



North Tyneside Council

Licensing Sub Committee

Monday 26 September 2022

Monday, 3 October 2022 0.02 Chamber - Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY **commencing at 11.00 am.**

Agenda Item	Page
1. Appointment of Chair	
The Sub-committee to appoint a Chair for the meeting.	
2. Declarations of Interest	
Members of the Sub-committee are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda and the nature of that interest.	
3. Procedure for Licensing Act Hearings	3 - 8
To note the procedure for hearing and determining an application for a variation to a Premises Licence.	
4. Cullercoats Coffee and Bistro, 1-5 Countess Avenue, Whitley Bay	9 - 60
To give consideration to an application to vary the Premises Licence in respect of Cullercoats Coffee and Bistro, 1-5 Countess Avenue, Whitley Bay.	

Circulation overleaf ...

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Members of the Licensing Sub Committee

Councillor Matthew Thirlaway
Councillor Tommy Mulvenna

Councillor Lisa Ferasin

LICENSING ACT 2003

NORTH TYNESIDE COUNCIL

PROCEDURE FOR HEARING OF AN APPLICATION BEFORE THE LICENSING SUB-COMMITTEE (“the Committee”)

The four licensing objectives, as set out in the Licensing Act 2003, are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm.

Each application that comes before this Committee will be treated on its own merits, and this Licensing Authority will take its decision based upon:

- The merits of the application
- The promotion of the four licensing objectives
- The Statement of Licensing Policy of North Tyneside Council
- The guidance issued under Section 182 of the Licensing Act 2003.

The Procedure of the Committee is as follows:

1. The Chair of the Committee will open the hearing and will ask all persons present at the hearing to identify themselves. The Chair will then explain the procedure to be followed at the hearing.
2. The Committee will then consider any request made by a party under regulation 8(2) of the Licensing Act 2003 (Hearings) Regulations 2005 for permission for a person to attend as a witness on his/her behalf.
3. The Licensing Officer will present a report to the Committee outlining the application, any relevant representations and the relevant sections of the Council’s Statement of Licensing Policy and the statutory guidance.
4. The Committee may ask any relevant questions they have of the Licensing Officer.
5. The Applicant or their representative will then be invited to address the Committee to clarify any information arising from the officer’s report, if necessary.
6. Each of the Responsible Authorities which have made representations will be invited to address the Committee about the application, to indicate why they consider the issues they have raised to be relevant to the licensing objectives and sufficient to object to the application or notice (as applicable).

If a Responsible Authority has obtained prior permission to call a particular witness, then they may call that witness.

7. The Committee may ask any relevant questions they have of the Responsible Authorities.
8. Other Persons may ask any relevant questions they have of the Responsible Authorities.
9. The Applicant or their representative may ask any relevant questions they have of the Responsible Authorities.
10. Each of the Other Persons who have made representations will be invited to address the Committee about the application, indicating why they consider the issues they have raised to be relevant to the licensing objectives and sufficient to object to the application or notice (as applicable).

If any Other Person has obtained prior permission to call a particular witness, then they may call that witness.

Note: In order to avoid repetition and to expedite proceedings at the hearing, objectors within the same group of Other Persons are encouraged to appoint an agreed spokesperson to address the Committee.

11. The Committee may ask any relevant questions they have of the Other Persons or their witness(es).
12. The Responsible Authorities may ask any relevant questions they have of the Other Persons or their witness(es).
13. The Applicant or their representative may ask any relevant questions of the Other Persons or their witness(es).
14. The Applicant or their representative will be invited to address the Committee, as to why they consider the issues raised by the Responsible Authorities and Other Persons to be irrelevant to the licensing objectives and why they consider the Committee should grant their application or notice (as applicable).

If the Applicant has obtained prior permission to call a particular witness, then they may call that witness.

15. The Committee may ask any relevant questions they have of the Applicant, their representative or their witness(es).
16. The Responsible Authorities may ask any relevant questions they have of the Applicant, their representatives or their witness(es).
17. Any of the Other Persons may ask any relevant questions they have of the Applicant, their representative or their witness(es).

18. The Chair of the Committee will invite each of the Responsible Authorities to make a brief closing statement. Each Responsible Authority should ideally take no longer than 10 minutes to make their closing statements
19. The Chair will invite each of the Other Persons to make a brief closing statement. Each of the Other Persons will be entitled to a maximum of 10 minutes in which to make their closing statements.
20. The Chair will invite the Applicant or their representative to make a brief closing statement. Each Applicant should ideally take no longer than 10 minutes to make their closing statements.
21. The Chair will ask all parties if they are satisfied that they have said all they wish to.
22. The Committee will retire in private to consider the application and make its determination. The Legal Adviser will be present to ensure that all matters of law, evidence and procedure are adhered to appropriately but will not take part in the decision.
23. In considering any representations or a notice made by any party, the Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as the case may be) either before the hearing or, with the consent of all the other parties, at the hearing.
24. The Committee shall disregard any information given by a party or by any person to whom permission to appear at the hearing is given by the Committee, which is not relevant to:
 - (i) their application, representations or a notice (as the case may be) or, in the case of another person, the application, representations or notice of the party requesting their attendance; and
 - (ii) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the prevention of crime and disorder licensing objective.

NB Parties are reminded that any documentary or other information or evidence they wish to produce in support of their application or representation must have been disclosed to all parties prior to the hearing taking place. **Late representations, documents or evidence will only be considered with the agreement of all parties present.**

25. The Committee will return to announce its decision. A written notice of the decision will be provided to all parties in accordance with statutory requirements. The decision letter will include the reasons for the decision, and any conditions placed upon the licence (if granted) and the licensing objective(s) they relate to. The notification of decision will include information on a party's right to appeal against the Committee's decision.

