



North Tyneside Council

Licensing Sub Committee

Friday, 22 December 2023

Tuesday, 9 January 2024 0.01 Chamber - Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY **commencing at 11.00 am.**

Agenda Item	Page
1. Appointment of Chair	
The Sub-committee to appoint a Chair for the meeting.	
2. Declarations of Interest	
Members of the Sub-committee are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.	
3. Procedure for Licensing Act Hearings	3 - 8
To note the procedure for hearing an application vary a Premises Licence.	
4. The Lough Ran, 203 Park View, Whitley Bay, NE26 3RD	9 - 48
To give consideration to an application to vary the Premises Licence in respect of The Lough Ran, 203 Park View, Whitley Bay, NE26 3RD.	

Circulation overleaf ...

If you need us to do anything differently (reasonable adjustments) to help you access our services, including providing this information in another language or format, please contact democraticsupport@northtyneside.gov.uk.

Members of the Licensing Sub Committee

Councillor Tommy Mulvenna
Councillor Pat Oliver

Councillor Judith Wallace

LICENSING ACT 2003

NORTH TYNESIDE COUNCIL

PROCEDURE FOR HEARING OF AN APPLICATION BEFORE THE LICENSING SUB-COMMITTEE (“the Committee”)

The four licensing objectives, as set out in the Licensing Act 2003, are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm.

Each application that comes before this Committee will be treated on its own merits, and this Licensing Authority will take its decision based upon:

- The merits of the application
- The promotion of the four licensing objectives
- The Statement of Licensing Policy of North Tyneside Council
- The guidance issued under Section 182 of the Licensing Act 2003.

The Procedure of the Committee is as follows:

1. The Chair of the Committee will open the hearing and will ask all persons present at the hearing to identify themselves. The Chair will then explain the procedure to be followed at the hearing.
2. The Committee will then consider any request made by a party under regulation 8(2) of the Licensing Act 2003 (Hearings) Regulations 2005 for permission for a person to attend as a witness on his/her behalf.
3. The Licensing Officer will present a report to the Committee outlining the application, any relevant representations and the relevant sections of the Council’s Statement of Licensing Policy and the statutory guidance.
4. The Committee may ask any relevant questions they have of the Licensing Officer.
5. The Applicant or their representative will then be invited to address the Committee to clarify any information arising from the officer’s report, if necessary.
6. Each of the Responsible Authorities which have made representations will be invited to address the Committee about the application, to indicate why they consider the issues they have raised to be relevant to the licensing objectives and sufficient to object to the application or notice (as applicable).

If a Responsible Authority has obtained prior permission to call a particular witness, then they may call that witness.

7. The Committee may ask any relevant questions they have of the Responsible Authorities.
8. Other Persons may ask any relevant questions they have of the Responsible Authorities.
9. The Applicant or their representative may ask any relevant questions they have of the Responsible Authorities.
10. Each of the Other Persons who have made representations will be invited to address the Committee about the application, indicating why they consider the issues they have raised to be relevant to the licensing objectives and sufficient to object to the application or notice (as applicable).

If any Other Person has obtained prior permission to call a particular witness, then they may call that witness.

Note: In order to avoid repetition and to expedite proceedings at the hearing, objectors within the same group of Other Persons are encouraged to appoint an agreed spokesperson to address the Committee.

11. The Committee may ask any relevant questions they have of the Other Persons or their witness(es).
12. The Responsible Authorities may ask any relevant questions they have of the Other Persons or their witness(es).
13. The Applicant or their representative may ask any relevant questions of the Other Persons or their witness(es).
14. The Applicant or their representative will be invited to address the Committee, as to why they consider the issues raised by the Responsible Authorities and Other Persons to be irrelevant to the licensing objectives and why they consider the Committee should grant their application or notice (as applicable).

If the Applicant has obtained prior permission to call a particular witness, then they may call that witness.

15. The Committee may ask any relevant questions they have of the Applicant, their representative or their witness(es).
16. The Responsible Authorities may ask any relevant questions they have of the Applicant, their representatives or their witness(es).
17. Any of the Other Persons may ask any relevant questions they have of the Applicant, their representative or their witness(es).

18. The Chair of the Committee will invite each of the Responsible Authorities to make a brief closing statement. Each Responsible Authority should ideally take no longer than 10 minutes to make their closing statements
19. The Chair will invite each of the Other Persons to make a brief closing statement. Each of the Other Persons will be entitled to a maximum of 10 minutes in which to make their closing statements.
20. The Chair will invite the Applicant or their representative to make a brief closing statement. Each Applicant should ideally take no longer than 10 minutes to make their closing statements.
21. The Chair will ask all parties if they are satisfied that they have said all they wish to.
22. The Committee will retire in private to consider the application and make its determination. The Legal Adviser will be present to ensure that all matters of law, evidence and procedure are adhered to appropriately but will not take part in the decision.
23. In considering any representations or a notice made by any party, the Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as the case may be) either before the hearing or, with the consent of all the other parties, at the hearing.
24. The Committee shall disregard any information given by a party or by any person to whom permission to appear at the hearing is given by the Committee, which is not relevant to:
 - (i) their application, representations or a notice (as the case may be) or, in the case of another person, the application, representations or notice of the party requesting their attendance; and
 - (ii) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the prevention of crime and disorder licensing objective.

