

## **Licensing Sub Committee**

**Monday, 18 December 2023**

Present: Councillor M Thirlaway (Chair)  
Councillors J Johnsson and P Oliver

In attendance:  
Councillors

Apologies: Councillors

### **LS19/23 Appointment of Chair**

Resolved that Councillor Thirlaway be appointed Chair for the meeting.

### **LS20/23 Declarations of Interest**

There were no declarations of interest reported.

### **LS21/23 Little Lobo, 1-5 Countess Avenue, Whitley Bay**

The Sub-committee met to consider an application to vary the Premises Licence in respect of Little Lobo, 1-5 Countess Avenue, Whitley Bay, NE26 3PN.

The Applicant, L R Quay Ltd, sought to vary the premises licence as follows:

- To change the layout of the premises;
- To amend the conditions;
- To include an external area within the scope of the Licence; and
- To add off sales.

Mr Callum, Licensing Officer, presented details of the application, the representations received, the options available to the Sub-committee and responded to questions from Councillor O'Shea.

Councillor J O'Shea having received clarification in relation to the use of the

outside area withdrew his representation and that of the resident he was representing at the hearing.

Mr Arnot, Solicitor for the applicant, accompanied by Mr Good and Mr Beveridge-Pearson of the applicant company, presented details of the application and responded to questions from the members of the Sub-committee.

Mr Arnot was then given the opportunity of summing up the application and the Sub-committee retired to make its decision.

All parties were invited back into the meeting and the Chair announced the Sub-committee's decision.

**Resolved that:**

- the application for the variation of the premises licence in so far as it related to the change in layout, the extension of the licensable to include the outside area and the provision of off-sales be approved subject to the following conditions.
- The extension of hours in relation to New Years Eve/Day be refused;
- The removal of Condition 14 in relation to polycarbonate glasses be refused.

The licensable hours at the Premises will remain: -

- Sunday to Friday 12:00 hours to 22:00 hours
- Saturday 12:00 hours to 22:30 hours

The hours that the Premises will be open to the public will be:

- Sunday to Friday 08:30 hours to 22:00 hours
- Saturday 08:30 hours to 22:30 hours

The full conditions now attached to the licence are as follows:

1. A CCTV system will be installed at the Premises and maintained in proper working order at all times and the licence holder will ensure that:

- a) The CCTV cameras are located at the Premises so as to provide coverage of entrance(s) and exit(s), both internally and externally and areas where the sale and consumption of alcohol takes place.
- b) The CCTV system is able to capture clear images permitting identification of individuals.
- c) The CCTV system will be in operation whenever the Premises are open to the public.
- d) The CCTV system is able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
- e) The CCTV system is capable of constantly generating an accurate date and time.
- f) The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection.

2. There will be at least one member of staff present at the Premises during the operating hours trained to provide viewable copies of CCTV images as soon as possible following a request from representatives of Northumbria Police or the Licensing Authority made in accordance with the Data Protection Act 2018 (or any successor legislation).

3. The licence holder will ensure that whenever the Premises are open to the public and a licensable activity is taking place there will be a sufficient number of competent staff on duty to ensure that the terms and conditions of the licence are complied with at all times.

4. All members of staff responsible for the sale of alcohol at the Premises will seek credible photographic proof of age evidence from any person who appears to be under 25 years of age and who is seeking to purchase or obtain alcohol. Such credible evidence, which will include a photograph of the customer, will either be a current passport, photographic driving licence or proof of age card carrying a 'Pass' logo and hologram or HM Forces Identity Card.

5. All members of staff responsible for the sale or service of alcohol will receive training in relation to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) including the use of a

“Challenge 25 Policy” and generally on the Act before being permitted to sell alcohol at the Premises. Such training will be provided by the Designated Premises Supervisor or external accredited trainer.

6. All members of staff responsible for the sale or service of alcohol will receive refresher training in relation to their duties and responsibilities under the Licensing Act 2003 (or any successor legislation) annually. Such training will be provided by the Designated Premises Supervisor or external accredited trainer.

7. All training received by staff in relation to the Licensing Act 2003 (or any successor legislation) will be recorded, and such records kept at the Premises at all times and will be made available for inspection immediately on request from authorised officers of Northumbria Police or the Licensing Authority, (including Trading Standards Officers).

8. An incident register will be maintained and kept at the Premises at all times to record any incidents at the Premises or in any area adjacent to the Premises under the direct control of the licence holder such as anti-social behaviour, refusal of admission to the Premises and ejection from the Premises.

9. The incident register will be produced for inspection immediately on request from authorised officers of Northumbria Police or the Licensing Authority (including Trading Standards Officers).

10. The licence holder will ensure that no noise will emanate from the Premises as a consequence of a licensable activity permitted by this licence that will be above background noise level at any property in Countess Avenue, Duchess Street and Park View.

11. There will be displayed at the Premises clear and legible notices displayed at the exit and other circulatory areas requesting customers to leave the Premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors and discouraging the sounding of car horns.

12. Any outside area provided by the licence holder for staff or customers to consume food or alcohol will be closed at 19:00 hours

and all tables and chairs must be cleared from the area and safely stored away by 19:30 hours.

13. All doors and windows at the Premises will be closed from 18:00 hours save for access, egress, or emergency.

14. Polycarbonate glasses will be used for drinks to be consumed by staff or customers in any outside area provided by the licence holder and any bottled drinks decanted into polycarbonate glasses.

15. Alcohol sold for consumption off the premises shall only be purchased as ancillary to a meal bought for takeaway.

16. Any third-party partner engaged to facilitate deliveries shall, subject to the provisions of section 151 Licensing Act 2003, have a suitable age verification policy in place.

Reason for Decision:

The Sub-committee considered that with a combination of the conditions offered by the applicant and those amended by the Sub-committee together with the further conditions imposed by the Sub-committee the licensing objectives would be sufficiently promoted to address the concerns around the application.