

LICENSING SUB-COMMITTEE
29th September, 2005

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

APOLOGIES – None.

ALSO IN ATTENDANCE – Councillors Holmes, Lawton and Roberts. (3)

LS51. ELECTION OF CHAIR – RESOLVED – That Councillor Maybrey be appointed Chair for this meeting only.

LS52. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS53. PREMISES LICENCE APPLICATION – VARIATION– RISE CARR SPORTS AND SOCIAL CLUB - The Director of Development and Environment submitted a report (previously circulated) giving details of a contested application from C and A Leisure Limited in relation to the Rise Carr Sports and Social Club, Eldon Place, Darlington to vary its Premises Licence.

Mr. Alan Murray, Company Director and Mr. Roy Sibley, the Business Manager, Rise Carr Sports and Social Club addressed the meeting on behalf of the applicant and responded to Members' questions. The applicant's representatives also responded to the 'points of clarification' highlighted in the submitted report.

Inspector Sue Collingwood, making representations on behalf of Durham Constabulary and Ward Councillor W. Holmes addressed the meeting and responded to Members' questions and also responded to the 'points of clarification' in each case. Mrs. Dorothy Mackenzie, Miss Knight and Miss Andrea Oliver also made representations did not attend the meeting and their statements were read out at the meeting.

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 in part as below :-

- (a) Refused to vary to 12 midnight the terminal hour for sale of alcohol, which means that the Club will be permitted to sell alcohol only between the hours of 10.30 a.m. and 11.00 p.m. Mondays to Sundays inclusive.
- (b) Refused to grant you regulated entertainment until 12 midnight but agreed to a terminal hour of 11.00 p.m. Monday to Sundays inclusive which will allow for regulated entertainment by way of films and indoor sporting events from 10.30 a.m. to 11.00 p.m. Monday to Sundays; recorded music and performances of dance from 12 noon to 11.00 p.m. Mondays to Sundays; and live music and dancing from 7.00 p.m. to 11.00 p.m. Mondays to Sundays;

- (c) Approved your application for late night refreshment allowing late night refreshment until 12 midnight, Mondays to Sundays; and
- (d) Approved the inclusion of retail sale of alcohol for consumption off the premises between the hours of 10.30 a.m. and 11.00 p.m. Mondays to Sundays:

all of the above subject to the following conditions :-

- (i) That the occupancy of the premises is to be limited to a total of 430 persons of which there will be a maximum of 250 on the first floor and a maximum of 180 on the ground floor.
- (ii) That there will be in place a drugs police approved by the Licensing Authority and Durham Constabulary, which will be complied with by all staff and patrons.
- (iii) That drinks will be served in toughened safety glassware and, where available, drinks in plastic bottles will be served.
- (iv) That proof of age will be required for all persons under the age of 21 years both at point of entry and point of sale of alcoholic beverages.
- (v) That staff training is provided on a regular basis on refusal of sales and conflict management and fire evacuation procedures.
- (vi) That the designated premises supervisor and all senior staff will hold a current health and safety at work first aid qualification.
- (vii) That all windows and doors to the premises will remain closed (except for normal ingress and egress) when regulated entertainment is offered within the premises.
- (viii) That conspicuous and legible signage will be prominently displayed within the premises at each exit requesting that patrons leave the establishment in a quiet and orderly manner.
- (ix) That persons under the age of 18 years will not be permitted onto any part of the premises unless accompanied by an adult and at all times supervised by an adult.
- (x) 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.
- (xi) That no intoxicating liquor shall be supplied to persons other than to:
 - (a) Member of the said Club who has been a member for at least 2 days or whose nomination on application for membership was made final at least two

days before his admission; and

(b) a guest of such member bona fide entertained by him at his own expense.

- (xii) That there shall be Rules of the Club for the election of members and a copy of such Rules and any other rules shall be deposited with the Licensing Authority within fourteen days.
- (xiii) That a list of names of all members shall be kept on the premises and be produced on demand for inspection by a Constable in uniform or an Authorised Officer of the Council.
- (xiv) That no application shall be made under the authority of the Licence for an Occasional licence.
- (xv) A digital CCTV system (internal and external) shall be maintained in proper working order, all recordings shall be properly stored and retained for a minimum of 31 days and produced on request to the police and Authorised Officers of the Council.
- (xvi) That a minimum of 2 personal licence holders will be employed at the premises at all times, one of whom will be on duty when licensable activities are taking place.
- (xvii) That all children under the age of 18 years will be required to leave the premises at 8.00 p.m. except for private functions when such children will be required to be supervised by a reasonable adult at all times.
- (xviii) That whenever children under the age of 18 years are on the premises a no smoking policy will be enforced in the designated area of any room in which they are present.
- (xix) That all staff employed as or acting in the capacity of managing order at the point of entry and exit will be registered with the Security Industry Authority (SIA).
- (xx) That a personal licence holder will be present at all times on the premises when alcohol is available for sale.

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

- (a) The representations made by the Interested Parties particular in relation to the licensing objective concerned with the prevention of Public Nuisance
- (b) Members accepted that noise did emanate from the premises and that disturbance was caused to local residents by patrons leaving the premises.
- (c) Members accepted that several residents had suffered noise nuisance and believed that any extension of the current permitted hours would exacerbate the problems in the area.

