

REPORT

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

Date: 15 January 2024

Report by: Jeff Young
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**Title of
Report:** Licensing Act 2003

Prudhoe Off Licence
4 Prudhoe Street
North Shields
Tyne And Wear
NE29 6QZ

Ward(s): Riverside

1.0 Summary / Purpose of Report

1.1 Licensing Sub-Committee

The Licensing Act 2003 provides that, where a representation has been received from a The Chief Officer of Police in respect of an application to Transfer a Premises Licence, a hearing must be held to consider that representation. Sub-Committees have been established in accordance with provisions of the Act for the purpose of hearing such matters.

1.2 The Sub-Committee is asked to consider and determine the application from Mr Khalid Nabi, to Transfer the Premise Licence in respect of Prudhoe Off-Licence, 4 Prudhoe Street, North Shields Tyne and Wear NE29 6QZ.

1.3 The applicant has been invited to attend the meeting to put forward his case in support of his application.

1.4 Representations from Responsible Authorities and Other Persons

1.5 The application has been forwarded to the Chief Officer of Police who is the only Responsible Authorities permitted to consider an application to Transfer a Premises Licence.

1.6 A representation has been received from the Chief Officer of Police, and this is attached at **Appendix 3**. Representatives of the Chief Officer of Police have been invited to attend this meeting in support of their representation.

2.0 Authority to make decisions.

2.1 In relation to an Application for the Transfer of a Premises Licence the Licensing Sub-Committee can, under the Licensing Act 2003:

- grant the Application; or
- reject the Application.

2.2 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.

3.0 The Application for the Transfer of a Premises Licence under Section 42 of The Licensing Act 2003

3.1 This report relates to an application to Transfer the premises licence in respect of Prudhoe Stores, 4 Prudhoe Street, North Shields, Tyne and Wear, NE29 6QZ.

3.2 Mr Khalid Nabi has submitted the application to transfer the premises licence to himself from his father Mr Ghulam Nabi who recently passed away. Mr Ghulam Nabi was the previous Premises Licence Holder and Designated Premises Supervisor.

3.3 Upon the death of a Premises Licence holder, an applicant has 28 days to submit an application to transfer a Premises Licence to the Local Authority. Failure to do so, results in the automatic lapse of the licence.

3.4 The Application for the Transfer of the premises licence is attached at **Appendix 1**, a copy of the current Premises Licence is attached at **Appendix 2**.

3.5 The Application for the Transfer of a Premises Licence is made pursuant to Section 42 of the Licensing Act 2003 and the relevant Section of the Act dealing with the determination of such an Application is contained in Section 44 of the Act.

4.0 History

4.1 On 28th May 2019, the Licensing sub-Committee considered the Review of the Premises Licence of Prudhoe Stores, submitted by The Local Weights and Measures Authority. The Review related to offences associated with The Prevention of Crime and Disorder and The Protection of Children from Harm and related to the sale of illicit tobacco.

- 4.2** The Chief Officer for Police submitted a representation in support of the review brought by The Local Weights and Measures Authority.
- 4.3** Details of the above can be found within the representation submitted by The Chief Officer for Police at **Appendix 3**

5.0 For Decision

- 5.1** The Sub-Committee is asked to determine this application in whichever way it sees fit.

6.0 Associated Papers

Appendix 1 – The application for the Transfer of a Premises Licence

Appendix 2 – Current Premises Licence

Appendix 3 – Representation from The Chief Officer for Police

7.0 Background Information

- 7.1** 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

Delegation Scheme – Licensing Committee 7 February 2005

