

Licensing Sub Committee

Monday, 16 September 2019

Present: Councillors J O'Shea, T Mulvenna and W Samuel

LS19/19 Appointment of Chair

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

LS20/19 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

LS21/19 Manhattans, 85-87 High Street West, Wallsend, NE28 8JD. (Wallsend Ward)

The Sub-committee met to consider an application for a variation to Premises Licence in respect of Manhattans, 85/87 High Street West, Wallsend, NE28 8JD.

The Applicant, Copenhagen 1801 Limited, sought permission to vary the existing licence for the following:

- To supply alcohol for consumption on and off the Premises. Exhibition of a film, Live Music, Recorded Music, Performance of Dance, Anything of a similar description to live music, recorded music or performance of dance each Friday and Saturday between 11:00 hours and 03:00 hours;
- To provide Late Nigh Refreshments each Friday and Saturday between 23:00 hours and 03:00 hours;
- The Premises would be open to the public each Friday and Saturday from 11:00 hours to 03:30 hours and between 11:00 hours and 02:30 hours Sunday to Thursday.

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 representation received and the options available to the Sub-committee.

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

Ms Hebb addressed the Sub-committee in relation to the Chief Officer of Police's objection to the application. She called Inspector Brady as a witness. Members of the Sub-committee and the applicant's representatives asked a series of questions which were responded to by Ms Hebb and Inspector Brady.

Ms Storey addressed the Sub-committee in support of the application. She called Mr McGrath and Mr Conner as witnesses.

Members of the Sub-committee and the representatives of the Police asked a series of Questions which were responded to by Ms Storey, Mr McGrath and Mr Conner.

All parties were given the opportunity to sum up their particular 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 (1) the application to vary the hours for licensable activities to take place on a Friday and Saturday be rejected;
(2) the licence be amended to permit the Premises to remain open to the public for an extra 30 minutes after licensable activities cease on all days of the week; and
(3) the following additional condition be attached to the licence:
“Door Staff employed at the Premises will be employed for an additional 30 minutes after the terminal hour for the supply of alcohol and will supervise and monitor the dispersal of customers both inside and outside the Premises during this period of time”.

Reasons for Decision:

Having heard the oral representations, having taken into account the written representation, 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 are an alcohol led premises which are open to the public later than any other premises in the area, namely 2.00am;
2. The objection from the Chief Officer of the Police relates to the licensing objective concerned with the prevention of crime and disorder;
3. There have been no representations received from any of the other responsible authorities;
4. There have been no representations received from any local businesses or residents;
5. There have been a number of incidents of crime and disorder both inside and outside of the premises many of which have required the attendance of the police to address;
6. On the balance of probabilities it was likely that a number of the incidents of crime and disorder which occurred outside the premises involved people who had vacated the premises;
7. The use of door staff to facilitate the dispersal of customers from the premises and those congregating outside the premises would be likely to lead to a reduction in crime and disorder outside the premises at and around closing time.