHAN JONES RE: RECORD OF LICENSEES AND TEMPORARY EVENT NOTICES

The Chair welcomed Caroline and Siobhan to the meeting and thanked them for taking the time to come and talk to the Parish Council Licensing Committee.

The Clerk opened discussions by advising that, through the ongoing work of formulating its response to Durham County Council's Licensing Policy, the Parish Council Licensing Committee had identified a number of issues which it hoped to work more closely with the police on. The Clerk requested whether or not the Police may be able to provide information to the Parish Council whenever a Temporary Event Notice (TEN) is permitted and also provide details of whenever the police have had to attend premises due to a breach of the licensing objectives. PC Caroline advised that the only way this may be possible would be through submitting a Freedom of Information request.

There was some concern expressed about this approach as an FOI required a response within 28 days and Temporary Event Notice only required 72 hours.

Cllr E Ashby advised that she felt that the Committee and the police should work jointly to have the City Centre designated as a special case. Cllr E Ashby advised that at present there are approximately 18,000 students living in Durham, there is no cumulative impact policy in place and the health of the local community should be a key objective of any licensing policy.

Lynda Delf advised that the colleges at the University are often very good at making residents aware that a late-night event is taking place.

Cllr V Ashfield advised that she was concerned about the impact lack of sleep due to late-night revelling is having on residents' mental health.

Cllr R Cornwell advised that he felt that the remedy on the law relating to TENs is through Parliament and he felt that the local MP ought to be lobbied to do something on this.

The Clerk also highlighted the issue of a lack of a licensing portal. Both Caroline and Siobhan advised that they too were concerned about this and would add their voice to the lobbying the Parish Council were doing on this with Durham County Council. Siobhan advised that there were 5 principles which sat below the 4 licensing objectives of licensing; one of which is to ensure that there is proper consultation with local residents. It was felt that this didn't take place at present.

Caroline advised that she was in the process of formulating the police's response to the ongoing DCC licensing policy consultation. The Clerk requested sight of the police response as a means to inform the response of the Parish Council. Caroline advised that she would see if this were possible.

Siobhan finished by encouraging the Parish Council Licensing Committee to be as vociferous as possible on licensing applications. This would assist the police as they would prefer there were no issues at all.

The Chair thanked the Officers for attending the meeting. Both Caroline and Siobhan left the meeting.

4. PUBLIC PARTICIPATION

Lynda Delf and Cllr V Ashfield advised that they were attending to discuss the Barrio Comida application. The Chair advised that she would invite both to speak when the Committee came to discuss the specific application on the Agenda.

5. TO APPROVE THE MINUTES OF THE LAST LICENSING COMMITTEE, HELD ON 8TH MARCH 2019

The Minutes of the meeting held on 8th March were agreed unanimously as a true and accurate record of proceedings.

6. TO DISCUSS THE FOLLOWING LICENSE APPLICATIONS

Outstanding Art Limited

There was some confusion over whether this application is an art gallery which provided alcohol or a pub which illustrated art.

The Committee considered the application and resolved to object under the objective of preventing a public nuisance and protecting children from harm.

Members highlighted that this premises would be the only art gallery in the area; one which children may look to visit to further their interest in art. The Committee felt that the fact that the premises is intending to sell alcohol is of concern and strict conditions must be applied on the sale of alcohol in view of the premises' likely appeal to children studying art.

The Committee also expressed concern about the potential tipping of glass bottles after 11pm and the noise from this likely representing a public nuisance to residents living nearby.

It was agreed that the Clerk should draft the objection and circulate to Members for approval.

Barrio Comida

Cllr V Ashfield and Ms Lynda Delf advised that they felt that the Parish Council Licensing Committee ought to object to this application and were concerned about the impact of loud music playing in a premises situated right next to local residents. Ms Lynda Delf expressed concern about the premises' lack of any parking and therefore the need to receive deliveries to the premises likely representing a nuisance to nearby residents and road users.

Ms Lynda Delf highlighted that the applicant is requesting permission to remain open 24 hours during New Year's Day.

The Committee considered the application and resolved to object to this application under the objective of preventing a public nuisance.

As had been described by Ms Delf, the Chair highlighted that this premises is within very close proximity to residential properties. The playing of recorded music from 8am until 11pm would therefore represent a public nuisance for nearby residents.

The Committee advised that they felt that a condition ought to be applied to this application that the playing of recorded music in these premises and that be that the playing of music be limited to 12pm-7pm Monday to Sunday and that windows be closed whilst music is playing.

Cllr E Ashby also advised that she felt that the premises proximity to a World Heritage Site also had weight. The potential impact of noise from recorded music within this area would be unacceptable.

The Chair also expressed concern about the potential tipping of glass bottles after 11pm and the noise from this also likely representing a public nuisance to residents living nearby.

Cllr A Doig also expressed concern about eating and drinking outside the premises and felt that this not be permitted as part of the licensing application.

The Committee resolved to request that a condition be applied to the application that no outdoor cooking take place at all and that there be no al fresco eating or drinking permitted outside the premises after 6pm, to further mitigate from the potential of this premises being a public nuisance to local residents.

It was agreed that the Clerk should draft the objection and circulate to Members for approval.

7. DCC STATEMENT OF LICENSING POLICY – CONSULTATION 2019

Cllr E Ashby advised that she would have a worked-up response to the consultation ready for the 5th April Licensing Committee meeting.

There being no further business, Cllr L Brown thanked Members for their attendance and closed the meeting.

Signed

Chair of City of Durham Licensing Committee