

# City of Durham Parish Council

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18 March 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 **22nd MARCH 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. DISCUSSION WITH PC SGT CAROLINE DICKENSON AND PC INSP SIOBHAN JONES RE: RECORD OF LICENSEES AND TEMPORARY EVENT NOTICES.**
- 4. PUBLIC PARTICIPATION**
- 5. TO APPROVE THE MINUTES OF THE LAST LICENSING COMMITTEE, HELD ON 8th MARCH 2019**
- 6. TO CONSIDER THE FOLLOWING LICENSING APPLICATION:**

Outstanding Art Limited	76 North Road Durham DH1 4SQ	<b>New premises licence application</b> Live music (indoors) Monday to Saturday 7.00pm to 10.00pm  Recorded music (indoors) Monday to Sunday 10.00am to 11.00pm  Sale of alcohol (on the premises) Monday to Sunday 10.00am to 11.00pm	2 April 2019
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Shaun Emmett Hurrell	Barrio Comida 31-33 Church Street Durham DH1 3DG	<p><b>New premises licence application</b></p> <p>Recorded music (indoors) Monday to Sunday 8.00am to 11.00pm, from the end of permitted times on New Year's Eve to the start of permitted times on New Year's Day</p> <p>Sale of alcohol (on and off the premises) Monday to Sunday 10.00am to 10.00pm, New Year's Eve to the start of permitted times on New Year's Day</p>	2 April 2019
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## **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 8<sup>th</sup> March 2019 at 14:00 in Room 2, Alington House, 4 North Bailey, Durham, DH1 3ET**

Present:

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

Also present: A Shanley and Mr Brendan McKeon

**Cllr L Brown** in the Chair

## **1. APOLOGIES FOR ABSENCE**

None received.

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

None received.

## **3. TO APPROVE THE MINUTES OF THE LAST LICENSING COMMITTEE, HELD ON 22<sup>nd</sup> FEBRUARY 2019**

The Minutes of the meeting held on 22<sup>nd</sup> February were agreed unanimously as a true and accurate record of proceedings.

## **4. PUBLIC PARTICIPATION**

Mr Brendan McKeon attended the meeting to raise an objection about the Former Walkabout licensing application.

Mr McKeon advised that this was the first major late-night licensing application for the Parish Council since its formation. Mr McKeon wished to raise an objection to this application and advised that he felt that the granting of this application would represent a public nuisance. In particular, Mr McKeon felt that the noise coming from students travelling up and down Neville's street to attend the premises would have a detrimental impact on local residents – many of whom are students themselves. Mr McKeon advised that he had also raised this at the Tuesday evening's meeting of the Crossgate Community Partnership.

Mr McKeon advised that his experience is that groups of between 20-30 students at any one time walk to the existing premises and the impact on residents caused by noise would represent a public nuisance. Mr McKeon advised that the noise had got so bad near his property that he had on occasion taken to sleeping in his bathroom to avoid the noise.

Mr McKeon advised that he would be looking to petition local residents on this application to see how they felt about this and Cllr V Ashfield had offered to assist him.

The Chair thanked Mr McKeon for making the Committee aware of his views on the application and the Clerk advised that he would minute the representation to the Parish Council as an objection.

Mr McKeon thanked the Committee for their time and left the meeting.

## **5. TO DISCUSS THE FOLLOWING LICENSE APPLICATIONS**

Former Walkabout application – The meeting noted that the documentation provided by the representative of the applicant had not included the requested operating schedule. It was therefore agreed that Members would seek a meeting at Annand House to be able to view this. The Committee resolved to submit an objection to the application on the grounds of this being contrary to the licensing objective of preventing public nuisance. It was felt that the noise late at night caused by patrons of the premise would have a detrimental impact on local residents.

Cllr A Doig also advised that he felt that, given the scale and size of the proposed premises, the application should also include details of other premises of a similar size and nature which the Ltd company (the Applicant) has had experience of running.

## **6. DCC STATEMENT OF LICENSING POLICY – CONSULTATION 2019**

**The Clerk reminded Members that the following representations had been put forward as suggested comments to the DCC Statement of Licensing Policy consultation:**

- that para. 3.3 ought to be amended to ensure that planning and licensing applications should align and not contradict one another.
- that “minimum unit price” on alcohol ought to be defined in the Statement to avoid any potential loopholes if ever challenged.
- that the Parish Council may wish to specify that they would like the County Council to consider introducing a late-night levy on Town Centre premises.
- that Councillors had also expressed a preference for a cut off of operating hours on premises serving alcohol at 2am rather than 4am.
- that a license review take place each time a premise changes ownership.
- that the Parish Council may request to know whether an applicant has a record of running premises in a manner which went against the licensing objectives
- that the term “student” ought to be defined in the Statement.
- that applicants be made to redact their own applications to cut down on DCC Licensing Officers time and make it easier for the details of any application to be made public.
- that a register of all licensed premises operating between 12am – 6am ought to be made available so that Licensing Committees could make an informed decision as to how many licensed premises were operating within a particular vicinity.

The Clerk also reminded Members that he had written to Steve Ragg at CDALC to ask if the Association could lobby DCC to create a licensing online portal so that Members and the public could view applications in the same way that they can with planning. The Clerk advised that Mr Ragg had made the necessary representations to DCC who had responded to this to state that at present this was not possible.

Cllr E Ashby advised that she had reviewed the Licensing Act against the current DCC Statement of Licensing Policy and felt that the Policy should also include a cumulative impact policy to better understand the wider effect of Licensed premises in the area.

Cllr E Ashby also advised that other areas operate “local alcohol action areas”, which work with local areas to help to reduce crime and anti-social behaviour as well as provide information on the health implications of alcohol consumption; helping to create diverse and vibrant lifetime economies. Cllr E Ashby advised that this may be something for Durham to consider. Cllr L Brown did remark that the Public Space Protection Order currently in place in Durham is coming to an end in October of this year. The Committee felt that this ought to be reintroduced and it was **agreed** that Cllr L Brown would submit a motion to Full Council in

March to ask for the Council to request the reintroduction on the Public Space Protection Order.

The Committee also considered whether it would be possible to have some influence over alcohol advertising; in so much that the advertising of cheap, multi-purchase alcohol deals ought to be monitored and controlled.

It was **agreed** that the draft response to the consultation should go forward to the April Full Council meeting for formal agreement.

The Clerk advised that he would look to invite a member of the police force to the next Parish Council Licensing Committee meeting to discuss the issue of TENS.

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