
APPLICATION TO REVIEW A PREMISES LICENCE

Purpose of Report

1. To invite Members to consider an application from a Responsible Authority namely Durham Constabulary to **REVIEW** the Premises Licence in respect of TRO convenience store on the grounds of the Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm.

Background Information

2. Attached to this report are details of the application for the review (**Appendix 1**) and the Notice of Hearing pertaining to this application (**Appendix 2**). Members will note that the hearing was deferred from its original hearing date of 27 October 2015 on the request of the Police due to illness.
3. Members are requested to determine the application and give reasons for their decision.

Legal Implications

4. The Head of Legal Services, in accordance with the Council's approved procedures, has considered this report. There are no issues which the Head of Legal Services considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Human Rights Act

5. When considering matters relating to the grant, revocation, renewal or refusal of licences and the placing of conditions on licences, the Committee must consider whether the decision affects an individual, group or company's Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition consideration must be given to whether the interference is proportionate

Section 17 of the Crime and Disorder Act 1998

6. One of the four Licensing Objectives of The Licensing Act 2003 is the Prevention of Crime and Disorder. The application for review does relate to this objective.

Recommendation

- 7 Members are requested to determine the application in accordance with Statutory Instrument 2005 No 44, The Licensing Act 2003 (Hearings) Regulations 2005.

Ian Williams
Director of Economic Growth

Background Papers

- i) Application to review Premises Licence
Durham Constabulary
- ii) Licence issued in accordance with the Licensing Act 2003
TRO Wine & Food 34 High Northgate, Darlington DL1 1UW
- iii) The Licensing Act 2003
- iv) Darlington Borough Council's Licensing Policy (07 January 2011)
- v) Home Office Guidance issued under Section 182 of the Licensing Act 2003
(revised March 2015)
- vi) The Licensing Act 2003 (Hearings) Regulations 2005

Appendices

- 1. Report – Application to review Premises Licence – TRO Wine & Food
- 2. Notice of Hearing

Pam Ross

Extension: 405988