

LICENSING SUB-COMMITTEE
6th June, 2007

PRESENT – Councillors D. Jones, Newall and Nutt.

(3)

LS1. ELECTION OF CHAIR – RESOLVED – That Councillor Nutt be appointed Chair for this meeting only.

LS2. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS3. REVIEW OF PREMISES LICENCE - The Director of Development and Environment submitted a report (previously circulated) to consider an application by Durham Constabulary to review a Premises Licence in respect of the Cactus Jacks, Ground Floor, Commercial Street.

Sgt. Davies, P.C. Brown and Ms. Angus, on behalf of Durham Constabulary, accompanied by their solicitor Mr. Southey addressed the meeting and responded to Members' questions. Mr. Wilson and Mr. Quadrini, representing Absolute Leisure and their solicitor Mr. Arnott; and Miss Mann the Designated Premises Supervisor also addressed the meeting and responded to Members' question.

At the hearing the Police raised issues of disorder associated with the premises over a period from June 2006 to April, 2007 and the Mr. Arnott, the legal representative for Absolute Leisure Limited advised the Sub-Committee of the steps taken to address the concerns. The Sub-Committee were also advised that some additional conditions had been mutually agreed between the Police and Absolute Leisure.

The Sub-Committee considered the views of the applicant for review in accordance with Guidance issued Under Section 182 of the Licensing Act 2003 (Hearings) Regulations 2005 and in accordance with the "Licensing Sub-Committees – Full Hearing Procedure for Applications for Reviews of Premises Licences/Club Premises Certificates Where Relevant Representations Have Been Received".

RESOLVED – That the additional conditions agreed jointly by the Police and Absolute Leisure be added to the Premises Licence, as below, in addition to the mandatory conditions on the licence :-

- (a) The maximum number of patrons permitted onto the premises shall not exceed 425.
- (b) The CCTV system installed on the premises must be compliant with the Durham Constabulary "Minimum Standards' document. Recordings must be retained for the minimum specified period and produced at the request of the Police or authorised officer of the Council.
- (c) The number of door supervisors employed at the premises shall be as follows :-
Sunday to Thursday – two before 22.00 hours; four from 22.00 hours

Friday and Saturday – four before 22.00 hours: six from 22.00 hours
That on any evening two of the above will be situated at the entrance(s) to the premises.

- (d) Door supervisors must utilise clickers or similar recording machinery to ensure the maximum occupancy is not exceeded and shall produce such equipment at the request of the Police or Authorised Officer of the Council.
- (e) The premises shall actively participate in the Challenge 21 scheme, requiring specified photographic proof of age from all patrons who appear to be under the age of 21 years. A refusals register shall be maintained, recording all refusals of sale resulting from this condition, and such register shall be produced at the request of the Police or Authorised Officer of the Council.
- (f) A Personal Licence holder shall be present at the premises each day from 19.00 hours until the premises are no longer open to the public.
- (g) The Designated Premises Supervisor or representative shall attend Darlington Pub Watch meetings on a regular basis.
- (h) Music from the licensed premises must not give rise to levels of 5db(A) or more above the background noise level, measured in accordance with BS4142 at the nearest affected residential premises.