

LICENSING SUB-COMMITTEE
7th September, 2005

PRESENT – Councillors Hartley, Flowers and Foster (3)

APOLOGIES – None.

ALSO IN ATTENDANCE – Councillos Stenson and Scott. (2)

LS17. ELECTION OF CHAIR – RESOLVED – That Councillor Hartley be appointed Chair for this meeting only.

LS18. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS19. PREMISES LICENCE APPLICATION – VARIATION – HAVELOCK ARMS, MIDDLETON ST. GEORGE - The Director of Environment submitted a report (previously circulated) giving details of a contested application from Ms. Ann Binks in relation to the Havelock Arms, The Square, Middleton St. George, Darlington to vary its Premises Licence.

Ms. Binks, the applicant, accompanied by her partner, and her representative Mr. Mike Wallbank, Regional Manager for Enterprise Inc. addressed the meeting and responded to Members' questions. The applicant also responded to the 'points of clarification' highlighted in the submitted report. Mrs. Burnside and Miss Heseltine, who had objected to the application addressed the meeting also and responded to Members' questions.

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 :-

- (a) Permit the sale of alcohol between the hours of 11.00 a.m. to 11.00 p.m. on Mondays to Saturdays, 12 noon to 10.30 pm. on Sundays and one additional hour on the Fridays to Mondays of a Bank Holiday weekend, including Christmas Days and Good Friday. The deregulated New Year's Eve hours will remain to the same; and
- (b) Permit regulated entertainment, by way of live music between the hours of 8.00 p.m. and 11.00 p.m. on Fridays and Saturdays plus one additional hour on the Fridays and Saturdays of a Bank holiday weekend, including Christmas Day and Good Friday and also regulated entertainment by way of recorded music between the hours of 11.00 a.m. and 11.00 p.m. on Mondays to Saturdays, 11.00 a.m. to 10.30 p.m. on Sundays and one additional hour on the Fridays to Mondays of a Bank Holiday weekend, including Christmas Day and Good Friday;

subject to the following conditions:-

- (i) that conspicuous and legible signage will be prominently displayed within the

premises at each exit and also outside the premises, requesting the patrons to leave the establishment in a quiet and orderly manner;

- (ii) that all windows and doors will remain closed whenever entertainment is taking place;
- (iii) that all patrons must access and leave the premises by the front exit(s) only except in the case of an emergency;
- (iv) that a digital CCTV system, approved by Durham Constabulary is installed and maintained inside and outside of the premises (to be installed by 24th November, 2005);
- (v) that external lighting is fitted and maintained in the car park area and at each exit point of the premises (to be installed by 24th November, 2005);
- (vi) that the Beer Garden must not be used after 10.00 p.m. on any night;
- (vii) that the Beer Garden must be closed to patrons whenever live or recorded entertainment is provided;
- (viii) that all children under the age of 18 years will only be permitted onto the premises when accompanied by an adult;
- (ix) that no children under the age of 18 years will be permitted into or on the premises after 8.30 p.m.; and
- (x) that clear and legible signage will be prominently displayed within the premises indicating that children under the age of 18 years will not be permitted into or on the premises after 8.30 p.m.

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

- (a) the application was for a modest increase in the operation of the premises;
- (b) the Sub-Committee acknowledged that the car park of the premises is used as a public car park; and
- (c) the Sub-Committee were satisfied that the conditions placed on the grant of this variation of licence were sufficient to meet the four licensing objectives.