NB Parties are reminded that any documentary or other information or evidence they wish to produce in support of their application or representation must have been disclosed to all parties prior to the hearing taking place. **Late representations, documents or evidence will only be considered with the agreement of all parties present.**

25. The Committee will return to announce its decision. A written notice of the decision will be provided to all parties in accordance with statutory requirements. The decision letter will include the reasons for the decision, and any conditions placed upon the licence (if granted) and the licensing objective(s) they relate to. The notification of decision will include information on a party's right to appeal against the Committee's decision.

General Matters

1. Expectations on parties

The Licensing Authority expects all parties to a hearing to endeavour to address any issues openly and to work towards an amicable resolution, if at all possible, prior to the hearing taking place.

All parties will be expected to:

- (i) demonstrate which of the four licensing objectives are addressed in relation to each of the issues they wish to raise at the hearing; and
- (ii) draw to the Committee's attention any relevant aspects of the National Guidance or local Statement of Licensing Policy which they also consider are particularly relevant to the Committee's consideration of the issues the party(ies) has/have raised.

2. Agreement that a hearing is unnecessary

A Licensing Authority can dispense with holding a hearing if all persons concerned (applicants and parties raising a representation) give notice to the Licensing Authority prior to the hearing date that they consider it unnecessary.

Where all such persons have given such notice, and the Licensing Authority agrees that a hearing is unnecessary, the Licensing Authority will give notice to the parties that the hearing has been dispensed with.

3. Failure of parties to attend

The hearing may proceed in the absence of any party who has informed the Licensing Authority that they do not intend to attend or be represented at the hearing.

If a party fails to attend or be represented at a hearing without notifying the Licensing Authority, the Committee may adjourn the hearing to a specific date if it considers it to be in the public interest to do so, or alternatively may proceed with the hearing in the party's absence. In the interests of the other parties, costs and efficiency, hearings will generally proceed notwithstanding the absence of any party (including the Applicant).

Where it is decided to proceed in a party's absence, all notices and representations received from the absent party will be considered by the Committee.

If, in exceptional circumstances, a decision is made to adjourn a hearing all parties will be advised of the date, time and venue to which the hearing has been adjourned.

4. Questioning of parties

The Licensing Authority will generally allow all parties to ask questions of another party present, but this decision will be taken on a case by case basis and in some exceptional circumstances (a reason will be given) cross examination may be prohibited.

5. **Further clarification**
When addressing the Committee each party shall respond specifically to any points of which it received notice (with the Notice of Hearing) upon which the Committee was seeking clarification.
6. **Questioning by Legal Adviser**
The legal adviser to the Committee may ask questions on behalf of, or in addition to, the Committee members themselves.
7. **Hearsay evidence**
Hearsay evidence will be admissible provided that it is relevant. The weight to be attributed to hearsay evidence will be a matter for the Committee.
8. **Persons behaving in a disruptive manner**
The Committee has the right to exclude any person disrupting the hearing, at their discretion. The Committee can refuse to allow that person to return or, alternatively, may permit him/her to return on such conditions as the Committee may decide. Any person required to leave the hearing may, before the end of the hearing, submit to the Committee in writing any information which they would have been entitled to give orally had they not been required to leave.
9. **No decision-making by Ward Members**
A member of the Licensing Committee shall not be entitled to participate in any decision-making in relation to any licensing application concerning premises in the Ward for which he/she serves as Councillor.

This page is intentionally left blank

REPORT

**Meeting/
Decision
Maker(s)** Licensing Sub-Committee

Date: 9 January 2024

Report by: Gary Callum
Licensing Officer
Licensing Section
☎ 643 2175

**Contact
Officer(s):** Gary Callum
Licensing Officer
Licensing Section
☎ 643 2175

**Title of
Report:** Licensing Act 2003

The Lough Ran
203 Park View
Whitley Bay
NE26 3RD

Ward(s): Whitley Bay

1.0 Summary / Purpose of Report

1.1 Licensing Sub-Committee

The Licensing Act 2003 provides that, where representations have been received from Other Persons in respect of an application for a licence, a hearing must be held to consider them. Sub-Committees have been established in accordance with provisions of the Act for the purpose of hearing such applications.

1.2 The Sub-Committee is asked to consider and determine the application from The Lough Ran (2023) Limited, 4 Hastings Avenue, Whitley Bay, NE26 4AF to vary their current Premise Licence in respect of The Lough Ran, 203 Park View, Whitley Bay, NE26 3RD.

1.3 The applicant has been invited to attend the meeting to put forward their case in support of the application. All persons making relevant representations have also been invited to attend.

1.4 Representations from Responsible Authorities and Other Persons

The application has been forwarded to the Chief Officer of Police, Fire Authority, Local Planning Authority, Environmental Health Authority, Health and Safety Enforcement Agency, Licensing Authority, Director of Public Health, Weights and Measures Authority, Home Office Immigration Enforcement and the North Tyneside Safeguarding Children Partnership (formerly the Local Safeguarding Children Board), with a view to any of these Responsible Authorities inspecting the premises if deemed appropriate by them and to enable them to comment on the application.

