



DARLINGTON

Borough Council

General Licensing Committee Agenda

9.30 am

Tuesday, 19 July 2022

Council Chamber, Town Hall, Darlington, DL1 5QT

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 7 June 2022 (Pages 3 - 6)
4. To approve the Minutes of the meetings of the General Licensing Sub Committee held on 7 June 2022 (Pages 7 - 8)
5. Application for Renewal of Licence for Premises to be approved as a venue for Marriages and Civil Partnerships - Redworth Hall Hotel, Redworth – Report of the Assistant Director Law and Governance and Proper Officer for the Darlington Registration District (Pages 9 - 12)
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, 11 July 2022

Town Hall
Darlington.

Membership

Councillors Clarke, Crumbie, Donoghue, Haszeldine, C L B Hughes, B Jones, Lee, Newall, K Nicholson, Renton, A J Scott, Mrs H 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, 7 June 2022

PRESENT – Councillors , Clarke, Haszeldine, C L B Hughes, B Jones, Lee, Newall, K Nicholson, Renton, A J Scott and Snedker

APOLOGIES – Councillors Crumbie and Donoghue

ABSENT – Councillor Mrs H Scott

OFFICERS IN ATTENDANCE – Allison Hill (Democratic Officer), Amy Wennington (Principal Lawyer (Litigation)), Brian Murray (Assistant Licensing Manager), Colin Dobson (Licensing Manager), Chris Knox (Community Safety Programme Manager), Sgt C Dickenson (Durham Constabulary) and PC Newcombe (Durham Constabulary)

LG1 APPOINTMENT OF CHAIR FOR THE MUNICIPAL YEAR 2022/23

RESOLVED – That Councillor C Hughes be appointed Chair of the General Licensing Committee for the Municipal Year 2022/23.

LG2 APPOINT OF VICE-CHAIR FOR THE MUNICIPAL YEAR 2022/23

RESOLVED – That Councillor Lee be appointed Vice Chair of the General Licensing Committee for the Municipal Year 2022/23.

LG3 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

LG4 TO CONSIDER THE TIMES OF MEETINGS OF THIS COMMITTEE FOR THE MUNICIPAL YEAR 2022/23 ON THE DATES AGREED IN THE CALENDAR BY CABINET AT MINUTE C100/FEB/22

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

LG5 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 8 MARCH 2022

Submitted – the Minutes (previously circulated) of the meeting of the General Licensing Committee held on 8 March 2022.

RESOLVED – That the Minutes of the meeting of the General Licensing committee held on 8 March 2022 be approved as a correct record.

LG6 TO APPROVE THE MINUTES OF THE MEETINGS OF THE GENERAL LICENSING SUB COMMITTEE HELD ON 19 APRIL 2022

Submitted – The Minutes (previously circulated) of the meeting of the General Licensing Sub-

Committee held on 19 April 2022.

RESOLVED – That the Minutes of the meeting of the General Licensing Sub-Committee held on 19 April 2022 be approved as a correct record.

LG7 APPLICATION FOR RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS

The Assistant Director, Law and Governance and Proper Officer for Darlington Registration District submitted a report (previously circulated) to give consideration to the renewal of a licence for the Hippodrome Theatre and the Head of Steam, Darlington Railway Museum 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 Partnership Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005 and 2021; and the Marriage (Same Sex Couples) Act (2013).

The submitted report gave a summary of the Hippodrome Theatre and the Head of Steam as approved venues; the designated rooms and maximum capacity for each room.

Members considered the applications and in relation to the Head of Steam questioned accessibility for weddings to be held at the Museum and the Superintendent Registrar advised that this due to be discussed with the Railway Museum and will be reported back to Members of the General Licensing Committee.

RESOLVED – (a) That the Hippodrome Theatre be approved as an approved premises granted for a further three years from 30 June 2022 and that the places designated where civil marriages and civil partnerships can take place indoors of the premises and the maximum number of persons who can attend those marriages and civil partnerships continue to be :

The Auditorium – 100 people
The Hullabaloo Auditorium – 100 people

(b) That the Head of Steam, Darlington Railway Museum be approved as an approved premises granted for a further three years from 30 June 2022 and that the places designated where civil marriages and civil partnerships can take place indoors of the premises and the maximum number of persons who can attend those marriages and civil partnerships continue to be :

Platform – 100 people
Meeting Room – 60 people
Café – 30 people

LG8 INTERIM REVIEW OF POLICY AND CONDITIONS RELATING TO HACKNEY CARRIAGES, PRIVATE HIRE VEHICLES AND THEIR DRIVERS AND OPERATORS

The Group Director of Services submitted a report (previously circulated) for Members to give consideration to changes to Darlington Borough Council's Private Hire and Hackney Carriage Licensing Policy 2021 following the impact Covid-19 and rapidly increasing running costs has had on the taxi trade.

It was reported that on 26 November 2022, Council approved a new Private Hire and Hackney Carriage Licensing Policy which was implemented on 1 January 2021 and this policy had been developed following due process and included for the first time statutory standards issued by the Department for Transport (DfT); and the non-statutory best practice guide produced in 2006 which complements the statutory standards.

It had been recognised that since 2006 there had been many issues that had impacted on the trade and a revised best practice guide to reflect this was open for public consultation but it was unlikely that this guidance would be formally implemented until 2023.

