

**LICENSING SUB-COMMITTEE**  
**27<sup>th</sup> May 2011**

**PRESENT** – Councillors Lawton, Newall and Nutt.

(3)

**LS1. ELECTION OF CHAIR – RESOLVED** – Councillor Nutt.

**LS2. DECLARATIONS OF INTEREST** – No declarations of interest were made at the meeting.

**LS3. APPLICATION FOR A PREMISES LICENCE** – The Director of Place submitted a report (previously circulated) to consider an application for a Premises Licence in the light of a representations from Interested Parties, namely persons living in the vicinity of the premises and/or having business in the vicinity of the premise. The representations were in respect of Victoria Social Club.

The Principal Licensing Officer introduced the application in detail, and advised Members that the original application had been amended by the applicant following representations made by local residents. Members were also advised that following the amendment to the application a number of the representations had been withdrawn.

A document was tabled providing details, a map of the area identifying the proximity of the local residents to the premises and also identifying nearby licensed premises. The amended application before the Sub-Committee to consider only related to the sale of alcohol on and off the premises from 10.00 hours until 23.30 hours everyday; regulated entertainment, consisting of indoor sporting activities from 10.00 hours until 23.30 hours everyday and late night refreshment from 23.00 hours until 23.30 hours everyday and premise opening hours from 10.00 hours until midnight everyday. Following consideration of the representations received, the application was amended and as a result

Mr Garthwaite and Mr Davenport were present at the meeting and explained why they had made representations against the applications based on the prevention of public nuisance and prevention of crime and disorder. The applicant, Mrs Smith addressed the meeting and responded to representors and Members questions.

Members listened carefully to the representations made by the Interested Parties and the applicant in respect of amendments to the original application. Members also considered the Council's Licensing Policy and the Guidance from the Secretary of State in respect of the Licensing Act 2003.

The Sub-Committee considered the views in accordance with Statutory Instrument 2005 No. 44, Guidance issued under Section 182 of the Licensing Act 2003 (Hearings) Regulations 2005 (Revised 2007) and in accordance with the 'Licensing Sub-Committees – Full Hearing procedure for Applications for Premises Licences/Club Premises Certificate Where Relevant Representations Have Been Received'.

In making their decision Members considered the representations made by the Interested Parties and considered two of the six representations to relate to the original application and terminating hours. A further representation was considered to have little weight as Members felt the representor did not live in close proximity to the premises. Of the remaining three remaining representations Members thought it was unlikely that two would be affected by noise emanating from the premises. In relation to the final representation the person in the adjoining property the premises, Members felt that the applicant had taken numerous steps to address the concerns raised based on the prevention of public nuisance.

Members noted that no objections had been received from the Police in respect of the Licensing Objectives. Members determined that the conditions to be imposed were proportionate, enforceable and sufficient to meet the licensing objectives. Members also advised that the Interested Parties be

advised of the provision to review a licence should problems relating to the four Licensing Objectives occur.

**RESOLVED –**

That the amended application be granted subject to the following conditions, which have been derived from the Applicant's Operating Schedule and are in addition to the mandatory conditions for sale of alcohol:

- a) A CCTV system complying with Durham Constabulary Minimum Standards will be installed, maintained and operational at all times when alcohol is available for sale. The system will record and store images for a minimum 31 day period. Staff will be trained in its usage and will produce recorded footage to the police and authorised officers of the Council upon request.
- b) A drugs policy shall be agreed with the Council and implemented within 14 days of the premises opening for licensable activities. Signage shall be prominently displayed at each entrance advising patrons that they may be subject to random search by a member of the management team.
- c) The Designated Premise Supervisor shall ensure that all empty glasses and bottles are cleared away by a member of staff as soon as is reasonably practicable.
- d) The Designated Premise Supervisor shall ensure that glassware of any kind is not taken outside of the premises by patrons.
- e) Clear, legible signage shall be clearly displayed at each exit requesting that patrons leave the premises and the area quietly and that all bottles and glasses are to be left inside the premises.
- f) The Challenge 21 scheme shall be implemented requiring photographic proof of identity from any person who attempts to purchase alcohol and who appears to be under the age of 21 years. Notices shall be displayed within the premises advertising this scheme.
- g) Children under the age of 16 years shall not be permitted in the premises after 19.00 hours. Young persons between the ages of 16 – 18 years who are supervised by a responsible adult shall be permitted at the discretion of the Designated Premise Supervisor.
- h) An appropriate wall mounted cigarette disposal bin shall be provided, which is to be examined and emptied on a daily basis.
- i) The premise shall be double glazed with 3 months.