1.5 The application has been advertised at the premises, in a local newspaper and also, on the Council Website as prescribed.

1.6 There have been no representations received from any of the Responsible Authorities.

1.7 Six representations have been received, and these are attached at **Appendix 4**.

1.8 Authority to make decisions

1.0 In relation to an application for the variation of a Premises Licence the Licensing Sub-Committee can, under the Licensing Act 2003:

- grant the variation subject to conditions consistent with the operating schedule and necessary for the promotion of the licensing objectives in addition to the mandatory conditions;
- exclude from the scope of the Licence any of the licensable activities to which the Variation Application relates;
- or reject the Application.

1.10 Once the Sub-Committee has reached a decision, the decision and reasons for the decision must be given in accordance with the **Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005**.

2.0 Background

2.1 This report relates to an application to vary the premises licence in respect of The Lough Ran, 203 Park View, Whitley Bay, NE26 3RD.

2.2 The Application for the variation of the premises licence is attached at **Appendix 1**, a plan of the premises is attached at **Appendix 2** and a map of the area is attached at **Appendix 3**.

3.0 The Application for the variation of a Premises Licence under Section 34 of The Licensing Act 2003

3.1 The Application for the variation of the Premises Licence is made pursuant to Section 34 of the Licensing Act 2003 and the relevant Section of the Act dealing with the determination of such an Application is contained in Section 35 of the Act.

3.2 The application to vary the premise licence is as follows:

1. Remove Condition 5 Annex 3, imposed following a hearing of the Licensing Sub Committee which states, “after 18:00 hours alcohol can only be sold or supplied to customers taking table meals at the premises.”
2. To increase the hours for sales of alcohol on the premises every day to 22:30
3. To amend the general opening hours to:

Monday to Friday 11:00 to 23:00
Saturday and Sunday 09:00 to 23:00
4. Extend the supply of alcohol on the premises for Christmas Eve until 23:30 and on New Year’s Eve through to New Years Day until 01:30.

3.3 The current licence permits the sale of alcohol for consumption on the premises;

Monday to Saturday 11:00 to 22:00
Sunday 11:00 to 21:00

The current permitted opening hours are;

Monday to Saturday 09:00 to 22:00
Sunday 09:00 to 21:00

3.4 A copy of the current premises licence can be found at **Appendix 5**.

4.0 Promotion of Licensing Objectives

4.1 As the existing premises licence

5.0 The Parties

5.1 The Parties to the hearing will be:

1. The Applicant - The Lough Ran (2023) Limited
2. Other Persons

6.0 For consideration

6.1 The areas for consideration by the Licensing Sub-Committee are:

- The application to vary a Premises Licence in respect of The Lough Ran, 203 Park View, Whitley Bay, NE26 3RD.

7.0 The North Tyneside Council Statement of Licensing Policy

7.1 The Sub-Committee’s attention is drawn to the relevant part of the Policy – Section 10.1 – 10.5 Crime and Disorder.

8.0 The Revised Guidance issued under Section 182 Licensing Act 2003

8.1 The Sub-Committee's attention is drawn to the relevant parts of the Guidance issued under S182 Licensing Act 2003 that is Chapter 2 Licensing Objectives.

9.0 For Decision

9.2 The Sub-Committee is asked to determine this application in whichever way it sees fit.

10.0 Associated Papers

Appendix 1 – The application for the variation of a New Premises Licence

Appendix 2 – Plan of the premises

Appendix 3 – Map of the area

Appendix 4 – Representations

Appendix 5 – Current Premises Licence

11.0 Background Information

11.1 The following background papers have been used in the compilation of this Report and are available for inspection at the offices of the authors of the Report:

North Tyneside Council Statement of Licensing Policy

The Licensing Act 2003 and Regulations

Revised Guidance issued under Section 182 of the Licensing Act 2003 from the Home Office

Delegation Scheme – Licensing Committee 7 February 2005

APPENDIX 1



North Tyneside Council

**North Tyneside
Application to vary a premises licence
Licensing Act 2003**

For help contact
liquor.licensing@northtyneside.gov.uk
Telephone: 0191 6432175

*required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?
 Yes No
 Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:
 Applying as a business or organisation, including as a sole trader
 Applying as an individual
 A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No
 Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

10,992

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

I have just taken over a cafe in a popular street Whitley Bay which included a Premises Licence which I have taken over. The licence currently permits the selling of alcohol Mon - Sat 9am until 10 pm and Sunday 12 - 9pm. There is, however, a stipulation which states after that after 6pm alcohol can only be served with the purchase of food. Having decided that the current function as a cafe did not work (the cafe went into liquidation), I decided that a small, luxury cafe/bar would be a better idea. The capacity is approximately 28 covers so is not a large bar. There are 2 small, independent bars on both sides (The Square and Compass and Gilbert and Smith) which are licensed until 10.30pm and do not have to sell food. I would like the same licence as them, whereby I can serve alcohol until 10.30pm and not have to sell food with alcohol purchase after 6pm. I will possibly still serve food but would like this not to be a stipulation on the licence.

