

REPORT

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

Date: 29 June 2023

Report by: Jeff Young
Licensing Officer
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**Contact
Officer(s):** Jeff Young
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**Title of
Report:** Licensing Act 2003 –
12a Russell Street
North Shields
Tyne and Wear
NE29 0BL

Ward(s): Riverside

1.0 Summary / Purpose of Report

1.1 Licensing Sub-Committee

The Licensing Act 2003 provides that, where an objection has been received from the Chief Officer of Police or Environmental Health Authority in respect of a standard temporary event notice, a hearing must be held to consider the objection. Sub-Committees have been established in accordance with provisions of the Act to hear such applications.

1.2 The Sub-Committee is asked to consider and determine a Temporary Event Notice from Mr Hector Teasdale, (“the premises user”), in relation to 12a Russell Street, North Shields, Tyne and Wear, NE29 0BL.

1.3 The premises user has been invited to attend the meeting to put forward their case in support of the temporary event.

1.4 Objections from Chief Officer of Police or Environmental Health Authority

The premises user must give a copy of any standard temporary event notice to the Chief Officer of Police and Environmental Health Authority no later than ten clear working days before the day on which the event period specified in the notice begins. If a Temporary Event Notice is submitted to the Authority electronically, the licensing authority must notify the police and environmental health authority as soon as possible and no later than the first working day after the Temporary Event Notice is given. The relevant responsible authority has three working days from receipt of such a standard Temporary Event Notice in which to lodge an Objection Notice. Objection Notice's in relation to the Temporary Event Notice have been received from the Chief Officer of Police and Environmental Health these are attached at **Appendix 3** to this report.

1.5 As an Objection Notice has been received from the Chief Officer of Police and Environmental Health the Authority must hold a hearing to consider the Objection Notice and determine whether or not to give the premises user a Counter Notice if the Authority considers it appropriate to do so for the promotion of the licensing objectives.

1.6 If the Sub-Committee decides not to give a Counter Notice, then it must give the premises user the Chief Officer of Police and Environmental Health notice of that decision. If the Sub-Committee does decide to give a Counter Notice to the premises user it must state the reasons for its decision and provide the Chief Officer of Police and Environmental Health with a copy of the Counter Notice and its reasons for its decision.

2.0 **Background**

This report relates to a Temporary Event Notice that has been submitted in respect of 12a Russell Street, North Shields, Tyne and Wear, NE30 0BL. The Notice is attached at **Appendix 1**, A map of the area at **Appendix 2**, Objection Notice from Chief Officer of Police and Environmental Health at **Appendix 3**.

2.1 The Notice of Temporary Event under Part 5 of The Licensing Act 2003

A Notice of a Temporary Event is made pursuant to Section 100 and 100A of the Licensing Act 2003. The detail of the Notice is as follows:

Saturday 1 and Sunday 2 July 2023

Sale of Alcohol (On the Premises) from 17:00 until 23:00

Provision of Regulated Entertainment from 17:00 until 00:00

The premises user has supplied a further breakdown of the activities to take place with some additional information on the notice attached as Appendix 1.

History of Previous Temporary Events Notices

- Standard TEN 14-15 April 2023 Went ahead.
- Late TEN 28-29 April 2020 Counter notice issued.
- Standard TEN 05-06 May 2023 Hearing – Withdrawn.
- Late TEN 3 June 2023 Counter Notice issued.
- Standard TEN 10-11 June 2023 Went ahead.
- Standard TEN 16,17 & 18 June 2023 Went ahead.
- Late TEN 23-25 June 2023 Counter notice issued.

3.0 The Parties

The Parties to the hearing will be:

1. The premises user
2. The Chief Officer of Police
3. Environmental Health

4.0 For consideration

The area for consideration by the Licensing Sub-Committee is:

- Temporary Event Notice in respect of 12a Russell Street, North Shields, Tyne and Wear, NE29 0BL.

5.0 The North Tyneside Council Statement of Licensing Policy

The Sub-Committee's attention is drawn to the relevant part of the Policy - Section 11 Licences and Section 24 Prevention of Crime and Disorder.

6.0 The Revised Guidance issued under Section 182 Licensing Act 2003

The Sub-Committee's attention is drawn to the relevant parts of the Guidance issued under S182 Licensing Act 2003 that is paragraph Chapter 7 Temporary Event Notices.

7.0 For Decision

The Sub-Committee is asked to consider the Objection Notice and determine if a Counter Notice should be given.

8.0 Associated Papers

Appendix 1 – Temporary Event Notice Form

Appendix 2 – Map of the area

Appendix 3 – Objection Notice from Chief Officer of Police and Environmental Health

9.0 Background Information

The following background papers have been used in the compilation of this Report and are available for inspection at the offices of the authors of the Report:

North Tyneside Council Statement of Licensing Policy

The Licensing Act 2003 and Regulations

Revised Guidance issued under Section 182 of the Licensing Act 2003 from the Home Office