



DARLINGTON

Borough Council

General Licensing Committee Agenda

9.30 am

Tuesday, 2 November 2021

Council Chamber, Town Hall, Darlington

Members of the Public are welcome to attend this Meeting.

1. Introductions/Attendance at Meeting
2. Declarations of Interest
3. To approve the Minutes of the meeting of this Committee held on 17 August 2021
(Pages 3 - 4)
4. To approve the Minutes of the meetings of the General Licensing Sub Committee held on 21 September 2021 (Pages 5 - 6)
5. Application for Renewal of Licence for premises to be approved as a venue for Marriages and Civil Partnerships - Rockliffe Hall Hotel, Darlington –
Report of the Assistant Director Law and Governance and Proper Officer for Darlington Registration District
(Pages 7 - 10)
6. 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
7. Questions



Luke Swinhoe
Assistant Director Law and Governance

Monday, 25 October 2021

Town Hall
Darlington.

Membership

Councillors Clarke, Crumby, Donoghue, Dulston, Haszeldine, C L B Hughes, B Jones, Lee, Mills, 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 or telephone 01325 405997

GENERAL LICENSING COMMITTEE

Tuesday, 17 August 2021

PRESENT – Councillors B Jones (Chair), Clarke, Dulston, Lee, Newall, K Nicholson and Snedker

APOLOGIES – Councillors Crumbie, Donoghue, C L B Hughes, Mills and A J Scott,

ABSENT – Councillors Haszeldine

OFFICERS IN ATTENDANCE – Allison Hill (Democratic Officer), Amy Wennington (Principal Lawyer (Litigation)) and Colin Dobson (Licensing Manager)

LG1 APPOINTMENT OF CHAIR FOR THE MUNICIPAL YEAR 2021/22

RESOLVED – That Councillor B Jones be appointed Chair of the General Licensing Committee for the Municipal Year 2021/22.

LG2 APPOINTMENT OF VICE CHAIR FOR THE MUNICIPAL YEAR 2021/22

RESOLVED – That Councillor Lee be appointed Vice Chair of the General Licensing Committee for the Municipal Year 2021/22.

LG3 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

LG4 TO APPROVE THE TIME OF MEETING OF THIS COMMITTEE FOR THE MUNICIPAL YEAR 2021/22 ON THE DATES AGREED IN CALENDAR BY CABINET AT MINUTE C97/FEB/21

RESOLVED – That for the remainder of this Municipal Year the timings of meetings of this Scrutiny Committee be held at 9.30 a.m

LG5 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 6 APRIL 2021

Submitted – the Minutes (previously circulated) of the meeting of the General Licensing Committee held on 6 April 2021.

RESOLVED – That the Minutes of the meeting of the General Licensing committee held on 6 April 2021 be approved as a correct record.

LG6 TO APPROVE THE MINUTES OF THE MEETINGS OF THE GENERAL LICENSING SUB COMMITTEE HELD ON 18 MAY 2021

Submitted – the Minutes (previously circulated) of the meeting of the General Licensing Sub Committee held on 18 May 2021.

RESOLVED – That the Minutes of the meeting of the General Licensing Sub Committee held on 18 May 2021 be approved as a correct record.

LG7 MOBILE HOMES FEES POLICY FOR FIT AND PROPER TEST

The Group Director of People submitted a report (previously circulated) inviting Members to approve a fees policy required under newly introduced Mobile Homes (Requirement for Manager to be Fit and Proper Person) (England) Regulations 2020.

It was reported that the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020, prohibit the use of land as a residential mobile home site unless the local authority is satisfied that the owner or manager of the site is a fit and proper person to manage the site. The purpose of the fit and proper person test is to improve the standards of park (mobile) home site management and the regulations were made on 23 September 2020 and by 1 October 2021 all site owners must submit an application for a relevant person to be assessed as fit and proper persons.

Darlington currently has 19 licensed caravan sites and the fee to license these ranges from £200 to £260 depending on the number of pitches and there is a charge of £100 for a variation to be made to this licence. The submitted report proposed therefore that a fee of £100 be charged as a fair and transparent cost to cover costs incurred in the first instance, until such a time a process mapping exercise can be carried out to provide an accurate cost for subsequent annual applications.

General discussion ensued on the regulations and in particular the test for fit and proper in relation to site owners and the Licensing Manager advised Members that there will be a high input from other responsible authorities and intelligence to support a refusal or grant of a licence and advised that conditions could also be added to a licence where necessary.

RESOLVED – That the Mobile Homes Fees Policy with a charge of £100 for publication be approved.

GENERAL LICENSING SUB COMMITTEE

Tuesday, 21 September 2021

PRESENT – Councillors Donoghue, C L B Hughes, B Jones and Lee

APOLOGIES – Councillors Snedker,

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation)), Allison Hill (Democratic Officer), Brian Murray (Assistant Licensing Manager) and Sgt C Dickenson and PC M Dolan (Durham Constabulary)

LGS1 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

RESOLVED - That Councillor Brian Jones be elected Chair for the purpose of this meeting.

LGS2 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LGS3 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That, pursuant to Sections 100A (4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraphs 1 and 7 of Part 1 of Schedule 12A to the Act.

LGS4 REVIEW OF A HACKNEY CARRIAGE DRIVER LICENCE (EXCLUSION PARAGRAPHS 1 AND 7)

The Group Director of Services submitted a report (previously circulated) to give consideration to a review of a Hackney Carriage Driver Licence in light of information received from Durham Constabulary.