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Continued from previous page...

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Continued from previous page...

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

SUNDAY

Start 11:00

End 22:30

Start

End

Will the sale of alcohol be for consumption?

- On the premises
- Off the premises
- Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

[Empty box for seasonal variations]

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

I would like a late licence for Christmas Eve (until 23.00) and New Years Eve (until 01.00).

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 11:00

End 23:00

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

I would like a late licence for Christmas Eve (until 23.30) and New Years Eve (until 01.30).

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

I would like the stipulation of having to serve food with the purchase of alcohol after 6pm removed. I would also like to be able to serve alcohol until 22.30.

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

I will train all staff to uphold the four licensing objectives so they are fully aware of their responsibilities. They will know who the Designated Premises Supervisor is and report any questions/issues to them. Training will be recorded and refreshed every six months. The bar will close 20 minutes from the ceasing of licensing activities to allow customers to finish their drinks and leave in a quiet and orderly manner.

b) The prevention of crime and disorder

CCTV will be used at the premises at the required standard. The CCTV equipment will be in working order and constantly recording. Images will be retained for 31 days. The correct time and date will be generated onto both the recording and the real time image screen. If the CCTV equipment breaks down it will be repaired as soon as practically possible. Staff will be trained to reproduce and download CCTV images into a removable format on request. There will be clear signage indicating that CCTV equipment is in use and recording during trading hours.

c) Public safety

Staff will undergo training in how to react to potential danger to customers and react accordingly. I staff are unable to defuse a situation without risk to customers or staff they will be instructed to call the Police. Staff will be given fire safety training, trained how to use fire extinguishers, how to use the call points and know where to exit from. The premises had had an official Fire Risk Assessment and General Risk Assessment.

An Accident Book will be kept on site to record any accident/injury and retained for 3 years.

d) The prevention of public nuisance

Customers will be reminded to leave the bar quietly at all times, with signs placed at either side of the entrance/exit door. There will be 20 minutes to finish their drinks and leave in a leisurely fashion after the ceasing of licensing activities.

e) The protection of children from harm

Continued from previous page...

Staff will be trained to ask for ID for anyone who looks under 25. They will be trained to only accept ID such as a Passport, Driving Licence or a proof of age card with a PASS hologram. No purchase of alcohol will be allowed without identification. Staff who are responsible for selling alcohol will be 18. If it is suspected that adults are attempting to buy drinks for under 18's they will be refused service. All children will be required to be supervised at all times and must leave by 21.00.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

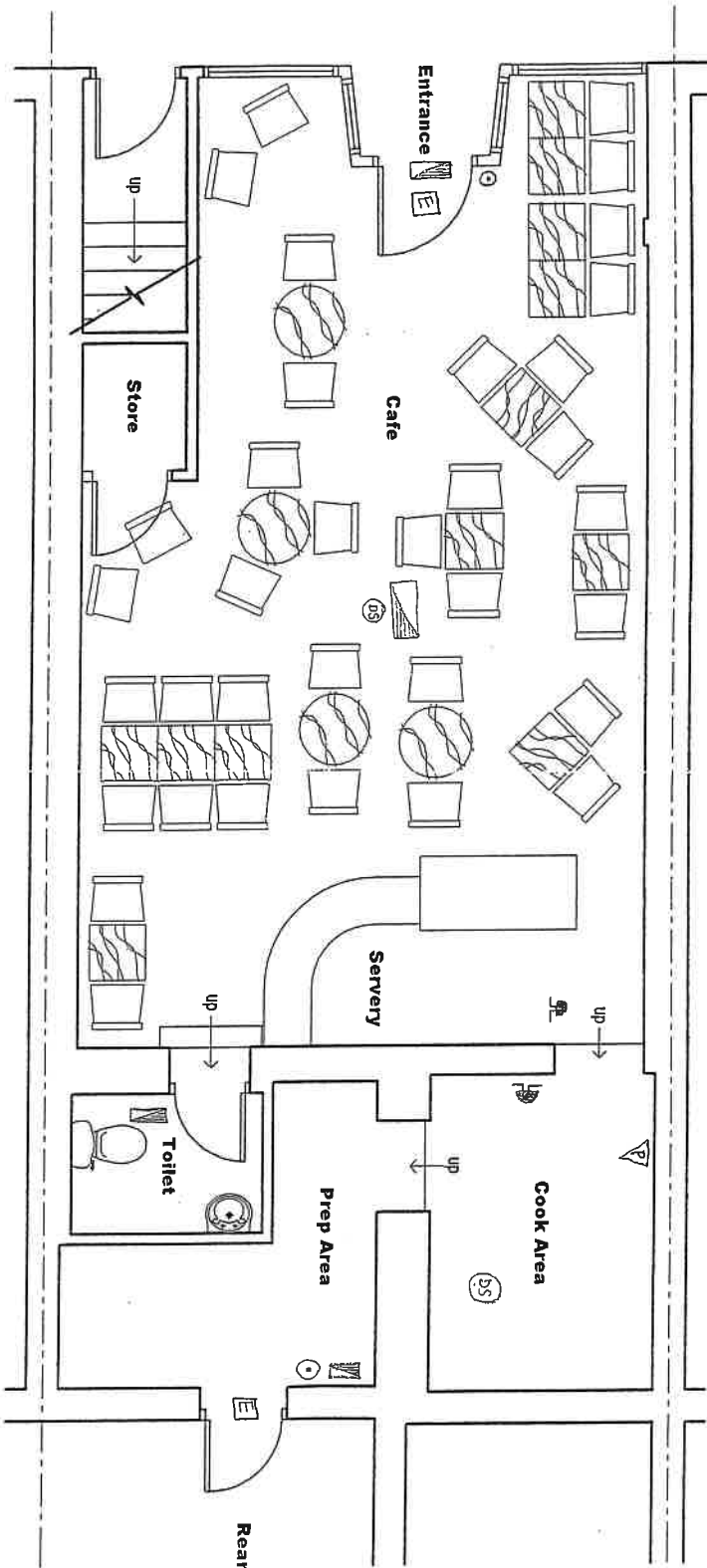
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/north-tyneside/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

