

LICENSING ACT 2003 SUB COMMITTEE

Thursday, 17 March 2022

PRESENT – Councillors Clarke, B Jones and K Nicholson

OFFICERS IN ATTENDANCE – Sgt C Dickenson (Durham Constabulary), Allison Hill (Democratic Officer), Brian Murray (Assistant Licensing Manager), Colin Dobson (Licensing Manager) and Bethany Symonds (Lawyer)

LS1 ELECTION OF CHAIR

RESOLVED – That Councillor B Jones be elected Chair for the purposes of this Sub Committee.

LS2 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LS3 REVIEW OF THE GEORGE PUBLIC HOUSE PREMISES LICENCE

The Director of Group Services submitted a report (previously circulated) to give consideration to an application for a summary review of the Premises Licence submitted by Durham Constabulary brought under Section 53A of the Licensing Act 2003, based on the grounds that it undermines the prevention of crime and disorder objective relating to serious crime and disorder associated with the premises.

Present at the meeting were Colin Dobson, Licensing Manager; Brian Murray, Assistant Licensing Manager; Bethany Symonds, Lawyer; Sgt Caroline Dickenson, Durham Constabulary; and Samantha Banks, Area Manager Admiral Taverns.

The Licensing Manager introduced the application for a summary review of the Premises Licence and gave the background to the licensed premises and details of the incident of serious large scale violent disorder that occurred during the early afternoon of Saturday 12 February, 2022 directly linked to the premises.

Members listened carefully to the representations made by Sgt Dickenson on the grounds of the Prevention of Crime and Disorder and from the Area Manager of Admiral Taverns who advised Members that Mr Sowerby, the Licence Holder had surrendered his licence and that the premises were no longer leased to him and now owned by Admiral Taverns.

Sgt Dickenson advised the Members that after discussions with Admiral Taverns; the proposal of conditions on regulated match day home fixtures; and the removal of Mr Sowerby, the police were now satisfied with the steps that had been taken regarding the premises.

The Sub-Committee considered the views in accordance with Secretary of State's Guidance in relation to crime and disorder, public safety and the prevention of public nuisance; Guidance issued under Section 182 of the Licensing Act 2003 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'; and Statutory Instrument 2005 No. 44 The Licensing Act 2003 (Hearings) Regulations 2005.

Members also consideration the relevant sections of the Council's Licensing Policy; Section 1.2-1.3 in relation to purpose; Section 6-7.3 relating to Premises Licence and impact of licensable activities; and Sections 11.3-11.5 relating to steps to address Crime and Disorder.

After careful consideration Members agreed that the earlier suspension of the premises licence ceased to have effect and can now be restored to Admiral Taverns as the current premises licence holders and Admiral Taverns will be able to operate the venue once they have a new designated premises supervisor in place.

The sub-committee members considered that these steps were appropriate in order to promote the licensing objectives and their decision was pursuant to Section 53C of the Licensing Act 2003.

RESOLVED – That the premises licence be restored to Admiral Taverns with the additional of the following conditions alongside any existing conditions:

- (a) No customers carrying open or sealed bottles or other containers with alcohol in them shall be permitted into or allowed to leave the licensed areas shown on the premises plan
- (b) Checks shall be carried out before admittance to or departure into the licensed areas and any such open or sealed bottles or containers found, shall be confiscated.
- (c) On Regulated Football Match days only when Darlington FC are playing a home fixture which falls on a Saturday there shall be a minimum of two SIA registered door staff from 11.00 am till 3.00 pm.