General Matters

1. Expectations on parties

The Licensing Authority expects all parties to a hearing to endeavour to address any issues openly and to work towards an amicable resolution, if at all possible, prior to the hearing taking place.

All parties will be expected to:

- (i) demonstrate which of the four licensing objectives are addressed in relation to each of the issues they wish to raise at the hearing; and
- (ii) draw to the Committee's attention any relevant aspects of the National Guidance or local Statement of Licensing Policy which they also consider are particularly relevant to the Committee's consideration of the issues the party(ies) has/have raised.

2. Agreement that a hearing is unnecessary

A Licensing Authority can dispense with holding a hearing if all persons concerned (applicants and parties raising a representation) give notice to the Licensing Authority prior to the hearing date that they consider it unnecessary.

Where all such persons have given such notice, and the Licensing Authority agrees that a hearing is unnecessary, the Licensing Authority will give notice to the parties that the hearing has been dispensed with.

3. Failure of parties to attend

The hearing may proceed in the absence of any party who has informed the Licensing Authority that they do not intend to attend or be represented at the hearing.

If a party fails to attend or be represented at a hearing without notifying the Licensing Authority, the Committee may adjourn the hearing to a specific date if it considers it to be in the public interest to do so, or alternatively may proceed with the hearing in the party's absence. In the interests of the other parties, costs and efficiency, hearings will generally proceed notwithstanding the absence of any party (including the Applicant).

Where it is decided to proceed in a party's absence, all notices and representations received from the absent party will be considered by the Committee.

If, in exceptional circumstances, a decision is made to adjourn a hearing all parties will be advised of the date, time and venue to which the hearing has been adjourned.

4. Questioning of parties

The Licensing Authority will generally allow all parties to ask questions of another party present, but this decision will be taken on a case by case basis and in some exceptional circumstances (a reason will be given) cross examination may be prohibited.

5. **Further clarification**
When addressing the Committee each party shall respond specifically to any points of which it received notice (with the Notice of Hearing) upon which the Committee was seeking clarification.
6. **Questioning by Legal Adviser**
The legal adviser to the Committee may ask questions on behalf of, or in addition to, the Committee members themselves.
7. **Hearsay evidence**
Hearsay evidence will be admissible provided that it is relevant. The weight to be attributed to hearsay evidence will be a matter for the Committee.
8. **Persons behaving in a disruptive manner**
The Committee has the right to exclude any person disrupting the hearing, at their discretion. The Committee can refuse to allow that person to return or, alternatively, may permit him/her to return on such conditions as the Committee may decide. Any person required to leave the hearing may, before the end of the hearing, submit to the Committee in writing any information which they would have been entitled to give orally had they not been required to leave.
9. **No decision-making by Ward Members**
A member of the Licensing Committee shall not be entitled to participate in any decision-making in relation to any licensing application concerning premises in the Ward for which he/she serves as Councillor.

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REPORT

**Meeting/
Decision
Maker(s)** Licensing Sub-Committee

Date: 3 October 2022

Report by: Gary Callum
Licensing Officer
☎ 643 2175

**Contact
Officer(s):** Gary Callum
Licensing Officer
☎ 643 2175

**Title of
Report:** Licensing Act 2003
Cullercoats Coffee
1 – 5 Countess Avenue
Whitley Bay
NE26 3PN

1.0 Summary / Purpose of Report

Licensing Sub-Committee

- 1.1 The Licensing Act 2003 (“The Act”) provides that, where representations have been received from a Responsible Authority or Other Parties in respect on an application for the variation of a Premises Licence, a hearing must be held to consider such applications, unless the parties and the Authority agree that a hearing can be dispensed with. Licensing Sub-Committees have therefore been established in accordance with the provisions of the Act for the purpose of hearing applications such as this.
- 1.2 The Sub-Committee is asked to consider and determine an application from Cullercoats Coffee Group Ltd for the variation of a Premises Licence in relation to Cullercoats Coffee, (formerly Cottage Kitchen), 1 – 5 Countess Avenue, Whitley Bay, NE26 3PN (“The Premises”).
- 1.3 Mr Stonebanks, Director of Cullercoats Coffee Group Limited, has been invited to attend the meeting in support of his application. All persons making relevant representations have also been invited to attend.

Representations from Responsible Authorities and Other Persons

- 1.4 The application has been forwarded to the Chief Officer of Police, Fire Authority, Local Planning Authority, Environmental Health Authority, Health and Safety Enforcement Agency, Licensing Authority, Director of Public Health, Weights and Measures Authority, Home Office Immigration Enforcement and the North Tyneside Safeguarding Children Partnership (formerly the Local Safeguarding Children Board), with a view to any of these Responsible Authorities inspecting the premises if deemed appropriate by them and to enable them to comment on the application.
- 1.5 The application has been advertised at the premises, in a local newspaper and also, on the Council Website as prescribed.
- 1.6 There have been no representations received from any of the Responsible Authorities.
- 1.7 Representations have, however, been received from other persons and are appended to this report at **Appendix 4**.

Authority to make decision

- 1.8 In relation to an Application for the Variation of a Premises Licence, the Licensing Sub-Committee can, in accordance with section 35(4) of the Licensing Act 2003:
- Modify the conditions of the licence; or,
 - Reject the whole or part of the application.

Once the Sub-Committee has reached a decision, the decision and reasons for the decision must be given in accordance with the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.

2.0 Background

- 2.1 This report relates to an application for the Variation of an existing Premises Licence in respect of Cullercoats Coffee, 1 – 5 Countess Avenue, Whitley Bay, NE26 3PN.
- 2.2 The Premises current Premises Licence permits the following licensing activities and times:

Supply of Alcohol (for consumption on the premises)

• Tuesday to Saturday	11.00 – 22.30
• Sunday	12.00 – 22.00

General Opening Times

• Tuesday to Saturday	09.00 – 22.30
• Sunday	10.00 – 22.00

3.0 Variation Application

3.1 The Application for the variation of a Premises Licence is made under Section 34 of The Licensing Act 2003 and the Section of the Act dealing with the determination of such an application is Section 35.

