

GENERAL LICENSING COMMITTEE

Tuesday, 16 October 2018

PRESENT – Councillors Nutt (Chair), Kane, B Jones, Lawton, Lee and Newall

APOLOGIES – Councillors C L B Hughes, Mrs D Jones and K Nicholson,

ABSENT – Councillors Rahman

OFFICERS IN ATTENDANCE – Allison Hill (Democratic Officer), Julie Richings (Principal Licensing Officer), Amy Wennington (Principal Lawyer (Litigation)), Graham Hall (Head of Community Safety) and Bethany Symonds (Lawyer)

L6 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

L7 MINUTES OF THE GENERAL LICENSING COMMITTEE.

Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 10 July 2018.

L8 MINUTES OF THE GENERAL LICENSING SUB COMMITTEES.

Submitted - The Minutes (previously circulated) of the meetings of the General Licensing Sub-Committees held on 10 July and 18 September 2018.

RESOLVED – That the Minutes be approved as a correct record.

L9 APPLICATION FOR PAVEMENT CAFE LICENCE.

The Director of Economic Growth and Neighbourhood Services submitted a report (previously circulated) inviting Members to consider an application for the grant of a licence to operate a Pavement Café in the light of objections from Darlington Association on Disability (DAD) and Highways due to the proposed location of the café. The application was in respect of Hatch Luncheonette, 32 Blackwellgate, Darlington.

The submitted report provided background information in respect of the premises and the proposed application for a pavement café and the area of the pavement and potential layout of the café outlined.

Mr and Mrs Robson, the applicants addressed the meeting and responded to Members' questions in relation to the above and to why the application for a Pavement Café Licence should be granted.

Mr Pybus from DAD also addressed the meeting and responded to Members' question in relation to his objections to the Pavement Café.

In reaching their decision, Members considered the representation by Mr Pybus from

DAD and Highways; the Council's Pavement Café Policy revised March 2014; and the Highways Act 1980 for the regulation of licensing of pavement cafes.

Members agreed that the objections raised by both DAD and the Council's Highways Section were valid concerns and the site proposed for the application conflicted with the requirements of the Council's Pavement Café Policy. Members also agreed that the proposed location was not an appropriate site for a pavement café due to the proximity of both the steps and the pulse lights and the Members had health and safety concerns directly associated with this.

Members also noted that there had not been any representations from the Police in respect of this application.

RESOLVED – That the application for grant of a licence for a Pavement Café at Hatch Luncheonette be refused.