

## GENERAL LICENSING COMMITTEE

Tuesday, 6 April 2021

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

**APOLOGIES** – Councillor Newalll

**ABSENT** – Councillor Haszeldine

**OFFICERS IN ATTENDANCE** – Allison Hill (Democratic Officer), Brian Murray (Assistant Licensing Manager), Colin Dobson (Licensing Manager), Bethany Symonds (Lawyer) and Anthony Hall (Superintendent Registrar)

### LG19 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

### LG20 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 23 FEBRUARY 2021

Submitted – the Minutes (previously circulated) of the meeting of the General Licensing Committee held on 23 February 2021.

**RESOLVED** – That the Minutes of the meeting of the General Licensing committee held on 23 February 2021 be approved as a correct record.

### LG21 APPLICATION FOR RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS - BANNATYNE HOTEL, DARLINGTON

The Assistant Director, Law and Governance and Proper Officer for Darlington Registration District submitted a report (previously circulated) to consider an application received from Bannatyne Hotel, Southend Avenue, Darlington for the renewal of its licence to be approved as a venue for Civil Marriages and Civil Partnerships in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994); the Civil Partnerships Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005; and the Marriage (Same Sex Couples) Act (2013).

The submitted report gave a summary of the Bannatyne Hotel as an approved venue; the designated rooms and maximum number of persons permitted in each room; and a copy of the application was appended to the submitted report.

**RESOLVED** – That the application be granted for the renewal of Bannatyne Hotel, Southend Avenue, Darlington as an approved venue for the solemnisation of Marriages and Civil Partnerships in respect of the venue subject to the standard licence conditions and that the maximum number of persons permitted to occupy ceremony rooms on the occasion of Civil Marriages or Civil Partnerships be as detailed in the submitted report.

**LG22 REVIEW OF LICENCE AS A PREMISE APPROVED FOR MARRIAGES AND CIVIL PARTNERSHIPS - TOWN HALL, DARLINGTON**

The Assistant Director, Law and Governance and Proper Officer for Darlington Registration District submitted a report (previously circulated) to consider a review of the arrangements for marriages and civil partnerships in the Town Hall Darlington to ensure business continuity in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994); the Civil Partnerships Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005; and the Marriage (Same Sex Couples) Act (2013).

It was reported that the Register Office relocated from the Dolphin Centre to the Town Hall, Darlington in October 2016 and has since then been a successful choice for couples for a register office marriage or civil partnership.

There are currently three options for couples being the Statutory Marriage Room; the Council Chamber Foyer; and the Council Chamber.

It was proposed to maximise the potential options for a location for a wedding in an emergency or urgent situation to offer Committee Rooms 1, 2, 3 and 4 and the Civic Reception Lobby as deemed to be suitable as an emergency alternative to the Council Chamber and Council Chamber Foyer. These rooms would not be offered as options for couples wishing to be married, they are for business continuity use only.

**RESOLVED** – That 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; and
- (v) The civic reception lobby – maximum of 30 persons

**LG23 INTERIM PROCEDURES FOR GRANT OF PAVEMENT CAFE LICENCES**

The Director of Economic Growth submitted a report (previously circulated) to invite Members to consider a proposal to simplify the application process of granting a pavement café licence when deviating from our Pavement Café Policy.

It was reported that a revised Pavement Café Policy was approved by Members of the Licensing Committee in March 2014 following a review. A full consultation process took place with all stakeholders and an Equality Impact Assessment was carried out by Darlington Association on Disability (DAD).

The Covid-19 pandemic had highlighted a requirement for social distancing, thereby reducing capacity within premises and given the continuing importance of the outdoors to reduce transmission of the virus, government strongly encouraged local authorities to plan

for outdoor dining and make all necessary changes to local high streets, squares and the public realm so this was as convenient as possible for businesses and members of the public.

On the 5 March 2021, Robert Jennick MP, Minister for Housing, Communities & Local Government, wrote to council leaders highlighting support for the safe re-opening of the hospitality trade and what was to be expected from local authorities (also previously circulated) and there was an expectation that a pavement café licence will be granted unless there was a good reason not to do so.

It was also highlighted that when an application was received and representations had been made it would ordinarily require a hearing by the Licensing Committee to decide if a licence should be granted and this may take several weeks from application to determination to complete. As this delay would reduce the ability of a struggling business to take advantage of using outside space at a critical time of recovery an interim and pragmatic approach to support local businesses on the road to recovery was proposed.

Members agreed that this simplification of the application process was a positive move to support businesses at this difficult time and was crucial to the local economy. They also sought clarification on what checks would be undertaken to ensure that all premises were not abusing their licence conditions and how the consultation process would be carried out with neighbouring properties and the relevant groups.

**RESOLVED** – That Members approve a new interim decision making process to be adopted when an application for a pavement café licence falls outside the current policy.