3.2 Cullercoats Coffee Group Ltd seeks to vary the licence by adding Monday to the Premises Licence, (not previously included) and amend the times for sales of alcohol Tuesday to Sunday as follows:-

Supply of Alcohol (for consumption on the premises)

• Monday	12.00 to 22.00 (<i>not previously licensed</i>)
• Tuesday to Friday	12.00 to 22.00 (<i>previously 11.00 to 22.30</i>)
• Saturday	12.00 to 23.00 (<i>previously 11.00 to 22.30</i>)
• Sunday	12.00 to 22.00 (<i>previously 10.00 to 22.00</i>)

General Opening Times

Cullercoats Coffee Group Ltd seeks to amend the general opening times as follows:-

• Monday	07.00 to 22.00 (<i>not previously licensed</i>)
• Tuesday to Friday	07.00 to 22.00 (<i>previously 09.00 to 22.30</i>)
• Saturday	07.00 to 23.00 (<i>previously 09.00 to 22.30</i>)
• Sunday	07.00 to 22.00 (<i>previously 10.00 to 22.00</i>)

3.3 A copy of the application for the variation of the Premises Licence is attached at **Appendix 1** and a map of the area is attached at **Appendix 2**.

3.4 A copy of the current Premises Licence is attached at **Appendix 3**.

4.0 Promotion of Licensable Activities

4.1 The applicant has set out the further steps that he proposes to take to promote the licensing objectives as outlined within the operating schedule, details of which can be found within **Appendix 1**.

5.0 Planning Observation

5.1 The Local Planning Authority as a Responsible Authority have not submitted a representation in relation to the application. However, in view of the comments made in relation to planning regulations associated with the premises, the Local Planning Authority have provided the following observation;-

“1 - 5 Countess Avenue, which was granted planning permission for the change of use to a cafe via planning application 95/00065/FUL on 09.03.1995. Condition No.4 of 95/00065/FUL is relevant to the licensing application. This condition was attached to protect the residential amenity of adjoining and surrounding occupiers and is set out as follows: - No activities shall be carried out on any Sunday or Bank Holiday or between the hours of 6pm and 9am on any other day. This condition was re-attached

to planning permission 11/00732/FUL on 29.06.2011, via which permission was granted for an extension to the rear yard. Condition No.5 of 11/00732/FUL again restricted the opening hours to the same as 95/00065/FUL.

A further planning application for a pergola (20/01999/FUL) was approved on 17.02.2021. An informative was attached to the planning permission, which states the following: 2 - The applicant is reminded that the host premises must be operated in accordance with all conditions attached to previous planning permissions. Should the applicant wish to operate in a different manner, i.e. increased opening hours, permission should be sought via the submission of a S73 application to vary the relevant condition

The Local Planning Authority can confirm that an application to vary the opening hours has not been submitted or approved. Therefore, the opening hours set out in the license application: 07:00 to 22:00 Monday to Friday and Sundays, and 07:00 to 23:00 hours, are not in accordance with the conditions attached to the planning approvals for the site. The applicant is invited to submit an application to vary the relevant condition, which will then be considered by the Local Planning Authority in accordance with relevant national and local planning policy and consultation with the public.”

6.0 The Parties

6.1 The parties to the hearing will be;

1. The Applicant – Cullercoats Coffee Group Limited
2. Those Other Parties making relevant representations.

7.0 For consideration

7.1 The area for consideration by the Licensing Sub-Committee are:

- The application for the variation of a Premises Licence in relation to Cullercoats Coffee, 1 – 5 Countess Avenue, Whitley Bay, NE26 3PN.

8.0 The North Tyneside Council Statement of Licensing Policy

8.1 The Sub-Committee’s attention is drawn to the relevant part of the Policy – Section 10 Licensing Objectives and Section 6 – Premises Licences which includes reference to the variation of such licences.

9.0 The Relevant Guidance under Section 182 Licensing Act 2003

9.1 The Sub-Committee’s attention is drawn to the relevant parts of the Statutory Guidance issued under Section 182 of The Licensing Act 2003 – Chapter 2 The Licensing Objectives; Paragraph 8.50 – 8.77 concerning variations and Chapter 9 – Determining Applications.

10.0 Decision

10.1 The Sub-Committee is asked to determine the application in whatever way it sees fit.

11.0 Associated Papers

Appendix 1 – The application for the variation of a Premises Licence
Appendix 2 – Map of the area in which the premises is situated
Appendix 3 – Current Premises Licence
Appendix 4 – Relevant representations

12.0 Background Information

12.1 The following background information has been considered in the compilation of this report and are available for inspection at the offices of the author of the report:

The Licensing Act 2003 and Regulations,
Guidance issued under Section 182 of The Licensing Act 2003,
North Tyneside Council's Statement of Licensing Policy,
North Tyneside Council's Cumulative Impact Assessment,
The Equality Act 2010.

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APPENDIX 1



North Tyneside Council

**North Tyneside
Application to vary a premises licence
Licensing Act 2003**

For help contact
liquor.licensing@northtyneside.gov.uk
Telephone: 0191 6432175

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Is your business registered outside the UK? Yes No

Note: completing the Applicant Business section is optional in this form.

