

City of Durham Parish Council

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29 June 2020

Access details for Zoom Licensing Committee meeting:

Join Zoom Meeting

<https://us02web.zoom.us/j/85654433184>

Meeting ID: 856 5443 3184

Dear Licensing Committee Member,

In accordance with both the Local Government Act 1972 and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of local authority and Police and Crime Panel meetings) (England and Wales) Regulations 2020, I hereby give you notice that a meeting of the **Licensing Committee** will be held in **via Zoom** on **Friday 3 July 2020 at 2pm** to transact the following business:

- 1. Welcome and apologies**
- 2. To receive any declarations of interest from members**
- 3. To receive and approve as a correct record the minutes of the meeting on 5 June 2020**
- 4. To receive any public participation comments on the following agenda items. Please email the Parish Clerk parishclerk@cityofdurham-pc.gov.uk to register to speak**
- 5. Update on recent licensing applications**
- 6. Licensing enforcement issues**
- 7. To consider the following licensing applications:**

Belle Leisure Limited	Jimmy Allens 19-21 Elvet Bridge Durham DH1 3AA	Minor variation application To remove the following condition from the current premises licence which states "no alcoholic drink shall be removed from the premises" and replace with the following condition "any takeaway sales of alcohol must be in sealed containers for consumption away from the premises".	7 July 2020
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Odori Food Limited	OiSaki Kitchen 19A Silver Street Durham DH1 3RB	New premises licence application Sale of alcohol (on and off the premises) Monday to Sunday 8.00am to 11.00pm.	23 July 2020
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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 the City of Durham Parish Council

CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the Licensing Committee held on Friday 5th June 2020 at 14:00.

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

Also present: A Shanley (Clerk) and Ms Susannah Mansfield (member of the public and the owner of Station House and Fram Ferment)

Cllr L Brown in the Chair

1. Welcome and apologies

None received.

2. To receive any declarations of interest from members

Cllr R Cornwell declared an interest in the application for Fram Ferment and took no part in the discussions on this application.

Cllrs L Brown, A Doig and D Freeman advised that they had previously visited Fram Ferment and Station House as customers however felt that they could be objective in considering the application for Fram Ferment.

3. To receive and approve as a correct record the minutes of the meeting on 13 March 2020

The minutes of the meeting held on 13th March 2020 were unanimously agreed as a true and accurate record of proceedings.

4. To receive any public participation comments on the following agenda items.

The Chair welcomed Ms Susannah Mansfield to the meeting who advised that she is the applicant for the Fram Ferment application.

The Chair reminded Members that an objection letter from the Parish Council had been agreed in writing and submitted to the County Council.

The Chair advised that the Parish Council was seeking the following conditions to the license in its response.

1. Only trained staff to deliver the alcohol.
2. Delivery to residential properties only.
3. A maximum unit of alcohol per order (agreed between the applicant and DCC).
4. A minimum lead in time between order and delivery.

The Chair also reminded Members that, following this objection, the application has been refused.

Ms Mansfield expressed disappointment at the Parish Council's objection letter and the refusal of this application.

Ms Mansfield advised that the Covid-19 pandemic had had a catastrophic effect on her business and this application was needed to help the businesses to continue.

Ms Mansfield advised that she had been in ongoing dialogue with the County Council and the police on the application since 18th March. The police and Ms Mansfield had agreed a set of condition to the license ahead of the application being submitted.

Ms Mansfield wanted to stress that she was a responsible business owner who was hoping to continue offering a service to regular clientele, whilst at the same time adding an added level of resilience to her business as the country comes out of lockdown and businesses are able to reopen.

Ms Mansfield advised that even when the lockdown measures are lifted, this will still be an extremely difficult time for the industry as a whole as social distancing requirements meant that it simply was not viable in many cases for pubs, etc. to open as only a limited number of people could attend these businesses.

Ms Mansfield advised that she is keen to open up a dialogue with the Parish Council to see if an acceptable way forward could be found.

Members of the Committee highlighted that, whilst each application must be judged on its own merits, alcohol being delivered to addresses in the parish by licensed premises had caused significant issues in the community in the past; with disturbance to local residents being just one impact.

The Committee agreed that the following conditions being added (in addition to the proposed conditions) to a new license application would make for an acceptable application:

1. At least a 2 hour lead in time between order and delivery before 5pm and at least a 4 hour lead in time between order and delivery after 5pm.
2. Must use a courier service with an agreed alcohol policy and who must keep a log of age checks and refusals and inform the licensee of log of checks and refusals.
3. Deliveries restricted to residential properties and the workplaces of the individual who ordered the alcohol, with a signature taken upon delivery.

The Chair thanked Ms Mansfield for her time. Ms Mansfield left the meeting at this point.

5. Update on recent licensing applications

The Chair advised that the Durfest application would be going to a licensing hearing at County Hall as the Whinney Hill Residents Group had submitted an objection to this.

The Clerk reminded Members that the applicant was able to satisfy the Parish Council requested conditions and therefore the Parish Council's objection letter had been withdrawn.

The Clerk also reminded Members that the Durfest event proposed for 2020 had been cancelled owing to the Covid-19 pandemic.

6. Update on progressing the proposal of a licensing map of the City of Durham parish area

The Chair thanked Cllr R Cornwell for his work in producing an interactive online map of all licensed premises in the City of Durham parish area.

The Committee felt that the map was excellent and the Clerk advised that he had received a positive response from the DCC licensing team about the County Council providing the Parish Council with all of the necessary data on licenses in the parish. The Clerk advised that he would keep the Committee updated as and when more information on this became available.

7. Update on the Cumulative Impact Policy (CIP) for Durham City

The Clerk reported that there was still no update on whether Durham City would be granted a Cumulative Impact Policy.

8. To consider the following licensing applications:

Fram Ferment – Minor variation application

The Committee **agreed** the response which was submitted to the County Council ahead of the meeting. Cllr R Cornwell did not vote on this matter. It was noted that this application had now been refused.

Cafedral – New premises license application

It was **agreed** to note this application.

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

Signed,

Chair of City of Durham Parish Council Licensing Committee