

LICENSING SUB-COMMITTEE

20th June 2012

PRESENT – Councillors B Jones, J Lyonette and Nutt.

(3)

LS1. ELECTION OF CHAIR – RESOLVED – Councillor Nutt.

LS2. DECLARATIONS OF INTEREST – No declarations of interest were made at the meeting.

LS3. REVIEW OF PREMISES LICENCE – The Director of Place submitted a report (previously circulated) to consider an application to review a Premises Licence in the light of a representation from Durham Constabulary on the grounds of crime and disorder, and the protection of children from harm. The representation was in respect of The Grange, Darlington. Two other parties joined into the review, namely Darlington Safeguarding Children’s Board and Councillor C.L.B Hughes, both on the basis of the protection of children from harm.

The Licensing Manager 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 Police Solicitor, the representatives from the Safeguarding Children’s Board and Councillor Hughes. The Designated Premises Supervisor and business partner from The Grange also attended the meeting and reassured members of the measures taken since the incident. A set of conditions, which had previously been agreed by the Police and The Grange prior to the Committee hearing was also tabled. These conditions were supported by all parties to the hearing. Members considered the Council’s Licensing Policy, the Guidance from the Secretary of State in respect of the Licensing Act 2003 and Guidance for the Protection of Young People aged under 18 who attend events in Licensed Premises.

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 considered the representations and viewed them to be relevant. Members were satisfied that the Designated Premises Supervisor, Mr Shaw, Durham Constabulary and Darlington Safeguarding Children’s Board, had worked together to address the vital concern of the Police and Safeguarding Children’s Board through the additional conditions in respect of the any under 18’s event.

Members expressed their grave concerns about the incident on 15 February 2012. They did however accept that this had been one isolated incident and that their concern had been to some extent alleviated by the conditions offered in the document submitted to them at the hearing. Members also advised that in addition to the agreed conditions there was to be an additional condition in respect of documenting staff training. Members considered that this additional

condition and also the agreed conditions were appropriate to promote the licensing objectives of the prevention of crime and disorder and the protection of children from harm.

RESOLVED – That the conditions on the licence be modified to include the following :-

1. The Police Licensing Officer, Licensing Authority and Local Safeguarding Children's Board to be notified of any under 18 event at least 28 days in advance of the event. Such notification should be from the Premise Licence Holders or Designated Premise Supervisor.
 2. The premise to be covered by colour, digital CCTV which meets the requirements and expectations of the Licensing Authority and Police. The equipment to record whilst the event is being held on the premise. All recordings to be retained for a minimum of 28 days and to be made available upon request to the Police or Licensing Authority within a period of 7 days.
 3. The operator to ensure that the premises have sufficient numbers of SIA registered staff, and that they are employed in the following minimum ratio: two for the first 100 customers, one of which to be female, two for the second 100 customers and one for every 100 customers thereafter. At least one such member of staff being employed as a floorwalker to constantly monitor patrons under the age of 18 for evidence of drink or drugs, and also to protect patrons from unwanted attention or harassment.
 4. The premise Licence Holder or Designated Premises Supervisor will ensure that efficient entry and dispersal procedures are in place so that young people are not left in a vulnerable position outside the premises.
 5. Searches will be carried out upon entry, to include all bags, to prevent alcohol and other illegal substances from being brought into the premises.
 6. Where alcohol is seized from a person aged under 18, the details of the seizure will be recorded in a register which will be available for inspection by the Police or Licensing Authority upon request.
 7. Any prior marketing of the event (internet, flyers, posters etc) will make it clear that no alcohol will be sold to under 18's, nobody who appears to be drunk will be allowed admission to the event and searches will take place to ensure that no alcohol is brought into the venue. Permissible ages for attendance at the event are to be printed in prominent writing upon any tickets issued.
 8. Toilet checks will be carried out at regular intervals (a minimum of half hourly) and records of such checks retained and be available for inspection by the Police or Licensing Authority upon request.
 9. First aid provision must be available at the premises.
 10. There will be no readmission to the premises of any person under the age of 18 who has left the event.
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11. Any under 18 events to have a terminal hour of no later than 23.00 hours
 12. An area should be designated as a safe space, whereby ill or intoxicated persons, including minors, can be taken to a place of safety for medical treatment or in the case of minors until reunited with a parent, guardian or responsible adult.
 13. A written record shall be kept of all training provided to staff showing the date of training and the content covered. This record shall be produced on request to the Police or Licensing Authority.
 14. Events which persons under the age of 18 are permitted to attend may be promoted only by the holder of the premises licence. For the avoidance of doubt 'promotion' includes the marketing of the event and the sales of tickets.
 15. All patrons for mixed age events where alcohol is available for sale or supply will be given a secure coloured wristband, to differentiate those aged 18 and above and those under 18. The colours of the wristbands to be chosen on the date of the event in question.
 16. Only one alcoholic drink will be able to be purchased at any one time by an individual aged 18 years or above.
 17. Children under 16 years of age should not be permitted to attend the event unless accompanied by a responsible adult. Each responsible adult should not be responsible for more than 4 such children.
 18. A minimum of 2 SIA registered security staff acting as floorwalkers to constantly monitor patrons aged under 18 for evidence of alcohol or drugs and also to protect patrons from unwanted attention or harassment.
 19. All drinks to be served in plastic or polycarbonate glasses.
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