Business name

VAT number

Legal status

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

5,600

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VARIATION

Do you want the proposed
variation to have effect as
soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

Yes No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Supply of alcohol on a monday between the hours of 12:00 and 22:00 in addition to current schedule

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to
vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to
vary is successful?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Staff adequately trained regularly to promote licencing objectives. Sufficient staff on at all times to help promote. DPS nominated.

b) The prevention of crime and disorder

Regular glass collections. CCTV cameras in use. Staff trained in dispersing any trouble and helping to de-escalate before a problem arises.
Police called immediately if someone refuses to leave premises.

c) Public safety

Annual gas safety check and 6-monthly extractor cleans.5 Yearly electrical checks and regular PAT testing. implementing polocies and procedures to abide by current legislation such as health and safety at work act 1974. Regular fire servicing and checks. Holding employers and public liability insurance.

d) The prevention of public nuisance

Noise restrictions on equipment and speakers. Staff trained to disperse anyone under the influence or expected under the influence from loitering around the premises when leaving. recording and reporting any incidents to police.

e) The protection of children from harm

No children after 9pm. No unattended children after 12pm. No children around the bar area.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/north-tyneside/change-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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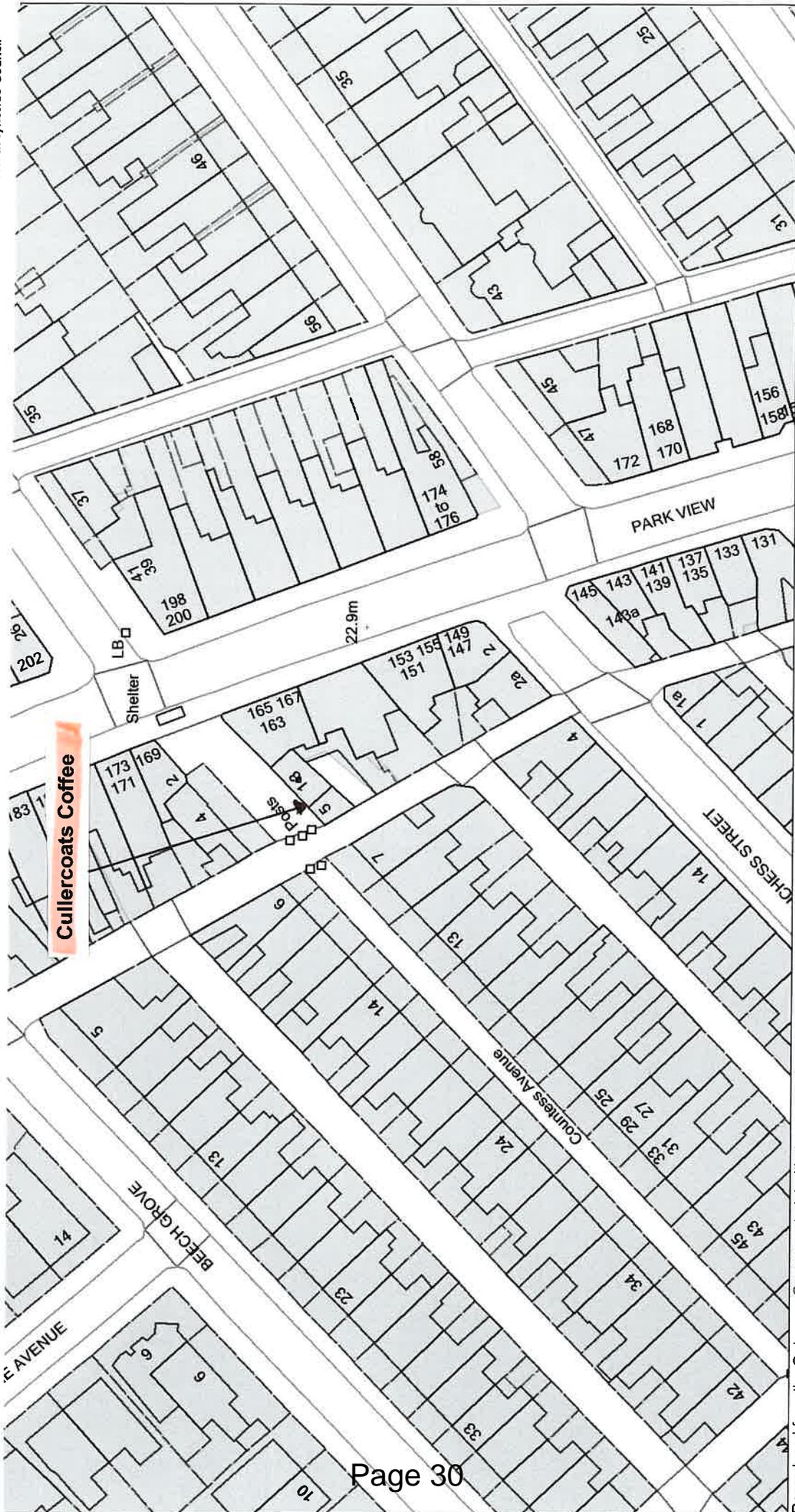
APPENDIX 2

Cullercoats Coffee

1 - 5 Countess Avenue



North Tyneside Council



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Organisation	North Tyneside Council	Date	16 September 2022
Department	North Tyneside Council	SLA Number	100016801
Comments	Whitley Bay	Scale :	1:837

APPENDIX 3



North Tyneside Council

PREMISES LICENCE

Schedule 12 – Part A

Premises Licence number:

00CK/22/1633

Part 1 - Premises details

Postal address of premises:

Cottage Kitchen
1 - 5 Countess Avenue
Whitley Bay
NE26 3PN

Licensable activities authorised by the licence:

Supply of Alcohol
Playing of Recorded Music - Indoors

The times the licence authorises the carrying out of licensable activities:

Supply of Alcohol Tuesday to Saturday **From:11:00 Until:22:30**
Sunday **From:12:00 Until:22:00**

Playing of Recorded Music Tuesday to Saturday **From:09:00 Until:22:30** and Sunday **From:10:00 Until:22:00**

Non Standard Timings:

Open Christmas Day when this falls on a Monday

The opening hours of the premises:

Tuesday to Saturday **From:09:00 Until:22:30** and Sunday **From:10:00 Until:22:00**

Non Standard Timings:

Open Christmas Day when this falls on a Monday

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:

On premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Cullercoats Coffee Group Limited
The Old Vicarage, Preston Road, North Shields, Tyne and Wear.

