

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held remotely via Microsoft Teams on **Wednesday 9 December 2020 at 1.30 pm**

Present:

Councillor P Crathorne (Chair)

Members of the Committee:

Councillors J Blakey, D Brown, L Brown and K Liddell

1 Apologies

No apologies for absence were received.

2 Substitute Members

There were no substitute Members in attendance.

3 Declarations of Interest

There were no declarations of interest.

4 Application to Vary a Premises Licence to Specify an Individual as Designated Premises Supervisor - The New Westlea, 5 West Grove, Seaham

The Chair welcomed everyone to the meeting and explained the procedure. The Solicitor explained that only three Members of the Sub-Committee would deliberate the application.

The Sub-Committee considered the report of the Corporate Director of Neighbourhoods and Climate Change regarding an application from Ms Carol Madeley, the premises licence holder to vary the premises licence for The New Westlea, 5 West Grove, Seaham to specify an individual as the Designated Premises Supervisor (for copy of report, see file of minutes).

A copy of the application and location plan had been circulated together with details of the representation received from Durham Constabulary.

The Licensing Team Leader presented the report and outlined the recommendations. She also confirmed that since the previous application had been rejected, an appeal had been submitted.

The Licensing Team Leader advised the Sub-Committee that she had been made aware that sensitive information in relation to an individual would be discussed during the hearing and there was a request to exclude the public from the hearing.

The Council's Solicitor advised that Regulation 14 of the Licensing Act 2003 (Hearings) Regulations indicated that hearings should take place in public, however, there was provision under Regulation 14(2) that the licensing authority may exclude members of the public from all or part of the hearing where it considered that the public interest in doing so outweighed the interest of the hearing taken place in public.

From the brief information given, it appeared that the information to be discussed was information in relation to an individual and would be exempt under paragraph 1 of Schedule 12A of the Local Government Act 1972. It was a matter for the Sub-Committee to determine whether to exclude the public from the hearing if they considered that the public interest in so doing outweighed the public interest in the hearing taking place in public.

Exclusion of the Public

The Sub-Committee determined That under Regulation 14 of the Licensing Act 2003, the public be excluded from the meeting for the remaining items of business on the grounds that they involved the likely disclosure of Exempt information and they considered that the public interest in doing so outweighed the interest of the hearing taken place in public. The public part of the meeting was ended and the rest of the meeting took place in private.

Sergant C Dickenson on behalf of Durham Constabulary, addressed the Sub-Committee in relation to the matters detailed in her report. All parties were given the opportunity to ask questions.

The Applicant was then invited to address the Sub-Committee and responded to questions from Members and Officers.

The Chair thanked everyone for their attendance and at 14.45 pm the Sub-Committee Resolved to retire in private to deliberate the Applicant's Suitability to become a Designated Premises Supervisor at The West Lea, Seaham. Councillors Crathorne, Liddell and Blakey retired to make the decision.

In reaching their decision the Sub-Committee had taken into account the report of the Licensing Team Leader and the written and verbal representations of the Applicant and the written and verbal representations of Durham Constabulary. Members had also considered Durham County Council's Statement of Licensing Policy and Guidance issued Under Section 182 of the Licensing Act 2003.

Resolved:

That the application to vary the premises licence to specify an individual as Designated Premises Supervisor be rejected for the promotion of the crime and disorder licensing objective.