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**APPLICATION TO REVIEW A PREMISES LICENCE**

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**Purpose of Report**

1. To invite Members to consider an application from the Home Office (Immigration Compliance and Enforcement) to review a premises licence on the grounds that the prevention of crime and disorder licensing objective has been undermined.

**Background Information**

2. Attached to this report are the details of the application to review the premises licence of the Oak Tree Inn, Middleton St George, Darlington, DL2 1HN.
3. Members are requested to determine this application and provide reasons for their decision.

**Legal Implications**

4. The Borough Solicitor, in accordance with the Council's approved procedures, has considered this report, and there are no issues that the Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

**Human Rights Act**

5. When considering matters relating to the grant, suspension, revocation or refusal of licences and the placing of conditions on licences, the Committee must consider whether the decision affects an individual, group or company's Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition, consideration must be given to whether the interference is proportionate

**Section 17 of the Crime and Disorder Act 1998**

6. One of the four Licensing Objectives of The Licensing Act 2003 is the prevention of crime and disorder. The attached report refers to this and is the reason for the review.

## **Recommendation**

7. Members are requested to determine the application in accordance with Section 52 of the Licensing Act 2003.

**Trevor Watson**  
**Executive Director of Economy and Public Protection**

## **Background Papers**

- The Licensing Act 2003
- The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005
- The Licensing Act 2003 (Hearings) Regulations 2005
- Darlington Borough Council's Licensing Policy  
<https://www.darlington.gov.uk/media/ujndrhba/licensing-act-policy-2003.pdf>
- Guidance issued under Section 182 of the Licensing Act 2003  
[https://assets.publishing.service.gov.uk/media/67b73b7b78dd6cacb71c6ac8/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_-\\_October+2024+1\\_.pdf](https://assets.publishing.service.gov.uk/media/67b73b7b78dd6cacb71c6ac8/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_October+2024+1_.pdf)
- Immigration Act 1971
- Home Office Guidance - Preventing illegal working in licensed premises

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