Registered number of holder, for example company number, charity number (where applicable):

13640669

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Cole Stonebanks
The Old Vicarage, Preston Road, North Shields, Tyne And Wear, NE29 9PJ

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

00CK/22/1584 North Tyneside Council

Annex 1 - Mandatory conditions

1.No supply of alcohol may be made under this premises licence:-

- (a) at a time when there is no designated premises supervisor in respect of the premises licence or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st April 2010 as amended on 1st October 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of disability).

2.The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3.The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st October 2010 as amended on 1st October 2014

3. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premise licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person shall ensure that:

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014 with effect from 28th May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

(i)
P is the permitted price,

(ii)
D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii)
V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c)

"relevant person" means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d)

"relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e)
- "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating schedule

- 1. Outside area not to be used after 7.00pm.**
- 2. Polycarbonate glasses will be used for drinks outside the premises and any bottled drinks will be decanted into polycarbonate glasses.**
- 3. Children must be accompanied with an adult during the hours alcohol is being served.**

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans

See attached

APPENDIX 4

Robert Cooke

From: publicaccess@northtyneside.gov.uk
Sent: 11 August 2022 16:56
To: Liquor Licensing
Subject: Comments for Licensing Application 00CK/22/1633/LAPRE

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11/08/2022 4:55 PM from

Application Summary

Address: 1 - 5 Countess Avenue Whitley Bay Tyne And Wear NE26 3PN
Proposal: Premises Licence
Case Officer: Gary Callum

[Click for further information](#)

Customer Details

Name: _____
Email: _____
Address: _____

Comments Details

Commenter Type: MAKE REPRESENTATION ie.object or support
Stance: Customer objects to the Licensing Application
Reasons for comment:
- Opening Hours
- Parking
- Planning
- Prevention of Public Nuisance
- Traffic
Comments: 11/08/2022 4:55 PM I would like to object to the variation in opening times due to the following reasons parking problems, traffic noise, public nuisance and opening hours in that the new licence hours applied for contradict the permitted opening hours under planning regulations for the property.

I have concerns over the increased levels of noise and disturbance which may result from another cafe operating if longer operational hours are granted. There are already a large number of licensed premises on Park View, with a huge increase over a short period of time. This has led to congestion in the lane at the rear of Park View, increase in traffic, noise from delivery wagons and nuisance from collections of rubbish, glass etc before 7:30am.

There will also be a further increase in noise after 11pm from customers leaving the premises.

The adjacent property Nord has restrictions on their operating hours to ensure neighbours are not disturbed so I would like the operational times to be in line with other similar cafe businesses in the area.

Kind regards

Robert Cooke

From: publicaccess@northtyneside.gov.uk
Sent: 17 August 2022 15:52
To: Liquor Licensing
Subject: Comments for Licensing Application 00CK/22/1633/LAPRE

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 17/08/2022 3:52 PM from

Application Summary

Address:	1 - 5 Countess Avenue Whitley Bay Tyne And Wear NE26 3PN
Proposal:	Premises Licence
Case Officer:	Gary Callum

[Click for further information](#)

Customer Details

Name:	
Email:	
Address:	

Comments Details

Commenter Type:	MAKE REPRESENTATION ie.object or support
Stance:	Customer objects to the Licensing Application
Reasons for comment:	- Opening Hours - Parking - Prevention of Public Nuisance
Comments:	17/08/2022 3:52 PM I would like to object to the increase in opening hours. These are longer than in the original permitted hours in the planning regulations for the property. I feel this would greatly increase the nuisance noise levels that residents in the surrounding area, which is very residential, would have to put up with. We have already seen and heard much more anti social noise levels due to the increasing number of venues being given premises licenses and extended opening hours. When the first micro pub opened a few years ago on the north end of park view we went to objection meetings and were not listened to , ensured that there would not be any inconvenience or noise for residents but this has not been the case. There are regular deliveries , glass collections before 7am , customers loitering outside premises after permitted hours, loud singing , music and litter from cigarettes. The venues continue to serve customers outside with doors open so noise is not contained after permitted hours. When customers leave from 11pm onwards they are not considerate with noise levels. Surely everyone has the right to expect a level of peace and quiet in there own home in the

evening , it should not be that the wishes of business owners , who live elsewhere are prioritised of 100's of residents .

Kind regards

3

Robert Cooke

From:
Sent: 22 August 2022 09:12
To: Liquor Licensing
Subject: Cullercoats Coffee

EXTRNL

Hi

I live in [redacted] building, my daughters bedroom is [redacted] it is bad enough with Nord bottle shop [redacted] and Fox and Finch on the other side.

I think allowing an alcohol license to serve till 11pm is very late, the noise is already bad enough from Park View, people do not leave quietly on a night time and 11pm and people leaving will cause too much noise and disturbance.

it is very unfair to allow a business like this so close, its permited parking all around and its a night mare as it is trying to get parked near my flat, this really is an inconsiderate place given there is no additional parking!

i strongly appose this application!

Thanks

Representation

Sat 27/08/2022 09:29

To: Liquor Licensing <liquor.licensing@northtyneside.gov.uk>

EXTRNL

In relation to licensing application for Cullercoats Coffee House 1-5 Countess Ave Whitley Bay
As a resident in Countess Ave I have concerns about any later alcohol license being granted to this premises.

