

# General Licensing Committee Agenda



9.30 am Tuesday, 23 February 2021  
Via Microsoft Teams

In accordance with Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, this meeting will be held on a virtual basis. Members of the Public can view a live stream of the meeting at:

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1. Introductions/Attendance at Meeting
2. Declarations of Interest
3. To approve the Minutes of the meeting of this Committee held 12 January 2021 (Pages 3 - 4)
4. Review of Licences for Approved Venues for Marriages and Civil Partnerships – Report of the Assistant Director Law and Governance and Proper Officer for the Darlington Registration District (Pages 5 - 10)
5. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting

6. Questions



**Luke Swinhoe**  
**Assistant Director Law and Governance**

**Monday, 15 February 2021**

**Town Hall**  
**Darlington.**

**Membership**

Councillors Clarke, Crumbie, Donoghue, Dulston, Haszeldine, C L B Hughes, B Jones, Lee, Newall, K Nicholson, A J Scott and Snedker

If you need this information in a different language or format or you have any other queries on this agenda please contact Allison Hill, Democratic Officer, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays Email: [allison.hill@darlington.gov.uk](mailto:allison.hill@darlington.gov.uk) or telephone 01325 405997

## GENERAL LICENSING COMMITTEE

Tuesday, 12 January 2021

**PRESENT** – Councillors B Jones (Chair), Clarke, Crumbie, Donoghue, Dulston, Haszeldine, C L B Hughes, Lee, Newall, K Nicholson, A J Scott and Snedker

**OFFICERS IN ATTENDANCE** – Allison Hill (Democratic Officer), Graham Hall (Head of Community Safety), Brian Murray (Assistant Licensing Manager), Colin Dobson (Licensing Manager) and Bethany Symonds (Lawyer)

### LG12 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

### LG13 MINUTES OF THE GENERAL LICENSING COMMITTEE

Submitted – the Minutes (previously circulated) of the meetings of the General Licensing Committee held on 28 July and the Special on 10 November, 2020.

**RESOLVED** – That the Minutes of the meetings of the General Licensing committee held on 28 July and 10 November, 2020 be approved as a correct record.

### LG14 MINUTES OF GENERAL LICENSING SUB COMMITTEE

Submitted – the Minutes (previously circulated) of the meetings of the General Licensing Sub Committee held on 28 July, 8 September, 20 October and 1 December, 2020.

**RESOLVED** – That the Minutes of the meetings of the General Licensing Sub Committee held on 28 July, 8 September, 20 October and 1 December, 2020 be approved as a correct record.

### LG15 REVIEW OF TAXI LICENSING FEES 2021/22

The Director of Economic Growth submitted a report (previously circulated) to invite Members to determine the licence fees relating to hackney carriage and private hire drivers along with their vehicles and operators.

It was reported that fees are reviewed annually, based on the cost recovery of administering and where appropriate enforcing the relevant legislation relating to such licences; and in respect of taxi licensing, legislation permits the Council to recover all or part of the costs of providing the taxi licensing service, including its administration and control (i.e. enforcement or supervision). Surpluses must be carried forward and deficits may be carried forward to future years within each ring-fenced licensing budget.

The submitted report outlined the effects of the on-going Covid-19 national emergency on the taxi trade and on maintaining the licensing function during unprecedented times; and the taxi provision has been impacted by the hospitality industry that has been hit particularly hard as a result of the

pandemic; and many in the trade have elected not to renew their licence at the moment and this has had the effect of significantly reducing the licensing budget and the option to suspend a licence when not being used has been offered where applicable by the Licensing Department to help ease the financial burden.

It was also reported that at the beginning of the first lockdown in March 2020 a Licensing Enforcement Officer left the organisation but it was not possible to recruit a replacement due to on-going restrictions, which placed additional pressure on the service, however it was reported that a new officer had recently been recruited and commenced working with the team; and although the introduction of a new on-line taxi licensing application system had been approved prior to the lockdown period, it was still in the process of being developed so staff were not able to benefit from the advantages remote applications provided. Work continued with this system and it was reported that it was on track to be operational by Spring 2021.

The LGA has produced guidance in a document called 'Open for Business', which states the activities that can be included when calculating the fee on a cost recovery basis and these were detailed in the submitted report.

It was reported that there was a current combined deficit to the taxi and private hire licensing budget of £11,291 as a result of reduced income following Covid-19 restrictions and there will be a projected total loss of income due to Covid-19 at the end of the financial year of £22,002; and the submitted report proposed that at this time it would be unreasonable for the taxi trade to be placed under additional financial pressure by an increase in fees for 2021-22 as any deficit can be recovered centrally.