APPENDIX 2



- FIRE ALARM CALL POINT
- FIRE EXIT
- PORTABLE FIRE EXTINGUISHER
- AUDIBLE WARNING
- DETECTOR HEAD - SMOKE
- FIRE ALARM CALL POINT
- FIRE EXIT
- PORTABLE FIRE EXTINGUISHER



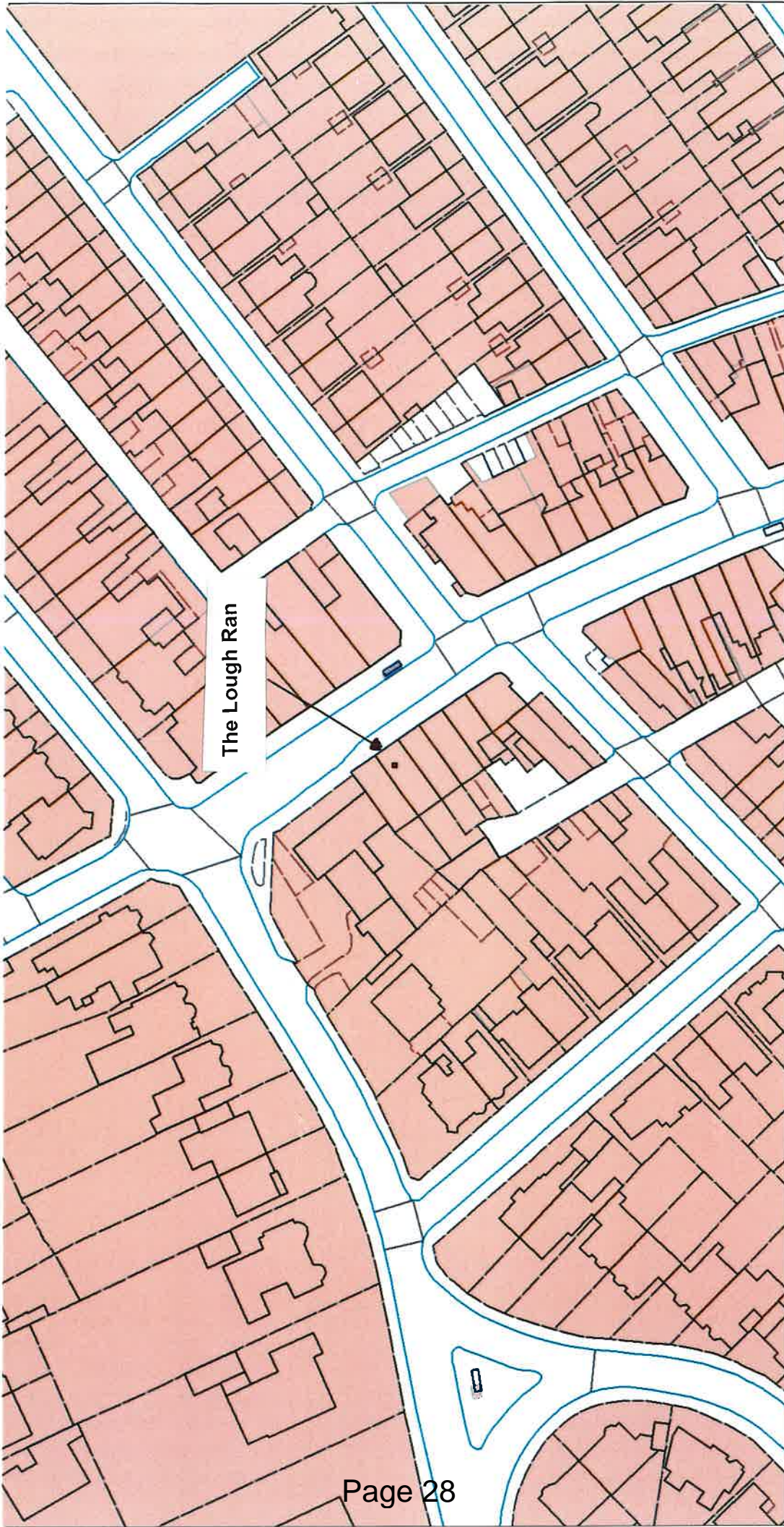
Client: Ms Jo Bean
 Project: Sugar Loaf, 203 Park View, Whitley Bay, NE26 3RD
 Drawing Title: Existing Ground Floor Layout
 Scale @ A3: Date: Dec 09
 Project number: Drawing number: 150
 Preliminary: Tender: Construction: As built: Issues: Issues:

Do not scale off the drawing. Always use dimensions stated on drawings and report any discrepancies to Ridge Solutions Ltd.