Countess Ave is a small pedestrian street which echoes badly even with just a couple of voices passing ,people at the bottom or top of the street chatting in the evening is heard by everyone .
You can hear every word of conversations the street it is so quiet.

At night after 8/9 o'clock people coming and going to this premises which is literally at the bottom of the street will definitely be a concern.

I chose to purchase a property in Countess Avenue as it was a quiet residential street which it has been since I moved here 15 years ago. I really feel having a coffee shop selling alcohol late in the evenings will be detrimental to residents.

Currently we occasionally get people passing late having left the local bars which in this extremely quiet street seems so loud and therefore very disturbing especially for those residents who sleep at the front.

There is already three well used licensed premises within 2 mins walking of Countess Ave but these are on the main road Park View and not at the bottom of the residential street.

I think a visit to Countess Ave in the evening would demonstrate very quickly the concerns around noise/ through traffic/ parking etc that any later alcohol license would undoubtedly bring.

Sent from my iPhone



Cullercoats Coffee and Bistro

Mon 29/08/2022 10:35

To: Liquor Licensing <liquor.licensing@northtyneside.gov.uk>; John O'Shea (Cllr)
<John.O'Shea@northtyneside.gov.uk>

EXTRNL

Dear Sirs,

Objection to the application for a variation of premises licence Cullercoats Coffee and Bistro - 16
Countess Avenue.

I am writing to express my objections to the application for a liquor licence from Sunday to Friday
from 12.00 to 22.00 and Saturdays 12.00. -23.00.

Countess Avenue is a quiet residential and pedestrianised street .

Cullercoats Coffee looks fantastic and the owners have done an amazing job restoring the building
and creating a lovely bistro. However, the majority of seating is outside and this generates noise
both from customers and music playing. I have no objection to this during the day but feel that an
alcohol licence until 22.00 on week nights and 23.00 on Saturday would cause disruption to the
street. The two families who live opposite and diagonally opposite the bistro (separated by only a
small ally) both have young school and pre school aged children. Since opening, the bistro has
been busy, with the majority of customers sitting outside.

Before 'lockdown' there was no outdoor seating at establishments in Countess Ave. This was
introduced by the owner of Cottage Kitchen (the previous cafe) in order to continue his business
within the lockdown restrictions. Nord then followed. As the cafe was quiet, and in order to
support local businesses in this difficult time there were no objections but a formal request to the
residents was never made.

I would be happy to reconsider my objections on a trial basis if the outdoor space closed at 19.00
and the bistro continued to serve food with drinks. Other pubs in the area such as the left luggage
Lounge have signs that say outdoor seating closes at a time for consideration to local residents.
I'm all for supporting local business and plan to be a regular customer at Cullercoats Coffee bistro
but feel that the licence application in its current form is inappropriate.

Yours Faithfully

6

Susan Vert

From: John OShea <johnoshea47@yahoo.co.uk>
Sent: 31 August 2022 08:55
To: Liquor Licensing
Subject: Cullercoats Coffee and Bistro

EXTRNL

I wish to object to the granting of a revised Alcohol Licence for the above establishment.

I would request that I be allowed to make representations to the Licencing Committee.

John O'Shea
Councillor for Whitley Bay

Susan Vert

From: John OShea <johnoshea47@yahoo.co.uk>
Sent: 31 August 2022 09:03
To: Liquor Licensing
Subject: Cullercoats Coffee and Bistro

EXTRNL

Further to my recent email, my objection is in relation to noise nuisance from the premises.

John O'Shea
Councillor for Whitley Bay

WITHDRAWN



🗑 Delete 📁 Archive ⚠ Report ↩ Reply ↶ Reply all ➜ Forward 📧 🏷 📄

Representations regarding proposed changes to licensing for Cullercoats Coffee and Bistro, Whitley Bay

JK

To: Liquor Licensing

👍 ↩ ↶ ➜ ...

Thu 01/09/2022 16:00

EXTRNL

Good afternoon,

I am contacting you regarding the notice of application for a variation of a premises licence for Cullercoats Coffee and Bistro, 1-5 Countess Avenue, Whitley Bay.

Myself, my partner and our two year old son live at [redacted] and have watched with interest the renovation work that has been taking place over the last few months.

Whilst we are very supportive of new businesses coming into the area and have directly benefitted from many of these over the last few years, I feel that we need to object to the issuing of an extended alcohol licence.

Since opening, the noise within the street is noticeably different, though we appreciate that this might have been exaggerated by the excitement over opening and the good weather. The pavement style seating areas and open shop front mean that voices and music are audible at all times of the day, and whilst we appreciate that this won't be as extreme as we move into the autumn and winter, we believe that it is currently tolerable within the existing opening hours, but would be intolerable if extended into the hours being suggested.

Our son's room is on the front of the house, and if there were still people dining and drinking up to 22:00 on weekdays, and 23:00 on Saturday nights, plus noise due to leaving the premises etc. Then we would be seriously concerned about his ability to sleep, which would impact on both his wellbeing and ours. As he grows up, we would be concerned about inappropriate conversations infiltrating our living space – something which I know that immediate neighbours with slightly older children are already experiencing the negative effects of due to the proximity to existing establishments.

Fundamentally, we believe that the current opening hours/licencing agreement gives the business more than enough opportunity to make a huge success of their venture, but that the request to extend opening hours/licencing agreements is unreasonable in what is very obviously a densely populated residential area.

Many thanks,

Sent from [Mail](#) for Windows

↩ Reply ↶ Reply all ➜ Forward

Gary Callum

From: [REDACTED]
Sent: 04 September 2022 17:48
To: Liquor Licensing
Subject: Cullercoats Coffee, Park View - objection.

