

**LICENSING SUB-COMMITTEE**  
**22nd September, 2008**

**PRESENT** – Councillors Dunstone, J. Lyonette and Newall. (3)

**LS27. ELECTION OF CHAIR – RESOLVED** – That Councillor Newall be appointed Chair for this meeting only.

**LS28. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**LS29. 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 items on the grounds that they involve the likely disclosure of exempt information as defined in exclusion paragraphs 1 and 7, of Part I of Schedule 12A to the Act.

**LS30. APPLICATION TO VARY PREMISES LICENCE – HOGARTH’S BAR AND CAFE (EXCLUSION PARAGRAPH NOS. 1 AND 7)** – The Director of Corporate Services submitted a report (previously circulated) to give consideration to an application to vary a Premises Licence in light of representations received from a Responsible Authority, Durham Constabulary with regard to the variation of the Designated Premises Supervisor.

Sgt. Simon Cowen, Licensing Unit, Durham Constabulary addressed the meeting and responded to the points for clarification contained within the submitted report and also to Members’ questions.

No representative from the applicant company, Labourn Leisure Limited attended the meeting and therefore the points of clarification required from the applicant company were unable to be addressed.

In reaching their decision the Members took into consideration the Secretary of States Guidance issued under Section 182 of the Licensing Act 2003 and Schedule 4 to the Licensing Act 2003 in relation to Personal Licence Relevant Offences and the written and verbal information provided by Durham Constabulary in relation to the Crime and Disorder objective. Members also expressed their disappointment that the applicant company had not been in attendance.

**RESOLVED** – That the application be rejected in its entirety in view of the fact that the proposed Designated Premises Supervisor had been convicted of a relevant offence and in light of the police representations. Members were satisfied that the crime prevention objective would be undermined if the application to vary the Designated Premises Supervisor was granted.