
APPLICATION TO REVIEW A PREMISE LICENCE

Purpose of Report

1. To invite Members to consider an application from a Responsible Authority (Durham Constabulary) to review a premise licence on the grounds of crime and disorder and the protection of children from harm

Background Information

2. Attached to this report are details of the application for a review of a premise licence (**Appendix 1**) and the Notice of Hearing pertaining to this application (**Appendix 2**).
3. Members are requested to determine the application and give reasons for their decision.

Legal Implications

4. The Borough Solicitor, in accordance with the Council's approved procedures, has considered this report. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Human Rights Act

5. (a) Article 1 of Protocol 1 of the European Convention of Human Rights confers on individuals (and companies) the Right to Peaceful Enjoyment of their Possessions and the Protection of Property.

(b) When considering matters relating to the grant, revocation, renewal or refusal of licences and the placing of conditions on licences, the Committee must consider whether the decision affects an individual, group or company's Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition consideration must be given to whether the interference is proportionate

Section 17 of the Crime and Disorder Act 1998

6. One of the four Licensing Objectives of The Licensing Act 2003 is the prevention of crime and disorder. The attached report directly relates to this objective.

Recommendation

7. Members are requested to determine the application in accordance with Statutory Instrument 2005 No 44, The Licensing Act 2003 (Hearings) Regulations 2005.

Richard Alty
Director of Services for Place

Background Papers

Application for the review of a premise licence – Durham Constabulary
Inside Out Premises Licence
The Licensing Act 2003
DCMS Guidance issued under Section 182 of the Licensing Act 2003
The Licensing Act 2003 (Hearings) Regulations 2005

Appendices

1. Report – Inside Out
2. Notice of Hearing

Pam Ross

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