EXTRNL

To whom it may concern,

I am writing to object to the licensing hours for Cullercoats Coffee off Park View, Countess Avenue, Whitley Bay.

As a resident of Countess Avenue the outdoor noise from the premises is completely unacceptable. The shop was due to open as a Coffee shop but is clearly more of a pub serving alcohol until 10pm, sometimes 11pm at night with many of the customers sitting outside. The noise levels are ridiculous. This is not something any of us residents have been consulted about.

If you need more from me please contact me at .

Best regards

Gary Callum

From:
Sent: 04 September 2022 22:13
To: Liquor Licensing
Subject: Cullercoats Coffee and Bistro, Countess Avenue Licensing Application Concerns

EXTRNL

Dear Licensing team,
This e-mail is to raise my concerns, as a resident of Countess Avenue, to the Licensing Team about the application at Cullercoats Coffee and Bostro (?Bistro) on 1-5 Countess Avenue, Whitley Bay to extend the hours during which alcohol may be served. This appears to be a shared view amongst the majority of the residents of Countess Avenue.

My concerns are that this has always been a quiet residential street that is a safe pedestrianised street for children to play on, and quiet enough for residents to sleep with open windows day or night, and enjoy the peace of our back yards without noise disturbance.

I consider the proposed hours for serving alcohol, 7 days per week, are too long for a quiet residential area.

The actions proposed in the application, to deal with any antisocial behaviour, suggest to me that the applicants have a lack of awareness of the effects of alcohol, the dangers of alcohol, and how to prevent getting into a situation where alcohol consumption is affecting other people. This includes the potential disturbances to their neighbours from inappropriate conversations and behaviours including drinking to excess, smoking, talking loudly, arguing, vomiting and breaking glasses. It also does not reassure me that there are appropriate considerations of these potential disturbances to local residents, nor appropriate measures in place to reduce the risk of customers becoming intoxicated in the first place. Recognising when someone is at risk of intoxication before serving them a drink is more vital than working out what to do once they've served drinks to past the point of intoxication.

The noise over the bank holiday weekend during the day demonstrated that sound of a group of people can be heard loudly up the street. Some residents like myself do night shifts and being able to sleep in the summer between the hours of 9 am - 7 pm with windows open is very important, as well as children needing to be in bed from 7pm onwards. I'm worried that the noise will prevent this.

Walking through the outside area of the Cullercoats Coffee and Bistro on Bank Holiday Monday when there was a number of customers assembled, I felt very intimidated. I would hesitate to walk through the area in late evening. Local residents should not feel on edge walking to the end of their street.

I am also concerned that customers leaving the premises at around 10 or 11pm to travel home by metro, will use Countess Avenue. Inevitably the consumption of alcohol can lead to lack of awareness and voices will be louder than normal, laughter louder than normal and perhaps arguments too, also louder than normal, which will be heard along the length of the street and beyond.

There's increased risk of broken glass when alcohol is involved, which is a concern for the safety of local cat, dogs and children.

The serving of alcohol will lead to smoking near to the residences where children would usually be able to play in their gardens, or in their bedrooms with windows open, but will impinge on their ability to do so safely.

I do hope that my concerns will be considered in this matter, so that my neighbours and I can continue to enjoy our what has always been a peaceful and pleasant street to live in.

Please confirm receipt of my concerns.

Kind regards,

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Gary Callum

From:
Sent: 05 September 2022 10:29
To: Liquor Licensing
Cc: John O'Shea (Cllr)
Subject: Cullercoats Coffee and Bistro, Countess Avenue, Whitley Bay

EXTRNL
Morning,

I live on Countess Avenue and I already have concerns about the new cafe, and that is before they potentially extend their liquor licence. This is the first of the new bars in Whitley bay to be entirely on a residential street, and it's having a negative impact on those of us who live here. Here are my main issues with it.

They store their outdoor furniture in large metal containers in the alley. They put them out from 6.30am and take them in after 9pm. It makes a lot of noise and blocks the alley for traffic. It's a pedestrian - only street, so our only option for parking near our houses is to use the alleys and back lanes, and I can't get out if the alley at the bottom is blocked.

The noise, not just from moving the furniture, carries up the street. I have children and I have had to shut their windows to get them to sleep because of people sitting outside drinking, people coming and going, and people using our street and the alleys as a place to smoke. There's now a lot of noise, and that's before they start operating as a bar until ten every night of the week and eleven on Saturdays. Plus, obviously some of the drunken conversations which now take place next to my house aren't suitable for children.

On Saturday night I walked past at half nine and there was one table of people still sitting inside. The staff did look like they were packing up and not giving them any more drinks, but the customers were finishing glasses and all the doors and windows of the cafe were open. It was unbelievable how much noise one table of people could make. If the licence is extended until 11 on Saturdays, this could be going on at 11.30 closing time. Again, this is a residential street. I don't know how they are even allowed the licence that they have, never mind extending it.

My suggestions are that their licence is limited to 9pm absolute latest on weekends and earlier through the week, and dependent on them closing their doors and windows and bringing customers inside once it gets to early evening so that children in the street can sleep. I'd also like to see them be more considerate neighbours when it comes to moving and storing their outdoor furniture and being responsible for the noise and mess their customers make.

Thank you,

Outlook for Android

12

Gary Callum

From: Gary Callum
Sent: 05 September 2022 10:31
To: Liquor Licensing
Subject: Extension of hours for Cullercoats Coffee Company, Countess Avenue, Whitley Bay

EXTRNL

5 September, 2022

Sent from my iPad

I am writing to object to any further extension of hours to the premises of Cullercoats Coffee Company, Countess Avenue, Whitley Bay. There is already a distressing amount of noise and disruption coming from both front of house and adjacent back lane/kitchen activity from Nord and Kith and Kin. People can no longer enjoy sitting in their garden or leave windows open on a hot day. Those with small children, or on shift work are particularly affected. This was built to be a quiet, no- traffic street, a particularly attractive feature of Whitley Bay, and one of the reasons I chose it to live in. Please don't ruin it with ever-increasing bars and late-night noise. There are too many already.