The driver attended the meeting and responded to Members questions in relation to the above, and to why they felt that they were a fit and proper person to hold a Hackney Carriage Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy, which sets out the Council's stance on the Relevance of Convictions, Cautions and Endorseable Fixed Penalties in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976; and Section 52 of the Road Safety Act 2006.

After careful consideration Members decided to confirm the suspension of the licence and agreed that the allegations were serious; the investigation remained ongoing; and that the driver may pose a safety risk to passengers and the wider public and did not hear anything that would convince them to step outside the Licensing Policy.

RESOLVED - That the Hackney Carriage Driver Licence which was previously suspended in

accordance with section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976 in the interests of public safety be confirmed in accordance with the same legislation.

**GENERAL LICENSING COMMITTEE
2 NOVEMBER 2021**

**APPLICATION FOR RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR
MARRIAGES AND CIVIL PARTNERSHIPS**

Rockliffe Hall Hotel, Darlington

Purpose of Report

1. To consider an application received from Rockliffe Hall Hotel for the renewal of a licence to be approved as a venue for Civil Marriages and Civil Partnerships in accordance with the provisions of:
 - (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 2021; and
 - (d) The Marriage (Same Sex Couples) Act (2013).

Summary

2. Since 1994 local authorities have been able to approve venues where civil marriage and civil partnerships can take place as an alternative venue to a Register Office most of which are hotels.
3. Rockliffe Hall Hotel has been a licensed venue for ceremonies for a number of years and has continued to be a popular wedding venue attracting couples who are marrying both locally and from further afield and the hotel plays an important role in the local economy.
4. Its current licence expires on 24 November 2021.
5. There have been no issues with the venue which would adversely affect its application to renew its licence. The licence as an approved venue is now due for renewal and the committee are asked to consider the application for a licence as an approved venue for civil marriages and civil partnerships for a period of a further three years.

Information

6. The building has the required fire risk assessments and there are no accessibility or DDA issues which would adversely affect the application.

7. The premises are considered to be suitable for approval as a venue for Marriages and Civil Partnerships, subject to the standard conditions and a limit on the number of people permitted to be present in the nominated rooms.
8. The applicant is not seeking to alter or change any of the areas or capacities of persons who can be present when ceremonies take place.
9. These are currently:

Approved Venues – Licensed Rooms and Capacities

(as agreed by the granting Licensing Committee and a condition of a valid licence)

Venue: **Rockliffe Hall Hotel**

GRO Premise No: 007930

Current Licence Expires: 24.11.2021

Room	Maximum Capacity
In the Old Hall:	
The Morning Room	65
The Drawing Room	60
The Cocktail Lounge	60
The Orangery	150
The Boardroom	20
The Campernella	55
The Old Hall Hall	40
The Old Hall Foyer	80
In the New Hall:	
The Rockliffe Suite	170
The Rockliffe Lounge	100
The Bowes Suite	30
The Cotherstone Suite	10
In the Clubhouse:	
The Grassholme	180
The Stanwick	20
External Buildings:	
The Glasshouse	120
The Rosebud Curious Cabin	6 (unlimited guests outside of cabin)

10. A copy of the application submitted is attached and the renewal fee of £1700.00 has been invoiced.
11. As part of its covid pandemic recovery strategy, the government introduced new regulations on 1 July 2021 to enable outdoor ceremonies to take place anywhere within the boundaries of the hotel estate and without restriction upon the maximum numbers of persons who can attend. It remains the requirement of indoor civil marriages and civil partnerships to take place in a designated room which is deemed suitable by the local authority and which has a specified maximum number of persons present.

Financial Implications

12. The renewal of a licence for a premises as a venue for civil marriages and civil partnerships incurs a fee payable to the local authority which is currently £1700.00.

Legal Implications

13. The current licence for Rockliffe Hall Hotel expires on 24 November 2021. The grant of a further licence is required for the hotel to continue with its bookings for civil marriages and partnerships. The standard renewal licence is for three years from the date of expiry of the current licence. The licensing committee can issue a licence on a shorter timescale as a temporary measure should it wish and/or make specific conditions including where the ceremony can take place, how many can attend and improvements for accessibility.

Conclusion

14. Members are asked to renew the licence for Rockliffe Hall Hotel as an approved premises for civil marriages and civil partnerships for a further three years from 24 November 2021

Recommendations

15. It is recommended that:
 - (a) The licence for Rockliffe Hall Hotel, Hurworth, Darlington as an approved premises be granted for a further three years from 24 November 2021.
 - (b) That the places designated where civil marriages and civil partnerships can take place indoors of the premises and the maximum of numbers of persons who can attend those marriages and civil partnerships continue to be:

Room	Maximum Capacity
In the Old Hall:	
The Morning Room	65
The Drawing Room	60
The Cocktail Lounge	60
The Orangery	150
The Boardroom	20
The Campernella	55
The Old Hall Hall	40
The Old Hall Foyer	80
In the New Hall:	
The Rockliffe Suite	170
The Rockliffe Lounge	100
The Bowes Suite	30
The Cotherstone Suite	10
In the Clubhouse:	
The Grassholme	180
The Stanwick	20
External Buildings:	
The Glasshouse	120
The Rosebud Curious Cabin	6 (unlimited guests outside of cabin)

Reasons

- To facilitate the continuation of Rockliffe Hall, Hurworth, Darlington as a premises approved for civil marriages and civil partnerships.

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

Background Papers

Application for renewal of licence as an approved premises for Civil Marriage and Civil Partnership from Rockliffe Hall Hotel.

Anthony Hall, Superintendent Registrar, Ext 6400