APPENDIX 3

203 Park View

Lough Ran



North Tyneside Council

Reproduced from the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
 North Tyneside Council © Crown Copyright and database right 2012.
 Ordnance Survey Licence Number 0100016801



Organisation	North Tyneside Council	Date	13 December 2023
Department	North Tyneside Council	SLA Number	100016801
Comments		Scale :	1:1155

APPENDIX 4

Re:NOTICE OF APPLICATION FOR A VARIATION OF A PREMISES LICENCE

The Lough Ran
203 Park View
Whitley Bay

Dear Sir / Madam

I am a local resident of Whitley Bay the owner of the residential property 209 Park View, situated above the recently opened bar and bistro 'The Lough Ran' at 203 Park View, whereby an application for an 'alteration of the licensing agreement' has been submitted. I am concerned that the proposed bar poses a detrimental effect to the local residents and the cultural and environmental trajectory of Park view and Whitley Bay and I wish to raise my objections and concerns to the following points.

- The protection of local amenity and well being
- The sound proofing of the license premises
- The noise from the street on entry and exit and any anti social behaviour resulting from alcohol consumption on Park View
- The tidiness of the surrounding residential area

My first and foremost objection to this application is due to the noise that will be created by 'The Lough Ran' underneath a number of residential properties, some which house young children and families trying to sleep and live in a socially respectful community.

When the bar below our property 'The Square and Compass' was granted their license a significant amount of money was spent as stipulated in their given licence agreement to sound proof the unit to 35Db LAeq before it could open. My concerns are that The Lough Ran has tried to go through the back door with this in an attempt to forgo the work and cost of sound proofing by submitting this application in retrospect. As a result any approved application at present would be detrimental to those residence living above and in the surrounding vicinity.

At present the sound travelling upstairs to the property at 209 Park View is already significantly increased from extra customers who smoke and drink underneath the property in the current 2 bars below. Adding a third currently un-sound proofed bar would significantly increase this already growing problem.

I strongly request a noise survey be completed and sound insulation requested by the licensing committee and approved by Environmental Health stating noise should not

exceed 35Db LAeq and I would ask that if any planning is authorised I am kept fully within the testing results and solutions communications and progression of all work being carried out.

It is my understanding that local planning should be tailored to "*consider and protect the current local amenity and well being of current residents*" and neighbours surrounding the premises, as outlined in the National Planning Framework. I am also aware it states in your framework that places should be - "*created that promote health and well being with a high standard of amenity for existing and future users*". The approval of a ninth bar will not make life more pleasant or comfortable for the local residents if, as has happened in Tynemouth, an increase in anti social behaviour, noise, rubbish and disruption is the result.

To those who live in the surrounding streets I am aware that Park View is slowly becoming a destination drinking street. As a landlord of 209 Park View and existing local resident just 3 streets from Park View I have concerns for the growing disruption that bringing a chain of 3 bars will ensue. It is not so much this one application for a bar causing the issue but a combination of now the 9th drinking establishment to be pushed through on Park View, not including other licence premises such as restaurants that people are walking between creating noise and possible anti social behaviour in what is a heavily residential area.

I would hope that it is in all residents and business owners interests to keep the street free from cigarette ends and litter however I want to officially share my concerns on this matter. I hope that if the application proceeds all of the area outside the bar is kept free of litter and cigarettes.

As a local resident and someone who truly wants to look to promote our local high street whilst retaining a balance of business that promote an area of wellbeing for all residents and neighbours, I hope my honest and justified concerns will be taken on board.

Kind Regards

Jeff Young

From:
Sent: 15 November 2023 17:11
To: Liquor Licensing
Subject: Re: Licensing application by Lough Ran

EXTRNL

Dear sir/madam

I would like to object to the application by The Lough Ran to extend its alcohol licence up to 10.50pm.

In recent years a number of bars have established themselves on Park View and these are all within a very short walk of each other.

It stands to reason that the more establishments you have and with increased hours of operation selling liquor, this will translate into more alcohol being consumed by increasingly larger numbers of people who will see this as a route of a new pub crawl. This will have an inevitable risk of increased public nuisance and associated crime and disorder.

We think the current restrictions at Square and Compass and Gilbert and Smiths to restrict last orders to 10pm are very reasonable and see no justification for the Lough Ran to have their application granted. Furthermore, if this application was allowed, then others could follow and this would not be reasonable or appropriate given the residential nature of this part of Whitley Bay. The risks described above would be further exacerbated (public nuisance, crime and disorder). I think the council has done very well to ensure the balance is right as it stands now but it would be so easy to increase public nuisance with the changes applied for, both immediately and thereafter.

