

LICENSING SUB-COMMITTEE
28th September, 2005

PRESENT – Councillors Flowers, Hartley and Maybrey. (3)

APOLOGIES – Councillor Newall.

ALSO IN ATTENDANCE – None.

LS42. ELECTION OF CHAIR – RESOLVED – That Councillor Hartley be appointed Chair for this meeting only.

LS43. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS44. PREMISES LICENCE APPLICATION – VARIATION – ELDON BINGO AND SOCIAL CLUB, ELDON STREET - The Director of Environment submitted a report (previously circulated) giving details of a contested application from Top Ten Bingo Limited in relation to the Eldon Bingo and Social Club, Eldon Street, Darlington for a variation to its Premises Licence.

Mr. Paul Cudlip, Regional Manager, Mr. Graham Corner, Area Manager and Mr. Mark Bennett, Club Manager all on behalf of the applicant addressed the meeting and responded to Members' questions. The applicant also responded to the 'points of clarification' highlighted in the submitted report. Mr. Reginald Miles, who had objected to the application addressed the meeting and responded to Members' also. Members were advised that Inspector Collingwood, who had also made representations on behalf of Durham Constabulary had now withdrawn their objections.

The Sub-Committee considered the views of the objectors and the applicant in accordance with the "Licensing Sub-Committees – Full Hearing Procedure for Applications for Personal Licences Where Representations Have Been Received.

RESOLVED – That the application be granted to vary the licence to include regulated entertainment (to include films, entertainment, live music, recorded music, performances of dance, provision of facilities for making music, provision of facilities for dancing) but to refuse the variation in hours after 11.00 p.m.; to refuse to vary the hours for sale of alcohol after 11.00 p.m. ; to grant the variation to include late night refreshment until 12 midnight; and to remove all embedded restrictions and conditions relating to the Licensing Act 1964 and remove all conditions specific to the Justices Licence, subject to the following conditions :-

- (a) That a CCTV system shall be installed internally and be in operation at all times when the premises are open to the public. The tapes shall be properly stored and kept for a minimum of 28 days and made available on request to the Police and Authorities Officers of this Council.
- (b) That the licensee attends Darlington pub watch meetings and participates in the Darlington pub watch scheme.

- (c) That all staff are regularly trained in all aspects of licensing legislation and health and safety regulations and that such training is documented.
- (d) That a drugs police approved by Durham Police and the Council is devised and implemented.
- (e) That there will not be any irresponsible drinks promotions, including “all you can drink” for an admission fee, ‘2 for the price of one’, low priced offers or similar promotions.
- (f) That arrangements are made for the disposal of bottles and other refuse between the hours of 8.00 a.m. and 6.00 pm. only.
- (g) That conspicuous and legible signage will be prominently displayed within the premises at each exit requesting that customers leave the establishment in a quiet and orderly manner.
- (h) The admission of children to film exhibitions must be limited to those films classified as suitable for children by the film classification body. Where no classification has been made, the Applicant must approach the Licensing Authority who will then classify the film. The same restriction will then apply.
- (i) That clear and legible signage is displayed at exit points inside and outside of the premises indicating the times when children will be permitted onto the premises.
- (j) That children under the age of 18 years will not be admitted to the premises at any time when adult entertainment is being offered.
- (k) That there be no adult entertainment of a sexual nature.
- (l) That there be a minimum of one personal licence holder present during the sale of alcohol.
- (m) That when children are present on the premises, there be a ‘no smoking’ policy in force.
- (n) That all doors and windows remain closed during the times of regulated entertainment.

In making its decision the Sub-Committee took into account :-

- (a) That that applicant gave no satisfactory explanation as to why they required the variation of hours until 12.00 midnight (1.00 a.m. during summertime hours).
- (b) Temporary Event Notices are an option for the applicant.
- (c) That residents already suffer from noise/disturbance when patrons leave the premises and that in such a densely populated area extending the sale of alcohol and granting regulated entertainment activities after 11.00 p.m. would move the disturbances to later in the evening and cause public nuisance.

