

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Committee** held in Committee Room 2 - County Hall, Durham on **Monday 7 October 2019 at 10.00 am**

Present:

Councillor C Carr (Chair)

Members of the Committee:

Councillors J Maitland (Vice-Chair), P Atkinson, A Batey, D Bell, J Bell, J Blakey, D Brown, M Clarke, P Crathorne, C Hampson, D Hicks, P Jopling, L Kennedy, L Marshall, I McLean, A Reed, D Stoker, A Willis, M Wilson and D Wood

Also Present:

Craig Rudman – Licensing Manager
Gill Proud – Solicitor (Litigation)
Catherine Hazell – Solicitor (Litigation)
Helen Johnson – Licensing Team Leader

1 Apologies for Absence

Apologies for absence were received from Councillors L Brown, A Hopgood, B Kellett, K Liddell and T Tucker.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

The Minutes of the meeting held on 11 July 2019 were agreed as a correct record and were signed by the Chair.

4 Review of the Council's Statement of Licensing Policy

The Committee considered a report of the Corporate Director of Regeneration and Local Services which sought approval of the revised Statement of Licensing Policy for adoption by Council (for copy see file of Minutes).

Members were informed that the Licensing Act 2003 required licensing authorities to review their licensing policy at least every 5 years. As part of this process a statutory consultation was carried out for a 12 week period between 11 February 2019 and 3 May 2019. 28 responses were received, details of which were included

in Appendix 2 of the report, together with the comments of the Licensing Manager on each representation.

Members discussed the responses, which included representations around the impact of density of licensed premises, particularly in Durham City ie cumulative impact. The Licensing Manager advised that the Licensing Authority did not currently have a Cumulative Impact Policy. However a cumulative impact assessment was being carried out separately to the review of the Licensing Policy, which would be consulted upon. If the findings of that assessment led to a need for a change in policy, the Statement of Licensing Policy would be revised to include a Cumulative Impact Policy. The changes to the existing Statement of Licensing Policy were listed in paragraph 34 of the report.

Councillor Crathorne asked if Durham University would be involved in the cumulative impact assessment. The Licensing Manager advised that the University was an invited consultee and the licensing authority would welcome their comments during the consultation period.

The Licensing Manager continued that some respondents had expressed concern about the Framework Hours which they considered to be excessive. The officer informed members that the Framework Hours were a guide and applied across the County. The Policy allowed applications outside these Framework Hours. Each application must be considered on its individual merits, focusing on the premises and its immediate vicinity, and how the licensing objectives would be promoted by the applicant. The respondents had expressed concern that the licensing hours were too long but had not given any indication of what they felt they should be. The Committee was invited to consider the Framework Hours and whether they should be changed.

Following a question from Councillor Crathorne, the Licensing Manager advised that legislation provided for 24 hour licensing but allowed licensing authorities to set their own Framework Hours.

Following discussion members determined that the existing Framework Hours were appropriate.

Councillor Reed asked how a member of the public would know if a premises was exceeding its licensing hours, and was informed that all premises were required to display a summary of their Premises Licence.

The Licensing Manager referred members to Appendix 6 of the draft Licensing Policy which provided recommendations and suggestions for inclusion in operating schedules to promote the licensing objectives. This may be useful for members of Statutory Licensing Sub-Committees considering contested applications.

At this point the Committee broke into groups to discuss the proposed revisions and were invited to provide feedback.

Councillor Reed referred to problems of alcohol related anti-social behaviour in the centre of Durham City. The Licensing Manager responded that the problems were

complex and linked to excessive alcohol consumption, however tackling these problems was a wider issue, possibly outside the scope of the licensing regime. It was important to note that public houses should refuse to serve alcohol to persons who appeared to be intoxicated.

Councillor Brown referred to the need for planning permission, and was advised that the Policy suggested that applicants should normally seek planning permission prior to making application for a Premises Licence, however this was not a requirement.

Councillor Crathorne advised that their group considered the Policy to be easy to read and understand, and agreed with the proposed revisions in the report.

Resolved:

That the revised Statement of Licensing Policy be approved and recommended to Council for adoption on 23 October 2019.