Gary Callum

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From:
Sent: 05 September 2022 16:51
To: Liquor Licensing
Subject: Objection to liquor license

EXTRNL
Good afternoon

I am writing to raise concerns regarding the proposal submitted by 'cullercoats cafe' on Countess avenue Whitley bay.

I live with the my family , 2 young children ages 8 and 5 and are situated parallel to the cafe. i have concerns regarding the establishment with the proposed liscence changes and late hours.

Currently we already tolerate ' fox and finch' to the rear of our property and are already impacted by increased footfall,lorries,deliveries and constant noise from extractor fans .we have to listen to the awful noise of glass emptying on a regular basis which often coincides with children w bed times.there are frequently overflowing bins which encourage seagulls to feed and subsequently drop rubbish into our garden.

Staff are constantly sitting/standing in the alley which is not only an irritation when returning home but staff also leave cigarette butts everywhere which blow into our garden.
I regularly have to pick up rubbish from the alley.we have had to confront staff due to foul language which I will not tolerate when in earshot or my young children.this is unacceptable and business owners should not be allowing staff to have breaks outdoors causing such noise and intrusion to the lives of people living here.

The new cafe has now increased noise significantly and I feel the need to bring my children in earlier from playing as I am concerned about safety, inappropriate language and smokers.it feels such an intrusion.we have observed people standing with coffees against our wall smoking.
This is unacceptable and impacts our health,privacy and quality of life.

The noise on a weekend is awful and i am really concerned about our future here.
I love living here and my children love to play out on the pedestrianised street but our lives will be impacted if a late licence is agreed.
Please consider the points raised above.

Many thanks

[Sent from Yahoo Mail on Android](#)

Gary Callum

From:
Sent: 06 September 2022 21:37
To: Liquor Licensing
Subject: Concerns about Cullercoats Coffee Bistro extended liquor licence Countess Avenue Whitley Bay

EXTRNL
Hi,

I am a resident of Countess Avenue, Whitley Bay and am writing to log concerns regarding the licence application of Cullercoats Coffee Bistro at 1-5 Countess Avenue to increase the hours they can serve alcohol.

I am concerned about the long hours they want to open and serve alcohol. I fear that this will increase the noise levels and disturbance in an otherwise very quiet and peaceful street. I am the parent of a young child and the proposed idea that the bistro will remain open until 10pm every night all through the week is something I find concerning. I moved here five years ago for the very reason that it is such a calm, quiet residential street, perfect for bringing up kids. I feel that it will be hard for kids to sleep with all the noise from the bistro, especially since we often need the windows open in the hot summer months and the noise would be too much.

There has already been more noise since the Bistro opened recently: loud voices in the street at night, noisy crowds outside the premises and customers spilling out of the designated seating areas making it often hard to get past. There is also an issue with broken glass all over the back lane, which is a concern for many of the other mums too, as the children are often out playing in the street and we worry that the glass could cause them harm. I feel that all of these issues would be exacerbated if the alcohol licence was extended as proposed in the application.

I also feel that the footfall through the street at night time would continue to increase, heightening the risk of drunk and disorderly behaviour since people would often use Countess ave as the obvious route to the nearest metro stop after their night out.

An earlier closing time / shorter alcohol licence would help some of these issues not to escalate.

Thank you for considering my concerns,

Resident of Countess Avenue

**Variation to a Premises License for Cullercoats Coffee Bistro, Countess Avenue
(00CK/22/1633/LAPRE)**

To: Liquor Licensing <liquor.licensing@northtyneside.gov.uk>

EXTRNL

Dear Sir/Madam,

We wish to respond to the consultation about the variation to the premises license for the recently opened Cullercoats Coffee Bistro at 1-5 Countess Avenue.

Our family moved to Countess Avenue 10 years ago with our 10 month old daughter. What attracted us here was the fact that it is a quiet pedestrian street where our children can play without worrying about cars and without excessive amounts of pedestrian traffic, despite its close proximity to the shops on Park View.

We're concerned that the proposed variation to licensing hours will: a) make the street less safe for our children and their friends to play, b) lead to excessive noise and likely expletive laced shouty conversations in the early evenings of weekends and bank holidays, well within earshot of playing children, and c) will lead to inevitable extra footfall, litter and noise during and late at night as people disperse from the Bistro at closing time, disrupting sleep for everyone in earshot (i.e. most of the street).

While we have no issue and indeed welcome a new business on the site of the former Cottage Kitchen, we think that the late opening hours combined with the fact that it has set up as an open-fronted cafe/bar where most of the customers sit on tables literally on the street means there will be inevitably be excessive noise. We accept that the street we live on leads onto one of the main shopping streets in Whitley Bay, but this is quite different from a new pub or bar opening on Park View. Even Nord, which is situated on the corner of Countess and Park View, closes at 8pm at the latest, which we think takes reasonable account of its location.

Cullercoats Coffee Bistro has already changed the feel of the street. We and many other residents have noticed additional noise and shouty conversations around the bank holiday weekend. Once again, we have no issue with a new coffee shop (which is what we'd originally been told it would be) but late night cafe bar we think stretches the definition to its limit and, while it would be arguably fitting for Park View itself, isn't appropriate for its actual location which is a quiet residential street.

We trust you will take our views into consideration as you proceed with the licensing application process. We'd be happy to discuss the matter further or clarify any of our above statements if required.

Yours faithfully,

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