

LICENSING ACT 2003 SUB COMMITTEE

Tuesday, 18 April 2023

PRESENT – Councillors C L B Hughes (Chair), Lee and Mrs H Scott

OFFICERS IN ATTENDANCE – Colin Dobson (Licensing Manager), Brian Murray (Assistant Licensing Manager), Thomas Mann (Licensing Support Officer), Pc Iain Robertson (Durham Constabulary), Bethany Symonds (Lawyer) and Hannah Miller (Democratic Officer)

LS4 ELECTION OF CHAIR

RESOLVED – That Councillor C Hughes be elected as Chair for the purposes of this Sub-Committee.

LS5 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

LS6 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.

LS7 OBJECTION TO DESIGNATED PREMISES SUPERVISOR

The Group Director of Services submitted a report (previously circulated) to consider an application to transfer a Designated Premises Supervisor (DPS) of a licensed premises, in light of an objection made by Durham Constabulary.

The objection made was based on the grounds that it undermines the crime and disorder licensing objective.

Present at the meeting were Colin Dobson, Licensing Manager; Brian Murray, Assistant Licensing Manager; Thomas Mann, Licensing Support Officer; Bethany Symonds, Lawyer; PC Iain Robertson, Durham Constabulary; and Hannah Miller, Democratic Officer.

The Licensing Manager outlined the application process to transfer the DPS.

Members listened carefully to the representations made by the applicant, Mr G Smith and Mr L Snowdon, Business Development Manager, Valiant Pub Company Ltd.

Members also listened carefully to the objection made by Durham Constabulary in respect of the prevention of crime and disorder and their concerns regarding the honesty and integrity of the applicant. Reference was made to redacted information attached at Appendix 4 (previously circulated) to the report; following an adjournment and advice from the Council's Lawyer, Members were informed of the additional information from Durham Constabulary

which Members may have deemed relevant.

The Sub-Committee considered the views in accordance with guidance issued under Section 132A of the Licensing Act 2003, the Council's Licensing Policy in relation to the Licensing Act 2003; and guidance issued under Section 182 of the Licensing Act 2003.

In arriving at their decision, Members considered all of the information provided and concluded that the incident in question was an isolated incident; the applicant was remorseful; took into consideration the letter from previous employer confirming money had been repaid; and the support of current employer. Members were satisfied that to grant the application would not undermine the crime prevention objective.

RESOLVED – (a) That the application for a licence for a Designated Premises Supervisor be granted.

(b) That no further action be taken in respect of the applicants personal licence.