

LICENSING SUB-COMMITTEE
7th January, 2010

PRESENT – Councillors B. Jones, J. Lyonette and Vasey. (3)

LS7. ELECTION OF CHAIR – RESOLVED – That Councillor Vasey be appointed Chair for this meeting only.

LS8. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS9. APPLICATION FOR VARIATION OF PREMISES LICENCE – The Director of Corporate Services submitted a report (previously circulated) to consider an application for a Premises Licence in the light of a representation from Interested Parties, namely eight persons living in the vicinity of the premises and/or having businesses in the vicinity of the premise. The representations were in respect of Cocoa Bliss.

The Licensing Manager reported that if Members were minded to grant the application, an additional condition had been agreed with the applicant following discussions with the Police in relation to the installation of CCTV system. A further condition was also offered in respect of signage asking patrons to leave the premises quietly.

Mr Khalili, Mr Bulduck, Mr Rafat, Mr Altnkun and Ms Cooper were present at the meeting and Ms Clement addressed members on behalf of those present. Members considered whether the representations were relevant in respect of the licensing objectives.

Mr Graham, Solicitor, Mr Hussian, Applicant and Mr Ahmed proposed Premise Licence Holder addressed the meeting and responded to Members' questions and to the points for clarification.

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 considered the representatives made by the Interested Parties and considered four of the eight representations not to be relevant. Of the remaining 4 representations Members thought it was highly unlikely that the residents would be affected by noise emanating from the premises. Members determined that the conditions to be imposed were proportionate to address any concerns relating the four Licensing Objectives.

RESOLVED – That application be granted subject to the following conditions, which are in addition to the mandatory conditions in respect of the sale of alcohol and provision of films:-

- (a) A CCTV system shall be installed to comply with the Durham Constabulary minimum standards where alcohol is to be sold other than as ancillary to a meal
- (b) No amplified music shall be played at any time on the premises
- (c) Children under the age of 18 years shall not be permitted onto the premises after 18:00 hours unless accompanied by an adult

- (d) The Challenge 21 scheme shall be implemented requiring photographic proof of age from any person who attempts to purchase alcohol and appears to be under the age of 21 years
- (e) Clear and legible signage shall be prominently displayed at each exit requesting that patrons leave quietly