

Licensing Sub Committee

Wednesday, 3 August 2022

Present: Councillor M Thirlaway (Chair)
Councillors L Ferasin and J O'Shea

LS7/22 Appointment of Chair

Resolved that Councillor M Thirlaway be appointed Chair for this meeting

LS8/22 Declarations of Interest

There were no declarations of interest reported.

LS9/22 Allards 19 Seatonville Road, Whitley Bay, NE25 9TR

The Sub-committee met to consider an application for the grant of a Premises Licence in respect of Allards, 19 Seatonville Road, Whitley Bay, NE25 9TR.

The Applicant, Allards Hospitality Group Limited, sought permission for the following:

- The supply of alcohol each day of the week between 09:00 hours and 23:00 hours;
- The supply of alcohol between the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day
- The premises to be open each day of the week between 09:00 hours and 23:00 hours;
- The premises to be open between the end of permitted hours on New Years Eve and the start of permitted hours on New Years Day.

Following introductions the Sub-committee's legal advisor outlined the procedure to be followed at the hearing.

Mr Callum, Licensing Officer, presented details of the application, the representations received and the options available to the Sub-committee.

Mr McCay addressed the Sub-committee in relation to his concerns about the application.

Mr Arnot, on behalf of the applicant addressed the Sub-committee in relation to the application. He responded to questions from the Members of the Sub-committee and Mr McCay.

All parties to the hearing were given the opportunity of summing up their respective cases and the Sub-committee withdrew to make the decision in private.

Resolved that the application be approved for the following hours and subject to the following conditions:

Hours

Licensing Hours – Monday to Sunday 10:00 hours to 23:00 hours

Non-Standard hours – New Years Eve 10:00 hours to 00:30 hours on New Years Day

Opening Hours - Monday to Sunday 09:00 hours to 23:00 hours

Non-Standard hours – 09:00 hours New Years Eve to 00:30 hours New Years Day

Conditions:

- 1.1 A CCTV system shall be maintained at the Premises giving coverage of all areas to which the public have access (save for toilets), including the outside seating area and all public entrances and exits.
- 1.2 The CCTV System shall be maintained in good working order and shall record clear images in any light condition so as to enable the identification of individuals.
- 1.3 CCTV recordings shall be retained for a minimum of 28 days and shall be made available to the Police or an authorised officer of the Licensing Authority, including Trading Standards Officers, immediately on request, provided such request is made in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (or any successor legislation).
- 1.4 CCTV recordings must be retained in an easily downloadable format.
- 1.5 A member of staff at the Premises must be present during opening hours who can facilitate the viewing and downloading of CCTV footage if requested by either the Police or an authorised officer of the Licensing Authority, including Trading Standards Officers.
- 1.6 Notices shall be displayed in the Premises advising customers that a CCTV system is in operation.
- 1.7 The CCTV system shall be in operation whenever licensable activities are taking place at the Premises.
- 2.1 All members of staff responsible for the sale and 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, obtain 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 or HM Forces Identity Card.
- 2.2 The premises licence holder shall display a notice advising customers of the operation of an Age Verification Scheme.

- 3.1 The premises licence holder shall ensure that each member of staff responsible for the sale or service of alcohol has received training in respect of their responsibilities under the Licensing Act 2003 before being permitted to sell or serve alcohol. Such training will be provided by the Designated Premises Supervisor or external accredited trainer.
- 3.2 All training received by staff in relation to the Licensing Act 2003 will be recorded, and such records kept at the Premises at all times and be made available for inspection immediately on request from officers the Police or an authorised officer of the Licensing Authority, including Trading Standards Officers is made in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (or any successor legislation).
- 3.3 All members of staff responsible for the sale or service of alcohol will receive refresher training in relation to their duties and responsibilities under the Licensing Act 2003 at least annually.
- 4.1 Any external area provided by the licence holder for the consumption of food or alcohol shall not be used by customers after 21:00 hours at which time all tables and chairs shall be cleared so as they cannot be used by customers or staff.
- 4.2 The Premises will operate primarily in the style of a restaurant and cafe and there will be no change to this operating style without prior written notice being given to the Licensing Authority and Northumbria Police of any proposed change in that style of operation. The Licensing Authority will advise the premises licence holder within 21 days of receipt of the notice whether an application for a new premises licence is required. The premises licence holder will comply with that direction and submit an appropriate application within 21 days of receiving such a direction.
- 4.3 There shall be a minimum of 70 covers internally and a maximum of 22 covers in the external seating areas.
- 4.4 Off sales of alcohol will be permitted only in conjunction with takeaway food sales from the Premises.
- 4.5 No glass material or bottles shall be deposited in any skip, bin or other container of a like nature located in the open air outside the Premises between the hours of 20:00 hours and 08:00 hours and any such skip, bin or other container of a similar nature shall not be removed from the Premises between those hours.
- 4.6 All doors and windows in the Premises must remain closed save for access and egress or emergencies save for the retractable roof to the orangery which may be opened between 09:00 hours and 21:00 hours.
- 4.7 There will be clear and legible notices displayed at the exits used by those leaving the Premises requesting customers to leave the Premises 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.

Reasons for Decision:

- The applicant has a track record of operating similar premises in the Borough;
- The Premises will be operated as a restaurant/Café/Bistro;
- The Responsible Authorities have not made any representations in relation to the application which the Sub-committee took to mean that they had no concerns about the application;
- Representations had been received from local residents and the Sub-committee considers that their concerns can be addressed by the imposition of the above conditions;
- A Resident and/or a Responsible Authority can apply for a review of the licence if the Premises are operated in a manner that does not promote the licensing objectives.