



**CITY OF DURHAM
PARISH COUNCIL**

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21 June 2021

Dear Licensing team,

Re: Application for a new premises licence by B84 Limited at Durham Sausage Company Unit 36 The Riverwalk. Durham. DH1 4SL

With reference to the above licensing application, the City of Durham Parish Council wishes to object to this application under the objectives of public safety, preventing a public nuisance, protection of children from harm and preventing crime and disorder.

This application is for the supply of alcohol (on and off the premises) Monday to Saturday 11.00am to 11.00pm, Sunday 12.00pm to 10.00pm.

The Parish Council Licensing Committee considered this application at its meeting on 25th May 2021. In reaching its decision, the Parish Council Licensing Committee had regard to the Licensing Act 2003, the Section 182 Guidance and the County Council's Statement of Licensing Policy 2019 to 2024. The Parish Council Licensing Committee feels that, should this application be granted in its current form, it will fail to uphold two of the four licensing objectives. Each of which are addressed in turn.

Firstly, the Parish Council wishes to express its disappointment at the poor quality of this application. There is a basic lack of detail with this application, the plans submitted are inadequate (not even showing the floor levels) and the application refers to "best bar none" – this clearly shows a lack of local context awareness from the applicant, as promoted in the Council's own Statement of Licensing Policy 2019 to 2024 given that "best bar none" no longer exists in Durham.

Prevention of public nuisance

The prevention of public nuisance is an important licensing objective. Two of the greatest irritations to residents are noise and public nuisance associated with licensed premises. If representations are made, noise and nuisance might preclude the grant of a licence or certificate or, if one has already been granted, could be a ground for review, with a view to the

imposition of further conditions or, if the licensing objectives cannot be achieved by such conditions, revocation of the licence or certificate.

When dealing with applications and issuing licences, the Council (when their discretion is engaged) is more likely to impose stricter conditions on premises operating in residential areas.

Proper consideration should therefore be given to the proximity of licensed premises not only to residents and businesses, but also in relation to other sensitive premises, to ensure they are in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives.

There is no detail with this application on where and how bins are to be stored and no condition included for a cut off time as to when the premises will cease tipping glass bottles.

The Parish Council very much welcomes the provision of appropriate signage at the exit to the premises, asking all customers to be respectful and quiet when travelling into residential areas. That being the case, there is no detail with this application as to how the doors will open out on to the street. If these open directly on to the street from within the premises, how does the applicant intend on dealing with noise leakage?

This application states that there will be no playing of live or recorded music in the premises. This is most unusual for this type of premises and will therefore need careful monitoring.

Prevention of crime and disorder

This application includes the supply of alcohol (off the premises) Monday to Sunday 6:00am to midnight. The Parish Council wishes to object to this in the interests of preventing crime and disorder.

The applicant is clearly targeting the student market in Durham city and the prospect of the further supply of potentially discounted alcohol to densely populated buildings such as these PBSAs, outside of the licensing framework hours, is totally unacceptable.

Incidents of alcohol-fuelled, late-night crime and disorder and anti-social behaviour are increasing in Durham City (Durham Constabulary report on alcohol related ASB incidents in Durham City centre, Durham City section data at December 2019). The Parish Council feels that this application, being granted in its current form, would further exacerbate this issue. The Parish Council feels that this application, which seeks to service a high concentration of people in a small compact area, would have a further cumulative impact on crime and disorder taking place.

The Parish Council is further concerned that there appears to have been no consideration of how this premises will manage queuing outside and security outside the premises. Further details are clearly needed in this regard.

More details are also needed on how the upstairs area is to be supervised.

Furthermore, whilst the Parish Council welcomes the provision of CCTV, this must be capable of delivering pictures of evidential quality in all lighting conditions, it is also unclear from the operating schedule where this CCTV would be positioned. The Parish Council feels that CCTV must encompass the outside of the premises and all areas inside the premises where the sale and supply of alcohol occurs. The CCTV should also incorporate a battery backup system to enable 24 hour continuous recording in case of any power blackout/failure.

The license holder must also ensure at all times that an appointed member of staff is capable and competent at viewing and downloading CCTV footage and this be made available to the appropriate authorities in a reasonable timeframe to be determined by the authorities.

Protection of children from harm

The protection of children from harm is an important licensing objective. Again, the applicant is expected to set out measures he/she will take in order to promote this key objective within the application form.

The Parish Council welcomes the fact that the applicant will be adopting a Challenge 25 policy. However, the operating schedule includes the rather vague statement of “management will take appropriate action should they feel a young person is in need of assistance”. More details are clearly needed on this.

Public safety

Public safety is an important licensing objective as it is about protecting the safety and even the lives of everyone. It is expected that anyone visiting a licensed venue in the County can do so in complete safety, as they will be visiting premises that have been constructed or adapted with safety in mind.

The Licensing Authority expects that the applicant will detail in their operating schedule the steps that will be taken to promote public safety.

The Parish Council is extremely concerned at the plans submitted by the applicant. Firstly, one assumes that drinks and food will be served from the kitchen upstairs but there is no information as to how waiting staff are to transport the food from the kitchen upstairs to the seating areas downstairs – if via the stairs, the Parish Council would have serious concerns about the safety implications of such an arrangement.

There is no information as to the maximum capacity of this venue. The application states that there will be fixed seating provided – no further details as to what this refers to, where it will be located and how many this will seat are provided.

There is no information from the plans submitted as to where the fire extinguisher and first kit will be located within this premises.

The Parish Council is also deeply concerned that the kitchen to the first floor sits between seating area to the first floor and the fire exit of the premises. Given that a fire is most likely to start in the kitchen, this would leave customers in the first floor seating area extremely vulnerable.

This application should therefore be refused.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council