

## **Licensing Sub Committee**

**Friday, 21 June 2019**

Present: Councillors E Darke, T Mulvenna and J O'Shea

### **10 Appointment of Chair**

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

### **11 Declarations of Interests and Dispensations**

There were no declarations of interest or dispensations reported.

### **12 Modern Tandoori, 174 High Street West, Wallsend, NE28 8HZ (Wallsend Ward)**

The Sub-committee met to consider an application for the grant of a Premises Licence in respect of Modern Tandoori, 174 High Street West, Wallsend NE28 8HZ.

The Applicant, Mr M Miah, sought permission for the supply of alcohol on premises each day of the week between 11:00 hours and 23.30 hours. It was also proposed that the premises would be open to the public between 11:00 hours and 00:00 hours, every day.

Following introductions, the Chair set out the procedure which would be followed during the course of the hearing. Mr A Burnett, Trading Standards and Licensing Group Leader, presented details of the application, the representations received and the options available to the Sub-committee

Mr Miah, the applicant was present and accompanied by his son, Mr T Mohammed.

Mr A Asfar, objector was not present at the meeting.

Members of the Sub Committee considered Mr Asfars' objection letter.

Mr Miah addressed the Sub Committee in relation to the application.

Members of the Sub Committee asked several questions which were responded to by Mr Miah and Mr Mohammed

All parties were given the opportunity of summing up their respective submissions.

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 Modern Tandoori, 174 High Street West, Wallsend be approved subject to the following conditions:

1. A CCTV system will be designed, installed and maintained in proper working order at the Premises. Such a system shall:
  - i) Provide continuous recording for each camera to a good standard of clarity, with a minimum of four frames per second.
  - ii) Ensure coverage of all entrances and exits to the Premises both internally and externally.
  - iii) Ensure coverage of such other areas as may be required by the Licensing Authority
  - iv) Retain recordings on hard drive, disk or other storage device for a minimum period of 28 days.
  - v) Be in operation at all times the Premises are open to the public.
  - vi) Be fitted with security functions to prevent recordings being tampered with such as password protection.
2. There will be at least one person at the Premises during operating hours that is trained to provide viewable copies of the CCTV images following a request from an authorised officer of the Licensing Authority or other Responsible Authority made in accordance with a Data Protection Act 2018 and the General Data Protection Regulation (or successor legislation). The CCTV recordings will be supplied in a removable format.
3. All staff at the Premises who are responsible for selling and supplying alcohol will 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 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 provided then the sale must be refused.
4. A Refusals Register (electronic or paper based) is to be kept at the Premises and kept up to date detailing all challenges made to customers as to their age and the reason for any refusal recorded in the register. The Register will be made available for inspection immediately on the request of an authorised officer of the Licensing Authority or other Responsible Authority.
5. An Incident Report Register will be maintained and kept at the Premises at all times and will record any incidents at the Premises such as anti-social behaviour, refusal of admission to the Premises and ejection from the Premises.
6. The Incident Report Register will be produced for inspection immediately on request of an authorised officer of the Licensing Authority or other Responsible Authority.
7. The Premises Licence Holder or Designated Premises Supervisor will ensure that at all times that the Premises are open to the public for the provision of a licensable activity that there will be a sufficient number of competent staff on duty at the Premises for the purpose of fulfilling the terms and conditions of the Premises Licence.
8. No refuse or glass containers will be deposited in any skip, bin or other container of a similar nature located on the Premises or any areas in the immediate vicinity of the Premises under the control of the Premises Licence Holder or Designated Premises Supervisor between the hours of 22.00 hours and 08.00 hours and no skip, bin or other container will be removed from the Premises or the immediate vicinity of the Premises under the control of the Premises Licence Holder or Designated Premises Supervisor between those hours.
9. No deliveries will be made to or from the Premises between the hours of 22.00 hours and 08.00 hours.
10. There will be clear and legible notices displayed at exists 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.

11. The sale of alcohol to customers for consumption off the Premises will only be provided to those customers who have consumed their table meal and have left over wine or other beverage that they wish to take off the Premises. The alcohol will be resealed before it leaves the Premises and no customers will leave the Premises with open containers containing alcohol.
12. At the close of business each day there will be a clean-up of any litter and waste in the immediate vicinity of the Premises.