

# City of Durham Parish Council

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16<sup>th</sup> September 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 **OFFICE 2, CLAYPORT LIBRARY, 8 MILLENNIUM PLACE, DURHAM DH1 1WA ON 20<sup>th</sup> SEPTEMBER 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. PUBLIC PARTICIPATION**
- 4. TO APPROVE THE MINUTES OF THE LAST LICENSING COMMITTEE, HELD ON 16<sup>th</sup> AUGUST 2019**
- 5. UPDATE ON RECENT LICENSING APPLICATIONS.**
- 6. PROGRESSING THE PARISH COUNCIL LICENSING TRAINING EVENT**
- 7. CUMULATIVE IMPACT ASSESSMENT CONSULTATION** – report included
- 8. TO CONSIDER THE FOLLOWING LICENSING APPLICATION:**

Durham University	The Graham Sports Centre Maiden Castle Durham DH1 3SE	<b>Minor variation application</b> To amend the plan to reflect the change in licensable area. This will not impact on the licence conditions and the capacity will still be 60 persons	27 September 2019
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<p>Milburn NE Limited</p>	<p>Delaneys Donkey The Riverwalk Unit 17 Milburngate Durham DH1 4SL</p>	<p><b>New premises licence application</b></p> <p>Live music (indoors and outdoors) Monday to Saturday 10.00am to 11.00pm, Sunday 11.00am to 11.00pm</p> <p>Recorded music (indoors and outdoors) Monday to Wednesday 10.00am to 11.00pm, Thursday 10.00am to midnight, Friday and Saturday 10.00am to 1.00am, Sunday 11.00am to 11.00pm, Bank holiday Sunday to revert to Saturday hours</p> <p>Performance of dance (indoors) Monday to Wednesday 10.00am to 11.00pm, Thursday 10.00am to midnight, Friday and Saturday 10.00am to 1.00am, Sunday 11.00am to 11.00pm, Bank holiday Sunday to revert to Saturday hours</p> <p>Sale of alcohol (on and off the premises) Monday to Wednesday 10.00am to 11.00pm, Thursday 10.00am to midnight, Friday and Saturday 10.00am to 1.00am, Sunday 11.00am to 11.00pm, Bank holiday Sunday to revert to Saturday hours, Christmas Eve 10.00am to midnight, New Year's Eve 10.00am to 2.00am</p>	<p>4 October 2019</p>
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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 16<sup>th</sup> August 2019 at 11:00 in Office 2, Clayport library building, 8 Millennium PI, DH1 1WA.**

Present: Councillors L Brown, E Ashby and R Cornwell

Also present: A Shanley (Clerk) and Chris Binding (Local Democracy Reporter -JPI Media).

**CLlr L Brown** in the Chair

## **1. TO RECEIVE ANY APOLOGIES FOR ABSENCE**

Apologies received from Cllr A Doig.

## **2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS**

None received.

## **3. PUBLIC PARTICIPATION**

None received.

## **4. TO APPROVE THE MINUTES OF THE LAST LICENSING COMMITTEE, HELD ON 12<sup>TH</sup> JULY 2019**

The Minutes of the meeting held on 12<sup>th</sup> July 2019 were unanimously agreed as a true and accurate record of proceedings.

## **5. UPDATE ON RECENT LICENSING APPLICATIONS.**

The Chair advised that the application for Blue Eye had been permitted without a hearing as the applicant had accepted the conditions requested by the Parish Council. These include:

- 1) Off sales from the premises will cease at 11pm
- 2) Use of the pavement café will cease at 11pm and the outside seating will not be used after this time.

The Chair remarked that she felt this to be a positive outcome.

## **6. PROGRESSING THE PARISH COUNCIL LICENSING TRAINING CONFERENCE**

The Clerk reported that the date of 30<sup>th</sup> September had been booked at the Town Hall in Durham for the Conference and this is due to take place between 6pm – 9pm. The training provider has confirmed his availability for this event and will be charging the Parish Council £500 for his work and time and he will also be requesting reimbursement of travel expenses but not accommodation costs, which he will cover personally.

As part of the agreed fee, the training provider will be creating training materials for the event which he will share on 9<sup>th</sup> September (3 weeks prior to the event) with the Parish Council Licensing Committee.

The Clerk reported that he hoped that Durham Police would be in attendance for the event, however at present he had not received a confirmation from the Police nor from the MP who had also been invited.

The Clerk reported that, as part of the event, the Committee may look to set up some "test" licensing applications for attendees to comment on these as a training activity at the event.

The Committee felt that plans for the event were progressing well. The Clerk advised that the only thing left to do is to publicise the event as far and as wide as possibly within the Parish.

## **7. TO CONSIDER THE FOLLOWING LICENSING APPLICATION:**

**Savers Health and Beauty Limited** - Application to vary a premises licence  
Sale of alcohol (off the premises) Monday to Saturday 8.00am to 7.30pm, Sunday 10.00am to 6.00pm, Monday to Saturday in December to 8.00pm

It was **agreed** to note this application with a comment to DCC Licensing Team to request that they keep an eye on the sale of cheap alcohol and ensure this is in line with minimum unit pricing.

