

LICENSING ACT 2003 SUB COMMITTEE

Wednesday, 15 November 2023

PRESENT – Councillors Dulston, Kane and K Nicholson.

OFFICERS IN ATTENDANCE – Colin Dobson (Licensing Manager), Amy Wennington (Principal Lawyer (Litigation)), Mark Walton (Licensing Enforcement Officer) and Paul Dalton (Democratic and Elections Officer).

LS16 ELECTION OF CHAIR

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

LS17 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LS18 APPLICATION TO REVIEW PREMISES LICENCE ON THE GROUNDS OF THE PREVENTION OF CRIME AND DISORDER

The Director of Group Services submitted a report (previously circulated) to give consideration to an application for a summary review of the premises licence for Majestic, 80 Bondgate, Darlington, DL3 7JT, submitted by Durham Constabulary under Section 53A of the Licensing Act 2003, on the grounds that it undermined the prevention of crime and disorder objective relating to serious crime and disorder associated with the premises.

Also present at the meeting were Kayley Scaife, Police Lawyer; PCSO Mandy McAllister; Sergeant Charlotte Martin; PC Alan Newcombe; 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 that had occurred on Saturday, 21 October 2023. It was stated that a serious assault had taken place which had resulted in life changing injuries to the victim.

The Licensing Manager stated that on Wednesday, 25 October 2023, within the 48 hour time-scale required, a meeting of the Licensing Act 2003 Sub-Committee was convened to determine if it was necessary to take any interim steps pending a full review. It was stated that during this meeting Members were provided with an account of the incident by the Police, that Members had also heard from Mrs. Warters, a company director for the premises licence holder and that Members had viewed CCTV footage of the incident. After careful consideration, Members had agreed that the Designated Premises Supervisor (Mr. John Lyall Thompson) be removed from the licence, and that the Premises Licence be suspended until a full review was undertaken within 28 days of the receipt of the application. The Members of the Sub-Committee members had 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. Mrs. Warters, representatives of Durham Constabulary and Members of the Committee were each invited in turn to ask questions of,

or make comments to, the Licensing Manager.

Mrs. Warters was invited to address the Members of the Committee, and she advised that since the interim review she had been working with the Police to outline actions that could be undertaken, had identified someone to be appointed as the new Designated Premises Supervisor (DPS), and was seeking to draft more Risk Assessments and provide greater training for staff.

The Police Lawyer reported that following the implementation of the interim measures, the Police had been working closely with the Premises Licence Holder, and PCSO Mandy McAllister stated that, in conjunction with the Premises Licence Holder and Licensing Officers, a number of potential conditions for consideration by Members had been drafted, which were then circulated to Members of the Committee. Mrs. Warters was invited to respond, and in doing so thanked the Police and Licensing Officers for their assistance.

Members were satisfied that the proposed conditions mitigated any concerns that they had regarding the prevention of crime and disorder, the protection of children from harm and public safety.

RESOLVED – (a) That, in accordance with section 53C of the Licensing Act 2003, the Premises Licence be reinstated with the following added or modified conditions:

- (i) Any person managing or supervising staff in the sale of alcohol or any other licensable activity in the absence of the DPS, shall be the holder of a personal licence obtained from a nationally recognised body;
- (ii) All door supervisors will display their SIA badge in an approved method (i.e. arm display badge holder) at all times;
- (iii) The premises licence holder will provide contact details for any security personnel employed at the premises, to an authorised officer of the Licensing Authority or the Police upon request;
- (iv) Any indoor sporting event will be risk assessed by management, and a copy will be provided to the Licensing Authority, within 21 days of the event being held (for clarity, indoor sporting events does not include boxing.);
- (v) A minimum of one SIA door supervisor will be present from 21.00 when regulated entertainment consisting of live and recorded music and dancing is taking place. At all other times it will be risk assessed by management;
- (vi) Children will be allowed to remain on the premises until 22.00 when accompanied by an adult and attending an event. This will not include any sporting events; and
- (vii) The terminal hour for opening and all activities on the premises is to be amended to 01.00, with the exception of the sale of alcohol which is to be amended to 00.30, every day. The seasonal variation to this (concerning New Years Eve/New Years Day) will be removed.