

LICENSING SUB-COMMITTEE

21st September, 2012

PRESENT – Councillors L. Haszeldine, D. Jones and L. Vasey. (3)

LS7. ELECTION OF CHAIR – RESOLVED – Councillor L. Vasey.

LS8. DECLARATIONS OF INTEREST – No declarations of interest were made at the meeting.

LS9. REVIEW OF PREMISES LICENCE – The Director of Place submitted a report (previously circulated) to consider an application to vary a Premises Licence in the light of a representation from a responsible Authority, namely Environmental Health on the grounds of Prevention of Public Nuisance and Public Safety. The representation was in respect of The Grange, Darlington.

The Principal Licensing Officer introduced the application in detail, and a document was tabled providing details of a map of the area identifying the location and the proximity of the licensed premises.

Members listened carefully to the representations made by the Principal Environmental Health Officer. The Designated Premises Supervisor and business partner from The Grange also attended the meeting and presented reasons why an application had been submitted to vary the Premises Licence. Both the applicants and the objector addressed the points for clarification detailed in the report.

Members considered the Council's Licensing Policy, the Guidance from the Secretary of State in respect of the Licensing Act 2003 and the prevention of public nuisance and public safety.

The Sub-Committee considered the views in accordance with Statutory Instrument 2005 No. 44, The Licensing Act 2003 (Hearings) Regulations 2005, Guidance issued under Section 182 of the Licensing Act 2003, and in accordance with the 'Licensing Sub-Committees – Full Hearing procedure for Applications for Premises Licences/Club Premises Certificate Where Relevant Representations Have Been Received'.

In making their decision, Members expressed their grave concerns about the sale of alcohol for consumption off the premises and thought that this would be contrary to the Licensing Objectives of Public Safety and the Prevention of Public Nuisance. Members also considered the objections raised by the Environmental Health Principal Officer and deemed them to be relevant. It was acknowledged that noise would emanate from the Premises if amplified music were to be allowed outdoors and there would be an impact on residential properties and potentially there would be a number of complaints, as a result. It was noted that the Grange has never received a complaint in respect of noise.

RESOLVED –

- (a) That the application to vary the Premises Licence be granted in part, as follows:-
 - i. To extend the daily hours for the sale of alcohol to 03.00 hours

- ii. To extend the daily hours for live and recorded music to 07.00 - 03.00 hours
- iii. To extend the daily hours for late night refreshment to 03.00 hours
- iv. to permit unamplified live music to be offered outdoors until 12 midnight only
- v. to permit amplified live music to be offered outdoors on New Year's Eve (i.e. going into New Year's Day) only but this must cease at 01.00 am
- vi. to offer performances of dance and facilities for dancing from 07.00 to 03.00 am every day
- vii. to permit performances of dance and facilities for dancing to be offered both indoors and outdoors, with no amplified music outdoors

(b) That the following variations be refused, as Members had concerns about public safety and public nuisance;

- i. to include sale of alcohol for consumption off the premises between 07.00 – 01.00 every day
- ii. to permit sale of alcohol for consumption on and off premises to be offered both indoors and outdoors
- iii. to permit amplified live music to be offered until 12 midnight outdoors

(c) That in addition to the above, that the conditions detailed below, as agreed with the Police be added to the Premises licence:

- i. All members of staff shall be provided with training in respect of the Premises drugs policy. Such training shall be documented and produced on request to the Police and Licensing Authority
- ii. There shall be clear and legible signage at every entrance point advising that random drugs searches may be conducted and that any person refusing to be searched shall be refused entry to the premises.
- iii. The premises shall be fitted with a police approved drugs box for the deposit of any suspected illegal substances pending police collection and a drugs register to record any items seized and placed in the drugs box. Both shall be located in the reception area of the premises and monitored by CCTV. The register shall be produced on request to the Police or Licensing Authority
- iv. All incidents relating to the premises shall be recorded in a consecutively page numbered, hard back incident book, which shall be stored in the reception area of the premises. A log detailing which members of the door supervisor team are on duty shall also be kept in a separate part of the incident book. The book shall be produced to the police and Licensing Authority on request.