Very many thanks.

Best wishes.

Gary Callum

From: [redacted]@co.uk>
Sent: 17 November 2023 17:06
To: Liquor Licensing
Subject: The Lough Ran

EXTRNL

Good afternoon

My objection to the above is around the following.

Extended licensing hours until 23.00.

The will, in my opinion, create late night noise nuisance for local residents. Nearby licence premises limit licence hours until 22.30. If this application from The Lough Run is approved it will be difficult to reject similar applications from neighbouring licence premises which is likely to create additional noise and disorder in the locality.

Removal of the requirement to have food with alcohol.

This condition was imposed at a previous Licence hearing. It was imposed by the Committee to attempt to reduce the possibility of the premises becoming another pub on Park View.

44

Gary Callum

From: [redacted]
Sent: 18 November 2023 19:56
To: Liquor Licensing
Subject: Application concerning The Lough Ran

EXTRNL

Dear Liquor Licensing,

Re: The Lough Ran, 203 Parkview, Whitley Bay, NE26 3RD

I would rather this be kept anonymous as I do not want to hurt my relationship with an immediate neighbour and cause ill feeling- as this isn't my intention at all.

I understand that the premises I live above seems to extend their license.

I am concerned about the noise from the venue as sound proofing has not been installed prior to the business opening. I have spoken to them on multiple occasions where I have had to ask them to turn the music down as it is disturbing me in my home.

They have obliged and I do get along with the owners of the Lough Ran, but there are certain noises that you simply cannot turn down.

When they are busy I can hear customers conversing, music etc and it is very loud.

So much so that I have found myself avoiding being in my own home at times- music can be turned down but I don't expect them to tell their customers to be quiet.

My flat is neighbour to two bars, the Square and Compass and Gilbert and Smiths.

Both of these bars have been excellent, they have installed soundproofing in their ceilings and I have never had a sound issue.

I am already being disturbed by the noise from the Lough Ran, and I am concerned that if sound proofing is not installed this will continue.

I am not a person in good health and being unable to relax in my own home will only worsen existing health issues.

I do not have a problem with living above the Lough Ran- however without soundproofing I will have no choice but to pursue further action in the future as this is simply not sustainable. Particularly as other venues on the street have had issue in the past and have taken the responsible action of sound proofing their venues.

I don't want to have to pursue the noise complaint route as it has caused bad feeling and a hostile environment for me in the past, but should the application continue without proper consideration for residents being taken onboard and soundproofing installed, I fear I will have no other choice.

Thank you

Sent from my iPhone

Gary Callum

From:
Sent: 27 November 2023 08:09
To: Liquor Licensing
Subject: Fwd: Licencing application for The Lough Ran

EXTRNL

Hello,

Following re-advertisement of the application, we would like to object to the licensing application for The Lough Ran to extend its alcohol licence up to 11pm every day on grounds of prevention of public nuisance.

This is on the basis that the area is essentially residential, with The Lough Ran; Square and Compass and Gilbert and Smiths (which is extending into the adjacent former Namaste) all backing onto The Avenue. In summer, we can certainly hear drinkers outside these bars late into the evenings.

The licensing at Square and Compass and Gilbert and Smiths was restricted to last orders to 10pm by residents and local councilors. Surely the same arguments apply to The Lough Ran? If extended licence is granted for The Lough Ran, then this would open the way for the others to open later as well.

11pm is far too late for working families to be hearing the noise.

We certainly see drinkers in Lough Ran being served without food after 6pm, which we think is outside of current licence.

Best wishes

Subject: Objection to Late Night Alcohol License Application for The Lough Ran, 203 Park View

Dear North Tyneside Council Licensing Committee

I am writing this letter to formally express my objection to the late-night alcohol license application submitted by The Lough Ran on Park View, located at 203 Park View, Whitley Bay.

As a resident in close proximity to the establishment, I am deeply concerned about the potential negative impact this license could have on the quality of life in our community.

I understand and appreciate the importance of supporting local businesses, including those in the hospitality industry. However, the extended hours of alcohol service requested by The Lough Ran raise serious concerns regarding noise disturbances, safety, and the overall well-being of residents in the area.

Here are the key reasons for my objection:

- **Noise Disturbances:** The proposed late-night hours may lead to increased noise levels, disrupting the peace and quiet of our neighbourhood during crucial resting hours especially for families with young children such as ours. This has the potential to negatively impact the quality of life for residents, especially those with families and elderly individuals.
- **Safety Concerns:** Late-night alcohol service may contribute to an elevated risk of disturbances, unruly behaviour, and safety issues in the vicinity threatening the well-being of both residents and visitors to Whitley Bay.
- **Community Character:** Our community values a peaceful, harmonious and respectful environment. The extended hours of alcohol service for a chain of 3 bars could alter the character of our neighbourhood and compromise the current living conditions that the surrounding residents are within their right to expect. The Lough Ran was originally advertised as a Bistro.

