

**LICENSING SUB-COMMITTEE**  
**1st July, 2009**

**PRESENT** – Councillors Lawton, 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. APPLICATION FOR VARIATION OF PREMISES LICENCE** – The Director of Corporate Services submitted a report (previously circulated) to consider an application to vary a premises Licence in the light of a representation from a Responsible Authority (Durham Police).

The representations were in respect of Yates and the licensing objective relating to the prevention of crime and disorder. The Police expressed concerns at the request to remove door supervision on Thursdays and Sundays given the number and type of incidents that have occurred either inside or outside the premises.

Mr Westwood Payne, Solicitor and Ms. Smith Designated Premises Supervisor and General Manager addressed the meeting and responded to Members' questions and to the points for clarification.

Members were advised that negotiations had taken place between both parties and that a compromise had been reached.

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".

In making their decision Members confirmed that they were satisfied that the revised condition was proportionate and necessary to meet the licensing objective concerned with the prevention of crime and disorder. They also suggested that the applicant may wish to revisit the use of polycarbonate glassware to prevent similar incidents in the future to those described by the Police. They also advised that if further incidents of disorder occurred the Police may consider applying to review the licence.

**RESOLVED** – That the variation be granted with the amended condition as follows:

“A minimum of two door supervisors shall be employed from 20:00 hours on Friday to Sunday at all times the premises is open for regulated entertainment. On those occasions when the premises are open after 24:00 hours, the number of door staff shall be increased to a minimum of three.”