Members discussed the report and in particular questioned the reasons for the deficit and how the service had ensured the safety of passengers with the loss of a Licensing Enforcement Officer.

**RESOLVED** – That the fees in respect of Hackney Carriage Vehicles; Private Hire Vehicles; Driver Licence; and Operator's Licence be retained at their current levels.

## **GENERAL LICENSING COMMITTEE 23 FEBRUARY 2021**

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### **REVIEW OF LICENCES FOR APPROVED VENUES FOR MARRIAGES AND CIVIL PARTNERSHIPS**

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#### **Purpose of Report**

1. To review the licensing arrangements for venues approved for marriages and civil partnerships in Darlington in consideration of the impact of the current Covid-19 pandemic.
2. To review the arrangements for marriages and civil partnerships in the Town Hall Darlington.

#### **Information**

#### **Background**

3. Marriages and Civil Partnerships can take place in one of four places:
  - (a) A religious building;
  - (b) A register office statutory marriage/civil partnership room (the couple being married/civil partners and two witnesses only);
  - (c) A register office ceremony room other than the statutory room which is known as a “decommissioned marriage room”;
  - (d) A building approved by the local authority deemed suitable as a venue for civil marriages and civil partnerships. Known as an “approved venue” most of these are hotels, museums and leisure-based venues.
4. The current legislation which provides the legal framework for marriages and civil partnerships is:
  - (a) The Marriage Act 1949 (as amended by the Marriage Act 1994);
  - (b) The Civil Partnership Act (2004);
  - (c) The Marriage and Civil Partnerships (Approved Premises) Regulations 2005;  
and
  - (d) The Marriage (Same Sex Couples) Act (2013).
5. This current legislation also provides that:
  - (a) Only a religious marriage or civil partnership can occur in a religious building.

- (b) Only a civil marriage or civil partnership can occur in a register office or approved venue, i.e. a religious marriage cannot occur in an approved venue such as a hotel.
- (c) The fees for marriages/civil partnerships which occur in a register office statutory marriage room are set by General Register Office and apply throughout England and Wales. The current fee is £68.00 which includes the ceremony and certificates.
- (d) The fees for marriages/civil partnerships which occur in a register office decommissioned marriage room (i.e. our Council Chamber) or at an approved venue i.e. a hotel, are set the local authority. Our current fees inclusive of the ceremony and certificates are £297.00 for the Council Chamber, Head of Steam and Hippodrome Theatre and are £547.00 at our approved venues i.e. hotels.
- (e) General Register Office is responsible for the licensing of all register office statutory marriage rooms and religious buildings.
- (f) The local authority is responsible for the licensing of all other venues for marriages and civil partnerships which includes decommissioned marriage rooms at the register office i.e. our Council Chamber and also any approved venues i.e. hotels and other buildings. The current arrangement is:
  - (i) The Licensing committee grants a venue a licence, usually 3 years but may grant the licence for a shorter or longer period. The licensing committee also has the power to revoke or suspend a licence for an approved and may also stipulate operational conditions specific to that venue e.g. the playing of live music or adaptations to building to enhance accessibility and safety.
  - (ii) The fee for that licence is currently £1700.00 per licence regardless of length of the licence. The Superintendent Registrar is responsible for maintaining a register of all approved venues, managing the applications and renewals process, and also reporting to the licensing committee any concerns or issues which occur whilst an approved venue.

### **Implications of the Covid-19 pandemic**

- 6. The current Covid-19 pandemic has had a considerable impact upon marriages and civil partnerships and for those suppliers and hospitality venues connected with weddings. Ceremonies have either been unable to be able to take place at all or have been subject to restrictions in terms of numbers who can attend, the wearing of face coverings during ceremonies and a restriction on the content and format of the ceremony.
- 7. Since March 2020, whilst some marriages and civil partnerships have still proceeded, approximately 400 weddings at the register office and at our approved venues have either been cancelled or have need to be rescheduled, some ceremonies often several times.
- 8. In addition to the financial impact upon the couples being married and lost revenue for the local authority, our approved venues, most of which are which are hotels,

have been significantly hit by the current Covid-19 pandemic. Since March, 2020 they have experienced periods of being unable to open or have had to offer weddings under restrictions where limited numbers and facilities has proved both difficult to operate in a financially viable way. The Superintendent Registrar has maintained regular contact with couples being married during this time and also with all of our approved venues throughout the pandemic to keep them up to date on changes to restrictions and also to offer support and advice on how best to make decisions about booking and managing a marriage or civil partnership.