In light of these concerns, I kindly request that the licensing authority carefully consider the potential ramifications of granting a late-night alcohol license to The Lough Ran. I urge you to prioritise the well-being and interests of the local residents when making a decision on this matter. Furthermore, I propose that conditions be imposed on the license, such as soundproofing measures, restrictions on outdoor activities during late hours, and enhanced security protocols to mitigate potential issues.

I appreciate your attention to this matter and trust that you will carefully evaluate the impact of the proposed license on our community.

Thank you for your time and consideration.
Sincerely,



Fwd: Comments for Licensing Application 00CK/23/2058/LAPRE

id

Wed 20/12/2023 09:58

To: Liquor Licensing <liquor.licensing@northtyneside.gov.uk>

EXTRNL

Hi team

Can you give me an update on the premises licence application for 203 Park View they have been open now for a number of weeks and operating outside of the existing conditions.

Kind regards

Sent from my iPhone

Begin forwarded message:

From: publicaccess@northtyneside.gov.uk
Date: 13 November 2023 at 15:53:28 GMT
To:
Subject: Comments for Licensing Application 00CK/23/2058/LAPRE

Comments for Licensing Application 00CK/23/2058/LAPRE

Dear Sir/Madam,

You have been sent this email because you or somebody else has submitted a comment on a Licensing Application to your local authority using your email address. A summary of your comments is provided below.

Comments were submitted at 13/11/2023 3:53 PM from

Application Summary

Address: 203 Park View Whitley Bay Tyne And Wear NE26 3RD

Proposal: Premises Licence

Case Officer: Susan Vert

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type: MAKE REPRESENTATION ie.object or support

Stance: Customer objects to the Licensing Application

- Reasons for comment:
- Opening Hours
 - Parking
 - Planning
 - Prevention of Public Nuisance
 - Traffic

Comments: 13/11/2023 3:53 PM The existing licence has the condition that after 18:00 hours alcohol can only be sold with customers taking a table meal at the premises. Since the business opened on 21 Oct 23 they have been serving alcohol after 18:00 to customers in breach of this condition.

The condition was put in place to ensure that there was not further disturbance to neighbouring properties by the opening of another pub on this block of Park View. Eden Cafe did not open after 18:00 apart from occasional events. The Lough Ran have advertised that they will be open for parties and events, music and dancing etc until 10:00pm for upto 30 guests. If these guests are leaving at the same time there will be noise and disturbance, increased traffic and parking issues.

The other pubs on the block do not keep their doors or windows closed and we have disturbance regularly from the noise. The customers also stand outside drinking after 9pm and this noise also causes disturbance.

I also object to the licence being extended to open past 10pm on Bank Holidays, Christmas Eve, New Years Eve as we do not want further disturbance.

The parties

Kind regards

APPENDIX 5



North Tyneside Council

PREMISES LICENCE

Schedule 12 – Part A

Premises Licence number: 00CK/23/1831

Part 1 - Premises details

Postal address of premises:

The Lough Ran
203 Park View
Whitley Bay
Tyne And Wear
NE26 3RD

Licensable activities authorised by the licence:

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Supply of Alcohol: Monday to Saturday **From:** 11:00 **Until:** 22:00
Sunday **From:** 11:00 **Until:** 21:00

The opening hours of the premises:

Monday to Saturday **From:** 09:00 **Until:** 22:00
Sunday **From:** 09:00 **Until:** 21:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:

On Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

The Lough Ran (2023) Ltd

Registered number of holder, for example company number, charity number (where applicable):

4

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mrs Gillian Paula Blackett

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under this premises licence:-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st April 2010 as amended on 1st October 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of disability).
2. The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st October 2010 as amended on 1st October 2014

3. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premise licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person shall ensure that:

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014 with effect from 28th May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating schedule

Annex 3 - Conditions attached after a hearing by the licensing authority

1. A CCTV system will be installed at the Premises and maintained in proper working order at all times and the Premises Licence Holder will ensure that:
 - a) The CCTV cameras are located at the Premises to provide coverage of entrances and exits, both internally and externally and the outside seating area.
 - b) The CCTV system is able to capture clear images permitting identification of individuals.
 - c) The CCTV system will be in operation whenever licensable activities are taking place at the Premises.
 - 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 31 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.
 - g) There will be a 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 1998 (or any replacement legislation).
2. Signs will be displayed at the Premises informing customers that a CCTV system is in operation at the Premises. Such signs will be displayed so as to be readily seen and read by customers and must be a minimum of A5 in size.
3. All members of serving 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 and who is seeking to purchase alcohol. Such credible evidence, which shall include a photograph of the customer, will either be a current passport, photographic driving licence, proof of age card carrying the hologram "PASS" logo or HM forces ID card. If no such evidence is produced the sale will be refused.
4. All members of staff responsible for the sale of alcohol will receive training in relation to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) and generally on the Act before being permitted to sell alcohol at the Premises. Such training will be provided by the Designated Premises Supervisor.
5. After 18.00 hours alcohol can only be sold or supplied to customers taking table meals at the Premises.
6. The Premises Licence Holder will provide clear and legible notices displayed at exits and other circulatory areas within the Premises requesting patrons 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.

Annex 4 - Plans

See attached