

LICENSING ACT 2003 SUB COMMITTEE

Wednesday, 25 October 2023

PRESENT – Councillors Dulston, Kane and K Nicholson.

OFFICERS IN ATTENDANCE – Colin Dobson (Licensing Manager), Brian Murray (Assistant Licensing Manager), Bethany Symonds (Lawyer) and Paul Dalton (Democratic and Elections Officer).

LS12 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING.

RESOLVED - That Councillor K. Nicholson be elected Chair for the purpose of this meeting.

LS13 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LS14 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.

LS15 APPLICATION FOR SUMMARY REVIEW OF A PREMISES LICENCE

The Director of Group Services submitted a report (previously circulated) to give consideration to an application for a summary review of the Majestic Premises Licence, 80 Bondgate, Darlington, DL3 7JT, submitted by Durham Constabulary under Section 53A to S3C of the Licensing Act 2003, on the grounds of serious crime and disorder.

Also present at the meeting were Kayley Scaife, Police Lawyer; PCSO Mandy McAllister; Sergeant Charlotte Martin; PC Alan Newcombe; Matt Plum, Neighbourhood Inspector; and Hayley Warters, Company Director, Lyall Events and Entertainment Limited.

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 an incident of violent disorder involving a number of people connected to an unlicensed boxing match at the premises.

Members listened carefully to the representations made by Kayley Scaife in respect of the prevention of crime and disorder. Ms. Scaife advised Members that an investigation had commenced, however that during the course of that investigation Durham Constabulary had struggled to contact the Designated Premises Supervisor (DPS), which had raised concern as to the effectiveness of the holder of the position.

Ms. Scaife further informed Members that following a visit to the premises, a number of additional concerns had been raised and these were outlined to Members.

Members of the Sub-Committee raised a number of queries regarding the incident; were advised by Durham Constabulary of two previous licensing incidents; and viewed the CCTV footage of the incident, in the presence of Ms. Warters, who was also offered the opportunity to review the footage.

Members listened to representations made by Ms. Warters.

After careful consideration Members agreed that the Designated Premises Supervisor be removed from the licence, and that the Premises Licence be suspended until a full review is undertaken within 28 days of the receipt of the application. The decision was made in accordance with Section 182 Guidance to the Licensing Act 2003 in relation to all licensing objectives and the Council's Licensing Policy.

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 – (a) That the Designated Premises Supervisor be removed from the licence; and
(b) That the Premises Licence be suspended until a full review is undertaken within 28 days of the receipt of the application.