

Licensing Sub Committee

Tuesday, 27 July 2021

Present: Councillors W Lott, S Phillips and P Richardson

LS4/21 Appointment of Chair

Resolved that Councillor Phillips be appointed Chair for this meeting,

LS5/21 Declarations of Interest

There were no declarations of interest or dispensations reported.

LS6/21 St Edwards Centre, Roxburgh Terrace, Whitley Bay, NE26 1DS

The Sub-committee met to consider an application for the grant of a new Premises Licence in respect of St Edwards Centre, Roxburgh Terrace, Whitley Bay, NE26 1DS.

The Applicant, Alastair McGillivray, sought permission to:

- supply alcohol on and off the premises every day from 10.00 hours to 23.00 hours;
- provide films every day from 10.00 hours to 23.00 hours; and
- for the premises to be open every day from 08.00 hours to 23.00 hours.

Following introductions the chair set out the procedure which would be followed during the course of the meeting. Mr G Callum, the Licensing Officer, presented details of the application, the representations received and the options available to the Sub-committee. All parties present were given the opportunity of asking questions of the information presented by the Licensing Officer.

The Sub-committee referred to the written representations submitted in respect of the application and heard from Councillor John O'Shea and Mr and Mrs Borthwick who addressed the Sub Committee in respect of their representations in relation to the application. All parties were given the opportunity of asking questions of the information presented.

Mr Arnot, on behalf of the applicant addressed the Sub-committee. Both he and Mr McGillivray responded to questions from the members of the Sub-committee, Councillor O'Shea, Mrs Borthwick and the Sub-committee's legal advisor.

All parties were then given the opportunity of summing up their respective cases and the Sub-committee withdrew from the meeting to consider its decision in private.

Resolved that the application for the grant of a Premises Licence in respect of St Edwards Centre, Roxburgh Terrace, Whitley Bay be approved subject to the following conditions:

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) CCTV cameras are located at the Premises so as to provide coverage of entrances and exits to the Premises, and to the area immediately to the front of the building in which the Premises are located on Roxburgh Terrace and any smoking area provided by the licence holder.
 - b) CCTV cameras are located in any area where the sale and consumption of alcohol takes place.
 - c) The CCTV system is able to capture clear images permitting identification of individuals
 - d) The CCTV system will be in operation whenever the Premises are open to the public.
 - e) The CCTV footage must be securely retained for a minimum period of 28 days.
 - f) The CCTV system is capable of constantly generating an accurate date and time
 - g) The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection.
2. There will be at least one member of staff present at the Premises during the operating hours who is able to fully operate the CCTV system and who can provide viewable copies of CCTV footage to representatives of Northumbria Police or authorised officers of the Licensing Authority (including Trading Standards officers) as soon as possible, but in any event no later than within 24 hours of a request for the footage being made by those Responsible Authorities in accordance with the Data Protection Act 2018 (or any successor legislation).
3. An incident log (either in written or electronic format) will be maintained and kept at the Premises at all times to record any incidents at the Premises or in any area adjacent to the Premises under the direct control of the Licence Holder such as crime, disorder, anti-social behaviour, refusal to sell alcohol to a person or a refusal of admission on to the Premises and ejection from the Premises. The incident log will retain information relating to a particular incident for a period of no less than 12 months from its date of entry into the incident log.
4. The incident log will be produced for inspection to representatives of Northumbria Police or authorised officers of the Licensing Authority (including Trading Standards officers) immediately on request.
5. All members of staff responsible for the sale of alcohol at the Premises, and anyone else who may be selling alcohol under the provisions of the premises licence, 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 obtain 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 or HM Forces Identity Card or any other form of identification approved by the Secretary of State.

6. 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 when attempting to purchase alcohol and the reason for any refusal recorded in the register. The Register will be made available for inspection immediately on the request of authorised officers of Northumbria Police or the Licensing Authority (including Trading Standards Officers).
7. 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 or external accredited trainer.
8. All members of staff responsible for the sale of alcohol will receive refresher training in relation to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) annually. Such training will be provided by the Designated Premises Supervisor or external accredited trainer.
9. All training received by staff in relation to the Licensing Act 2003 (or any replacement 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 representatives of Northumbria Police or authorised officers of the Licensing Authority, (including Trading Standards Officers).
10. The licence holder, or a nominated member of staff, will ascertain who is responsible for the sale of alcohol at the Premises during an event held at the Premises and will inform all such individuals of their duties and responsibilities under the Licensing Act 2003 and make them aware of the licence conditions and in particular condition 5 above relating to the use of a "Challenge 25" Policy and to record that such information has been given.
11. The Licence Holder and his staff will ensure that no noise will emanate from the Premises as a consequence of a licensable activity permitted by this licence that will be audible above background level at any residential property in Roxburgh House or Roxburgh Terrace that gives rise to a nuisance.
12. The Premises shall operate in terms of licensable activities as an "events space" only and only pre-arranged events booked in advance through the Licence Holder, or his staff will take place on the Premises.
13. There will be clear and legible notices displayed at the exits used by those leaving the building in which the Premises are located, as well as on the

Premises, requesting customers to leave the building quietly having regard 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.