9. General Register Office has suggested that local authorities consider how it can utilise its licensing arrangements for approved venues to support them during this difficult time for the hospitality industry. Possible options could include:
  - (a) Continue with current arrangements and renew licences for 3 years at a cost of £1700.00 per licence. As detailed below one of our venues (Bannatyne Hotel) has a licence due to renewal in April, 2021.
  - (b) Extend the licences without charge to recognise the challenges of the covid-19 pandemic on the hospitality industry.
  - (c) Most local authorities in the north east are extending an approved venues licence by one year to be able with a view to reviewing licensing arrangements for approved venues after the current impact of the Covid-19 pandemic.
  - (d) Bannatyne Hotel and Rockcliffe Hall are the only venues whose licences are due for renewal in 2021.

10. Our current approved venues and their licence renewal dates are:

Venue name:	Current licence renewal date
Bannatyne Hotel	06.04.21
Rockcliffe Hall	24.11.21
Council Chamber	02.06.22
Head of Steam	02.06.22
Redworth Hall Hotel	15.07.22
Blackwell Grange Hotel	22.11.22
Walworth Castle	08.01.23
Hall Garth Golf & Country Club Hotel	09.01.23
Hippodrome Theatre	05.03.23
Kings Hotel, Priestgate	04.05.23

### **Marriages and Civil Partnerships in the Town Hall**

11. Since relocating to the Town Hall from the Dolphin Centre in 2016, marriages and civil partnerships have worked successfully at the Town Hall.
12. Ceremonies have continued throughout the pandemic in the Council Chamber considering relevant restrictions. The Statutory Marriage room has been relocated from the former BBC radio Cleveland office to committee room 4 to meet social

distancing requirements for the couple being married, two witnesses and two registrars.

13. The current Covid-19 pandemic has given thought to reassessing the business continuity needs for the Register Office to be able to deliver ceremonies. Should the Council Chamber or statutory marriage room have not been able to accommodate social distancing requirements or in the event of loss of access due to either a fire, flood, need for urgent repair or for a civic engagement which will be deemed more important than being used for a wedding e.g. a high profile civic visit or public meeting inquiry, then there is no possible alternative to relocate the wedding within the Town Hall.
14. The current licence arrangements for the Town Hall when not accommodating any form of government restrictions are:
  - (a) The Council Chamber – maximum of 70 people.
  - (b) The Council Chamber Foyer – maximum of 20 people.
15. To maximise the potential options for a location for a wedding in the event of the Council Chamber or Council Chamber Foyer not being available for the reasons above, the following areas would be deemed suitable as if required. These rooms would not be offered as options for couples wishing to be married, they are for business continuity use only.

Area proposed to be licensed for marriages and civil partnerships	Proposed maximum of persons (1)
Committee Room 1	40 persons
Committee Room 2	40 persons
Committee Room 3	20 persons
Committee Room 4 (2)	20 persons
The civic reception lobby	30 persons

- (a) The maximum number of persons permitted are relevant when no government restrictions on the limitation of persons able to be present.
- (b) Committee Room 4 is currently the statutory marriage room. The statutory marriage room can be licensed as a statutory marriage room and as a decommissioned marriage room at the same time. If a committee room were used as a ceremony room the current furniture would be removed and chairs set in theatre style.

### **Financial Implications**

16. Extending licences without charge for a year, will result in a loss of £5,666 income for the Council from licensing fees.

### **Legal Implications**

17. This report has been considered by the Assistant Director, Law and Governance, for legal implications in accordance with the Council's approved procedures. There are



no issues which need to be brought to the specific attention of Members, other than those highlighted in the report.

## **Conclusion**

18. Members are asked to review the licensing arrangements for our venues approved for marriages and civil partnerships.

## **Recommendation**

19. It is recommended that:

- (a) The licences for the Council Chamber and all approved venues be extended by one year from the date of the expiry of its current licence.
- (b) The Council Chamber, Council Chamber Foyer and statutory marriage room continue to be the venues for marriages and civil partnerships in the Town Hall but that the following be licensed as additional rooms for marriages and civil partnerships for business continuity purposes:
  - (i) Committee Room 1 – maximum of 40 persons;
  - (ii) Committee Room 2 – maximum of 40 persons;
  - (iii) Committee Room 3 – maximum of 20 persons;
  - (iv) Committee Room 4 – maximum of 20 persons;
  - (v) The civic reception lobby – maximum of 30 persons.

## **Reasons**

20. The reasons are:

- (a) To take account of the impact of coronavirus on weddings and marriages.
- (b) To enable a greater degree of flexibility over the rooms that can be used for marriages and civil partnerships in the Town Hall Darlington.

**Luke Swinhoe, Assistant Director, Law and Governance and Proper Officer for Darlington Registration District**

Anthony Hall: Ext 6400

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