

Licensing Sub Committee

Wednesday, 19 June 2019

Present: Councillors D Drummond, T Mulvenna and T Brady

7 Appointment of Chair

Resolved that Councillor T Mulvenna be appointed Chair for this meeting.

8 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

9 Namaste Taste of India, 195 Park View, Whitley Bay, NE26 3RD (Whitley Bay Ward)

The Sub-committee met to consider an application for the grant of a new Premises Licence in respect of Namaste Taste of India, 195 Park View, Whitley Bay, NE26 3RD.

The Applicant, Mrs Sangeeta Chopra, sought permission to supply alcohol for consumption on the Premises each Monday to Saturday between 11:30 hours and 22:00 hours and between 12:00 hours and 22:00 hours on a Sunday. The Premises would be open to the public each day of the week between 09:30 hours and 22:00 hours.

Following introductions, the Chair set out the procedure which would be followed during the course of the hearing. Mr J Young, Licensing Officer, presented details of the application, the representation received and the options available to the Sub-committee.

The Sub-committee referred to the written representations submitted in respect of the application.

Mrs Chopra addressed the Sub-committee in relation to her application.

Members of the Sub-committee asked a series of questions which were responded to by Mrs Chopra.

Mrs Chopra was then given the opportunity of summing up her submission.

The Sub-committee withdrew from the meeting to make its decision in private. The Sub-committee returned and the Chair announced its decision.

Resolved that the application for the grant of a Premises Licence in respect of Namaste Taste of India, 195 Park View, Whitley Bay be approved subject to the following conditions:

1. All members of staff responsible for the sale or service 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 consume 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. If no such evidence is produced the sale or service will be refused;

2. No alcohol will be sold or supplied on the Premises other than to persons taking table meals there and for the consumption of that alcohol by such persons to be ancillary to their meal.
3. No glass bottles, cans or similar receptacles will be disposed of by way of placing them in external recycling bins or similar containers between 18:00 hours and 09:00 hours each day of the week.
4. There will be clear and legible notices displayed at exits and other circulatory areas of the Premises requesting customers to leave the Premises quietly having regards to the needs of local residents and in particular emphasising the need to refrain from shouting, slamming car doors and the sounding of car horns.
5. The Premises Licence will not take effect until a Fire Risk Assessment has been undertaken by a suitably qualified person and a copy of the Assessment provided to the Licensing Authority.
(This condition will fall away once the Fire Risk Assessment has been completed and a copy provided to the Licensing Authority).
6. The Premises Licence will not take effect until an amended plan is provided to the Licensing Authority showing all points of access to and egress from the Premises, the location of escape routes from the Premises and the location and type of any fire safety and other safety equipment.
(This condition will fall away once an amended plan of the Premises has been provided to the Licensing Authority).

Reasons for Decision:

Having heard the oral representations, having taken into account the written representations, and having had regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, North Tyneside Council's Statement of Licensing Policy and the licensing objective in relation to the prevention of crime which underpins the Licensing Act 2003, the Sub-committee concluded that:-

1. The Premises currently operate as a casual café selling Indian Cuisine, albeit without the sale of alcohol, and there have been no representations made in relation to the current operation of the Premises;
2. There have not been any representations submitted by any of the Responsible Authorities;
3. The Planning Authority has advised that there is a restriction in relation to the days and hours that the Premises are allowed to operate;
4. There has been a representation from a nearby resident which covers a number of licensing objectives including the prevention of public nuisance and the prevention of crime and disorder;
5. Issues around parking are outside of the remit of the Licensing Sub-committee.