

Licensing Sub Committee

Tuesday, 6 October 2020

Present: Councillors L Darke, Janet Hunter and T Mulvenna

LS11/20 Appointment of Chair

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

LS12/20 99 North Road, Wallsend, NE28 8RJ

The Sub-committee met virtually to consider an application for the grant of a new Premises Licence in respect of 99 North Road, Wallsend.

The Applicant, Mr M Ali, sought permission to supply alcohol for consumption off the premises from 08.00 hours to 23.00 hours each day of the week and for the premises to be open to the public for the same hours.

Following introductions, the Chair set out the procedure which would be followed during the course of the hearing.

Mrs S Vert, Licensing Officer, presented details of the application, the representations received and the options available to the Sub-committee.

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

Mr N Kirkpatrick on behalf of the Chief Officer of Police, set out the police concerns in relation to the application. He responded to members and officers questions.

Mr Ali addressed the Sub-committee in support of his application and responded to the questions asked.

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.

Resolved that the application to grant the new Premises Licence in respect of 99 North Road, Wallsend be approved subject to the following conditions:

1. A CCTV system will be installed at the Premises and kept in proper working order at all times, and the Premises Licence Holder will ensure that: -
 - i. The CCTV system cameras will be located at the Premises so as to provide coverage of entrances and exits, both internally and externally, and the areas where alcohol is displayed for sale and where the sale of alcohol takes place.

- ii The CCTV system is able to capture clear images permitting identification of individuals.
 - iii The CCTV system will be in operation whenever the Premises are open to the public.
 - iv 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.
 - v. The CCTV system is capable of constantly generating an accurate date and time.
 - vi. The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection.
2. Signs will be displayed at the Premises both internally and externally that can be easily read by customers informing them that a CCTV system is in operation at the Premises. The signs will be a minimum of A5 in size.
 3. There will be at least one member of staff present at the Premises when the Premises are open to the public who is trained to provide viewable copies of CCTV images immediately on request from representatives of Northumbria Police or authorised officers of the Licensing Authority (including Trading Standards Officers) made in accordance with the Data Protection Act 2018 and General Data Protection Regulation (or any successor legislation).
 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) 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, a Personal Licence Holder or external accredited trainer.
 5. All members of staff responsible for the sale of alcohol will receive refresher training on their responsibilities under the Licensing Act 2003 (or any successor legislation) at least annually from the Designated Premises Supervisor, a Personal Licence Holder or external accredited trainer.
 6. 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).
 7. A Refusals Register (electronic or paper based) will be kept at all times at the Premises and must be kept up to date. The Register will record all challenges made as to the age of customers under the "Challenge 25" Policy referred to in condition 4 above, and the outcome of such challenges must be recorded in the Register. The Register will be made available for inspection immediately

on the request of a representative of Northumbria Police or authorised officer of 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 such as anti-social behaviour, the refusal of admission of customers onto the Premises, any request for customers to leave the Premises or the immediate vicinity of the Premises, a request for assistance from the Police or a visit to the Premises by a representative of a Responsible Authority.

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 imposition of the conditions on the licence will promote the Licensing Objectives and address the Police's concerns.