

GENERAL LICENSING COMMITTEE

10 M 2015

PRESENT –

(10)

APOLOGIES –

OFFICERS –Julie Richings, Principal Licensing Officer; Helen Sefton, Licensing Officer; Amy Wennington, Lawyer; PCSO M McAllister; Sergeant C. Dickenson and Allison Hill, Democratic Officer.

L37. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

L38. MINUTES – Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 10 February, 2015.

RESOLVED – That the Minutes be approved as a correct record.

L39. APPLICATION FOR RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS – BACKHOUSE HALL, BULL WYND (THE REGISTER OFFICE) – The Assistant Chief Executive and Proper Officer for Darlington Registration District submitted a report (previously circulated) to consider an application received from the Superintendent Registrar, Darlington Borough Council for a renewal of its licence to be approved as a venue for Marriages and Civil Partnerships in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994), the Civil Partnership Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005; and the Marriage (Same Sex Couples) Act (2013).

A copy of the application was appended to the submitted report and the application to renew the licence has no change to the designation of areas or levels for occupancy and no objections have been received following the usual officer consultations.

RESOLVED – That the application for renewal be granted for Backhouse Hall, Bull Wynd, Darlington as an approved venue for the solemnisation of Marriages and Civil Partnerships in respect of the venue subject to the standard licence conditions and that the maximum number of persons permitted to occupy ceremony rooms on the occasion of Civil Marriages or Civil Partnerships should be as outlined in accordance with the Fire Officer's recommendations.

L40. APPLICATION FOR RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS – HOTEL BANNATYNE, SOUTHEND AVENUE – The Assistant Chief Executive and Proper Officer for Darlington Registration District submitted a report (previously

circulated) to consider an application received from the Hotel Bannatyne, Southend Avenue, Darlington for a renewal of its licence to be approved as a venue for Marriages and Civil Partnerships in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994), the Civil Partnership Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005; and the Marriage (Same Sex Couples) Act (2013).

A copy of the application was appended to the submitted report and the application to renew the licence has no change to the designation of areas or levels for occupancy and no objections have been received following the usual officer consultations.

RESOLVED – That the application for renewal be granted for Hotel Bannatyne, Southend Avenue, Darlington as an approved venue for the solemnisation of Marriages and Civil Partnerships in respect of the venue subject to the standard licence conditions and that the maximum number of persons permitted to occupy ceremony rooms on the occasion of Civil Marriages or Civil Partnerships should be as outlined in accordance with the Fire Officer's recommendations.

L41. APPLICATION FOR RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS – CENTRAL HALL, DOLPHIN CENTRE - The Assistant Chief Executive and Proper Officer for Darlington Registration District submitted a report (previously circulated) to consider an application received from the Dolphin Centre, Horsemarket, Darlington for a renewal of its licence to be approved as a venue for Marriages and Civil Partnerships in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994), the Civil Partnership Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005; and the Marriage (Same Sex Couples) Act (2013).

A copy of the application was appended to the submitted report and the application to renew the licence has no change to the designation of areas or levels for occupancy and no objections have been received following the usual officer consultations.

RESOLVED – That the application for renewal be granted for Central Hall, The Dolphin Centre, Darlington as an approved venue for the solemnisation of Marriages and Civil Partnerships in respect of the venue subject to the standard licence conditions and that the maximum number of persons permitted to occupy ceremony rooms on the occasion of Civil Marriages or Civil Partnerships should be as outlined in accordance with the Fire Officer's recommendations.

L42. APPLICATION FOR VARIATION OF LICENCES FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS – The Assistant Chief Executive and Proper Officer for Darlington Registration District submitted a report (previously circulated) to give consideration to the varying of the current licences for Redworth Hall Hotel, Blackwell Grange Hotel, Hall Garth Golf and Country Club Hotel, South Park Bandstand and Hotel Bannatyne.

The listed venues had requested that their licences as approved venues for Civil Marriage and Civil Partnership be varied to include Redworth Hall Hotel – The Summerhouse; Blackwell Grange Hotel – The Bandstand; Hall Garth Hotel – The Secret Garden Gazebo house; South Park – The Bandstand; and Hotel Bannatyne – The Gazebo in their list of locations within their venue as a place for the Civil Marriage or Civil Partnership to take place.

The applications have been subject to the usual officer consultations and the only comment returned was regarding access for wheelchair and disabled guests.

The premises are considered to be suitable for approval as a venue for Marriages and Civil Partnerships and in terms of capacities of these venues the venue itself will only be the location for Registrar to attend with the Marriage Register with the couple and guests being outside of it in the outside space and therefore a limitless number of guests for each venue.

RESOLVED – That approval be granted for the following venues to have their licences as approved venues for Civil Marriage and Civil Partnership varied to include the following in their list of locations within their venue as a place for the Civil Marriage or Civil Partnership to take place.

- (a) Redworth Hall Hotel – The Summerhouse;
- (b) Blackwell Grange Hotel – The Bandstand;
- (c) Hall Garth Hotel – The Secret Garden Gazebo House;
- (d) South Park – The Bandstand; and
- (e) Hotel Bannatyne – The Gazebo.

L35. EXCLUSION OF THE PUBLIC – RESOLVED – That, pursuant to Sections 100A (4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraphs 1 and 7 of Part I of Schedule 12A to the Act.

L36. PRIVATE HIRE DRIVER LICENCE APPLICATION – The Director of Economic Growth submitted a report (previously circulated) inviting Members to consider an application for a Private Hire Driver Licence in light of convictions and cautions.

(1) Ref. No. 01/15 – An application for a Private Hire Driver Licence in respect of offences for a minor road traffic offence, no insurance and taking without owners consent; common assault and posses offensive weapon; assault police; resist or obstruct contable; make false representation; battery; fail to comply with traffic light signal; and possession control drug - heroin.

The driver attended the meeting and responded to Members questions in relation to the above, and to why he felt that he was a fit and proper person to hold a Private Hire Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy in relation to applicants with incidents of domestic violence and cautions; and in the case of drug related offences it will normally require the applicant to show a period of at least three years free of a conviction, caution, reprimand or final warning before an application is considered, or five years after detoxification treatment if the applicant is an addict. If the conviction, caution, reprimand or final warning relates to the supply of prohibited drugs then it is unlikely that even after this period the application will be granted.

The representative from Durham Constabulary gave further information regarding the convictions/cautions for assault police, battery and possession of controlled drug – heroin and also advised Members of a further incident on 26 December 2011 when the driver was arrested for possession of Class A drug – heroin of which the driver claimed he had no knowledge of.

After careful consideration, the Members did not feel that the driver was a fit and proper person to hold a Private Hire Driver Licence. Members reasons for this were with the regard to the number and type of offences which were disclosed by the Disclosure and Barring Service and Durham Constabulary; the caution and conviction which involved incidents of domestic violence were extremely serious because if an individual is prepared to assault an individual in a domestic or home environment then there would be concerns over that person's ability to control their temper when working in an environment dealing with members of the public; and the Council's Policy, which was last approved by full Council in January 2012 states that an applicant with a conviction, caution, reprimand or final warning for a drug related offence will normally be required to show a period of at least 3 years free of a conviction, caution, reprimand or final warning before an application is considered, or 5 years after detoxification treatment if the applicant is an addict. If the conviction, caution reprimand or final warning relates to the supply of prohibited drugs then it is unlikely that even after this period the application will be granted.

RESOLVED – That the application for a Private Hire Driver Licence be refused as the Committee did not consider the applicant to be a fit and proper person.