**Durham Gin Limited** - New premises licence application

Live music (indoors) Friday 4.00pm to 11.00pm, Saturday 12.00pm to 11.00pm, Sunday 12.00pm to 5.00pm

Recorded music (indoors) Monday to Thursday 10.00am to 8.30pm, Friday and Saturday 10.00am to 11.30pm, Sunday 12.00pm to 5.30pm

Sale of alcohol (on and off the premises) Monday to Thursday 10.00am to 8.30pm, Friday and Saturday 10.00am to 11.30pm, Sunday 12.00pm to 5.30pm

Cllrs E Ashby and R Cornwell advised that they had met with the applicant and their Agent at the proposed premises and had discussed the plans for the premises.

It was **agreed** to note this application with a comment to DCC Licensing Team that the Parish Council hoped that the license would come under review should the premises ever change ownership.

There being no further business, the Chair thanked members for their attendance and closed the meeting.

Signed,

Chair of City of Durham Licensing Committee

## **ITEM 7: CUMULATIVE IMPACT ASSESSMENT CONSULTATION**

### **Introduction**

Following the recent consultation of DCC's licensing policy and in response to some concerns regards the density of licensed premises in Durham City potentially increasing crime and nuisance levels, the County Council is exploring if there is a need to introduce a Cumulative Licensing Policy (CIP).

### **What is a Cumulative Licensing Policy?**

A CIP is a special licensing policy that can be introduced if there is sufficient evidence that the number, type or density of licensed premises is having a negative 'cumulative impact' in an area.

A CIP can apply to parts of the county, for example, a single road, part of a town or city centre where evidence exists that crime and disorder, public nuisance or public safety issues are specifically linked to the number of licensed premises in that area.

### **How will DCC know if a CIP is needed?**

To find out if there is a need for Cumulative Impact Policy (CIP), DCC have to carry out an assessment looking at the impact of premises licensed for the sale of alcohol for consumption on or off the premises as well as those late-night refreshment providers which are not licensed to sell alcohol. For example, takeaway food shops.

During the assessment, evidence will be gathered which is then fully assessed to find out what problems exist, and if there are connections between them and licensed premises, and whether a special policy would help to address such matters.

To ensure that the information gathered from the assessment is relevant, DCC will work closely with key organisations to collect evidence, including Durham Constabulary, County Durham and Darlington Fire & Rescue Service, our City Centre Manager, and our Community Safety and Environmental Health teams. This will include gathering local crime and disorder statistics such as specific types of crime, hotspots and anti-social behaviour offences.

DCC also want to hear from the community and from those who represent people living and working in Durham City through a public consultation. Feedback provided as part of this consultation will be considered alongside evidence provided from the aforementioned organisations.

### **What are the dates of the public consultation?**

The consultation will start on Monday 16 September, with a deadline for feedback of Friday 25<sup>th</sup> November.

### **Who will DCC be encouraging to have their say on the consultation?**

Direct briefings, as well as targeted marketing and communications activity, will encourage residents in Durham City and across County Durham, licensed premises in Durham City, businesses in Durham City and students at Durham University to provide feedback.

### **How can audiences have their say?**

An online survey which will ask for feedback to questions around the four objectives considered when granting licenses – crime and disorder, public safety, public nuisance and the protection of children from harm – can be accessed at [www.durham.gov.uk/consultation](http://www.durham.gov.uk/consultation). A hard copy of the survey is also available from DCC on request.

### **What will happen should a CIP be needed?**

If, based on evidence and need, DCC decide to introduce a CIP for Durham City in the licensing policy, further consultation will take place with key partners and stakeholders as listed in the Licensing Act 2003 and publish the assessment.

If introduced, the policy would not;

- change the way that licensing decisions are made. Applications for new licences or variations to existing licences must still be considered on an individual basis.
- applications that are unlikely to add to the cumulative impact on the licensing objectives should still be granted.
- relate to temporary licensed events which would require a Temporary Event Notice (TEN).
- apply to all licensed premises. For example, Hotels may not be affected.
- change the number of existing licenses or affect the opening hours of premises with existing licenses.

If introduced, DCC feel the policy would;

- be a strong statement of intent about an authority's approach to licence applications
- explain that it is likely that granting further premises and/or club premises certificates in the defined area would be inconsistent with an authority's duty to promote the licensing objectives
- create a presumption that any application caught by it would be refused on receipt of a relevant representation unless the applicant can provide evidence to rebut that presumption.

The CIP would then be reviewed every three years (commencing with its publication or revision), including a full consultation. If DCC, as the licensing authority, choose to keep the Cumulative Impact Assessment in place, then they must set out the evidence as to why and how they came to that conclusion.

<b>DECISION REQUIRED</b>	Members are asked to consider what next steps to take in respect of the cumulative impact assessment consultation and formally agree a recommendation to go forward to Full Council in October.
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