

Licensing Sub Committee

Monday, 31 October 2022

Present: Councillors W Lott, D Drummond and P Richardson

LS19/22 Appointment of Chair

Resolved that Councillor W Lott be appointed Chair for the meeting

LS20/22 Declarations of Interest

There were no declarations of interest reported.

LS21/22 Cullercoats Coffee, 69 Front Street, Tynemouth

The Sub-committee met to consider an application for the grant of a new Premises Licence in respect of Cullercoats Coffee, 69 Front Street, Tynemouth.

The Applicant, Cullercoats Coffee Group Limited, sought permission for the supply of alcohol each day of the week from 11:00 hours to 23:00 hours and for the Premises to be open to the public each day of the week from 07:00 hours to 23:00 hours.

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

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

Acting Inspector Preston, on behalf of Northumbria Police, set out details of the police objections to the grant of the licence. He was supported by Mr Kirkpatrick, the Northumbria Police Licensing Coordinator. The police representatives responded to questions from members of the Sub-committee.

Mr Minns, set out details of Mr McWhirter's representations in respect of the application.

Mr Stonebanks, on behalf of the applicant, addressed the Sub-committee in support of the application. During the course of his presentation Mr Stonebanks offered to reduce the operating hours and close the Premises at 21.00 hours. Mr Stonebanks responded to questions from Mr Minns, Mr Kirkpatrick and members of the Sub-committee.

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

All parties were invited back into the hearing and the Chair announced the Sub-committee's decision.

Resolved that the application for the grant of a Premises Licence in respect of Cullercoats

Coffee, 69 Front Street, Tynemouth, NE30 4BP be approved as follows:

Licensing Hours – Monday to Sunday from 11:00 hours to 20:30 hours;

Opening Hours – Monday to Sunday from 07:00 hours to 21:00 hours;

And 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:
 - The CCTV cameras are located at the Premises so as to provide coverage of entrances and exits, both internally and externally, all points of sale and the area where alcohol is consumed in the outside seating area provided by the Licence Holder.
 - The system is able to capture clear images permitting identification of individuals.
 - The system will be in operation whenever licensable activities are taking place at the Premises.
 - 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 30 days.
 - The CCTV system is capable of constantly generating an accurate date and time.
 - The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection.
2. There will be a member of staff present at the Premises during the operating hours trained to provide viewable copies of CCTV images immediately on request from an authorised officer of the Licensing Authority (including the Local Weights and Measures Authority) or other Responsible Authority made in accordance with the Data Protection Act 2018 (or any replacement legislation).
3. All persons 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.
4. All persons responsible for the sale of alcohol will receive refresher training at least once a year on their duties and responsibilities under the Licensing Act 2003 (or replacement legislation). Such training will be provided by the Designated Premises Supervisor.
5. All training received by staff, and the Designated Premises Supervisor, in relation to the sale of alcohol will be recorded, and such records kept at the Premises at all times and made available for inspection immediately on request of an authorised officer of the Licensing Authority (including the Local Weights and Measures Authority) or other Responsible Authority.
6. All persons responsible for the sale 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 or obtain alcohol. Such credible evidence, which will include a photograph of the customer, will be a current passport, photographic driving licence, proof of age card carrying a 'Pass' logo and hologram or HM Forces Identity Card.

7. A Refusals Register (electronic or paper based) is to be kept at the Premises at all times and must be kept up to date. The Register will detail all challenges made to customers as to their age when attempting to purchase alcohol or any other age restricted product and the reason for any refusal recorded in the register. The Register will be made available for inspection immediately on the request of an authorised officer of the Licensing Authority (including the Local Weights and Measures Authority) or other Responsible Authority.
8. The Premises Licence Holder will ensure that at all times when the Premises are open to the public and there is licensable activity taking place that there will be a sufficient number of competent staff on duty at the Premises for the purposes of fulfilling the conditions of the premises licence and promoting the licensing objectives.
9. An incident register will be kept up to date and remain on the Premises at all times for the purposes of recording any incidents at the Premises or in the outside seating area such as anti-social behaviour, refusal of admission to the Premises and ejection from the Premises or the outside seating area.
10. All customers using the outside seating area of the Premises to consume alcohol must be seated at all times at the tables provided by the Licence Holder.
11. All alcohol sales made to customers who are not to consume alcohol in the outdoor seating area must be served alcohol in a sealed container.
12. The outdoor seating area will be closed to customers at 21:00 hours and all tables and chairs must be cleared away from that area by no later than 21:15 hours.
13. The Premises Licence holder will ensure that any litter in the outside seating area of the Premises will be cleared away at the end of each day and properly disposed of.

Reasons for Decision

- Although the Premises are situated within the Authority's Cumulative Impact Assessment area in Tynemouth the rebuttable presumption against the grant of the licence does not apply as the licence is for off-sales only;
- The Sub-committee considers that the concerns of the police and the residents will be addressed by the amendment to the opening hours and the imposition of the above conditions on the licence;
- Apart from the police none of the responsible authorities have made representations in relation to the application which the Sub-committee takes to mean that they have no concerns in relation to the application.

