

## DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Council Chamber, Council Offices, Chester-le-Street on **Wednesday 18 January 2012 at 9.40 am**

### **Present:**

**Councillor C Carr (Chair)**

### **Members of the Committee:**

Councillors B Arthur and J Hunter

### **Apologies:**

There were no apologies for absence.

### **Also Present:**

C Greenlay (Legal Officer), K Monaghan (Senior Licensing Officer) and P Nicholson (Committee Services Officer)

### **1 Declarations of Interest (if any)**

Councillor Arthur advised the Sub-Committee that he was from Seaham, but the Cricket Club was not within his ward.

### **2 Application for the Review of a Club Premises Certificate - Seaham Park Cricket Club, The Pavilion, Seaham Town Park, Stockton Road, Seaham**

Consideration was given to the report of the Corporate Director, Neighbourhood Services which detailed an application from Durham Constabulary to review the club premises certificate in respect of Seaham Park Cricket Club.

The application had been advertised as prescribed and a representation had been received from Seaham Town Council.

A successful mediation had taken place between Durham Constabulary and Seaham Park Cricket Club, details of which had been circulated.

Durham Constabulary and the Solicitors acting on behalf of Seaham Park Cricket Club had both given notice to the Authority that a hearing was unnecessary and requested that it be dispensed with.

Members considered the conditions to be attached to the Club Premises Licence which were contained in the mediation document and sought clarification if the removal of the Chairman and Treasurer was on a permanent basis.

The Sub-Committee were advised that the Club Premises Certificate set out details on the Committee and Licensing would have to be notified of any amendments.

In determining the application, the Sub-Committee had considered the report of the Corporate Director, Neighbourhood Services and the Mediation Agreement. The Sub-Committee had also taken into account the relevant provisions of the Licensing Act 2003, Section 182 Guidance issued by the Secretary of State and the Council's Licensing Policy.

**RESOLVED:** That the mediation be accepted on the condition that all 12 conditions attached to the Club Premises Certificate which are listed below be substantially enforced.

- 1, The Club Premises Certificate be suspended for the period of three months from 17 January 2012 to 15 April 2012.
2. Before the 15 April 2012 the current Chairman, Richard Humphrey, and the current Treasurer, David Thynne, be removed from the Club Committee; and
3. The following conditions be attached to the Club Premises Certificate:
  1. The Licence Holder shall ensure that at all times when the premises are open for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence.
  2. Staff will be trained on their responsibilities under the Licensing Act and a record will be kept of training. Training will initially be refreshed before the 15 April 2012 and thereafter every 6 months. The training will be refreshed by an external company. That record will be available for inspection at the premises by the Police or the Licensing Authority upon providing reasonable notice.
  3. Clear and legible notices shall be displayed at exits and on the terrace advising patrons not to leave the confines of the grounds whilst in the possession of a glass or open alcohol container. Patrons will also be reminded that, except during the cricket season and when a game or practice is taking place, no alcoholic drink are allowed to leave the premises (including the terrace).
  4. Clear and legible notices shall be displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting.
  5. No person shall work behind the bar serving alcohol unless they have undergone training regarding the Licensing Act and sales of alcohol.

6. Fire fighting equipment shall be provided in the licensed premises in accordance with the risk assessment and staff shall be suitably trained as necessary.
7. Posters will be displayed at the premises advising members of the Challenge 25 Policy in operation.
8. All members of staff at the premises shall seek “credible photographic proof of age evidence” from any person who appears to be under the age of 25 years (Challenge 25 Scheme) and who is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a “PASS” logo.
9. The premises will operate a ‘Refusals Book’ to record refusals of sales of alcohol, in line with the premises Challenge 25 policy. Such will be available for inspection by the Police or the Licensing Authority upon providing reasonable notice.
10. An incident book will be kept and maintained at the premises to record incidents of crime and disorder associated with the provision of licensable activities from the premises, or incidents in the vicinity brought to the attention of the management. Such will be available for inspection by the Police or the Licensing Authority upon providing reasonable notice.
11. There will be no parties at the premises for any birthdays under 21.
12. Any special events or functions shall be organised and operated under a risk assessment. Such assessment shall be discussed and minuted at a Committee Meeting.