It was reported that although the DfT recommend policies are reviewed every five years, interim reviews should also be considered where significant issues arise.

On 28 April 2022 a liaison meeting was held with representatives of the trade and Licensing and proposed changes were raised that would help the trade in relation to Vehicle age restrictions; Topographical knowledge test; and Window tint. Full details of the proposed changes along with the rationale was also attached to the submitted report.

RESOLVED – That Members of the General Licensing Committee approve the proposed amendments to the Policy subject to public consultation.

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GENERAL LICENSING SUB COMMITTEE

Tuesday, 7 June 2022

PRESENT – Councillors C L B Hughes, Lee, Newall and Snedker

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation)), Colin Dobson (Licensing Manager), Allison Hill (Democratic Officer), Brian Murray (Assistant Licensing Manager), Sgt C Dickenson (Durham Constabulary), PC Newcombe (Durham Constabulary) and Chris Knox (Community Safety Programme Manager)

LGS1 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

RESOLVED - That Councillor C Hughes 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 PRIVATE HIRE/HACKNEY CARRIAGE DRIVER LICENCE (EXCLUSION PARAGRAPHS 1 AND 7)

REF 04/22- The Group Director of Services submitted a report (previously circulated) to give consideration to a review of a Private Hire/Hackney Carriage Driver Licence in light of three new motoring convictions.

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 Private Hire/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; and Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976.

After careful consideration Members decided to permit the driver to retain their licence as they had been delivering a valuable public service at a time of great stress however in relation to the lack of care and responsibility shown towards the general public by committing those offences the driver be issued with a warning letter in relation to their conduct; and also a requirement to undertake and successfully undertake the Safe and

Consideration Driving Course.

RESOLVED – (a) That the licence be retained and the driver be issued with a warning letter in respect of future conduct and warned that if any further convictions, cautions, warnings or reprimands are received they would be referred immediately to the General Licensing Sub-Committee.

(b) That the driver be successfully undertake the Safe and Consideration Driving Course, at their own expense and that the course be completed prior to 30 September 2022.

GENERAL LICENSING COMMITTEE

19 JULY 2022

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

Redworth Hall Hotel, Redworth, Darlington DL5 6NL

Purpose of Report

1. To consider the renewal of a licence for the Redworth Hall Hotel to be able to continue as an approved venue for civil marriage 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 alternative venue to a Register Office with most approved venues being hotels.
3. Redworth Hall Hotel has been licensed by the local authority since 1994 as such an approved venue for civil marriages and civil partnerships. Redworth Hall Hotel is also currently the most popular venue in Darlington for marriages and civil partnerships other than the register office. It has important role to play in the local economy in terms of employment and also of attracting visitors to Darlington from a wide area with most couples being married at Redworth Hall being located outside of Darlington.

The current licence for Redworth Hall Hotel is due to expire on 31st July 2022.

The hotel has indicated that they have future bookings for weddings and wish to continue as an approved venue for civil marriage and civil partnerships.

4. There have been no issues with Redworth Hall Hotel which would adversely affect their application to renew its licence. Renewal of the licence would provide the hotel with a licence for civil marriage and civil partnerships for a further three years from 31st July 2022.

Information

5. Redworth Hall Hotel has the required fire risk assessments and there are no accessibility or DDA issues which would adversely affect either application.
6. The premises are considered to be suitable for approval as a venue for marriage and civil partnerships, subject to the standard conditions and a limit on the number of people permitted to be present in the nominated rooms. The venue does not wish to change the capacities or designated areas where civil marriages or civil partnership can take place.

The Marriage and Civil Partnerships (Approved Premises) Regulations 2005 were amended in March 2022 to permit outdoor marriage and civil partnerships at a suitable location anywhere within the boundary of the licensed premise.

7. The current locations and capacities for civil marriage and civil partnerships at the Redworth Hall Hotel are:

Room	Maximum Capacity
The Great Hall	150
Kelvington Suite	100
Prince Bishop Suite	280
The Minstrels Gallery	20
The Restaurant	100
The 1744 Room	80
Cocktail Bar	50
The Summerhouse (outside structure) *	6

*ie. two registrars, the couple and two witnesses inside the gazebo. Guests Outside on the garden is unlimited.

Financial Implications

8. Redworth Hall Hotel has been invoiced for £1750.00 being the fee for all venues seeking a grant or renewal of a licence for civil marriage or civil partnerships.

Legal Implications

9. The current licence for the Redworth Hall Hotel expires on 31st July 2022. The grant of a further licence is required to facilitate its current 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

10. Members are asked to renew the licences for Redworth Hall Hotel for a further three years from 31st July 2022.

Recommendations

11. It is recommended that the licence for the Redworth Hall Hotel as an approved premise for civil marriage and civil partnerships be granted for a further three years from 31st July 2022 and that the places designated where civil marriage and civil partnerships can take place indoors at the premises and the maximum of numbers of persons who can attend those marriage and civil partnerships continue to be:

Room	Maximum Capacity
The Great Hall	150
Kelvington Suite	100
Prince Bishop Suite	280
The Minstrels Gallery	20
The Restaurant	100
The 1744 Room	80
Cocktail Bar	50
The Summerhouse (outside structure)	6
*	

Reasons

12. To facilitate the continuation of the Redworth Hall Hotel as a premise approved for civil marriages and civil partnerships.

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

Anthony Hall, Superintendent Registrar, Ext 6400