

Cumulative Impact Assessment Statement - Horticulture Coastal, 201-203 Whitley Road, Whitley Bay NE26 2SY

1. Horticulture Leisure 2 Limited have purchased the above premises and seek to convert it from a restaurant operation into a café bar offering. The premises has had the benefit of a premises licence for some years and operated under the trading name Evan's Bistro. The restrictions on the licence only permitted alcohol sales to those taking a table meal with the consumption of alcohol being taken as an ancillary to that meal.
2. The previous operator was not able to make a success of the business. As a result, the business closed in 2019 and has remained empty since that time.
3. The applicant wishes to apply for a new premises licence which will allow a change of operating style at the premises by changing the offering from pure restaurant to café bar
3. The councils Statement of Licensing Policy states at paragraph 13.3:

"In summary, the Cumulative Impact Assessment has demonstrated that there is an evidential basis to justify creating a rebuttable presumption against granting premises licence applications, or variations of existing licences, in relation to alcohol led licensed premises (where alcohol is consumed on the premises) within areas of Whitley Bay and Tynemouth referred to in the Assessment and shown on the maps forming part of the Assessment"

4. This premises would operate in the Whitley Bay Cumulative Impact Area so consideration must be given to whether the policy applies to this application and if so whether to grant it will add to the cumulative impact in the area. In considering the rebuttable presumption we would submit the following points.
5. Offering – The style of offering is food-led. Whilst customers can come and enjoy drinks without food, the sale of food from breakfast to evening is an integral part of the offer. This venue will be marketed as a sister venue to Horticulture on Pilgrim Street in Newcastle which gives an understanding of the style that is proposed. The customer experience is that of a café rather than a bar, with a casual and relaxed environment with the majority of customers seated and the food and drink offering being priced at a level to attract an older clientele.
6. Conditions – The conditions offered under the operating schedule will provide assurance that the venue will be tied to the operating style proposed and will not add to the issues experienced in the area. The terms of the licence sought by the applicant will permit the premises to operate with more flexibility whilst still ensuring that the venue will have no negative cumulative impact on the licensing objectives.
7. Benefit – The application provides an opportunity to review and update the conditions from those on the current licence, adding more nuanced and effective control over the venue.

8. Location – The premises lie at the very edge of the cumulative impact map. They are away from the main strip of licensed venues. Notably it is outside of the main hot spots identified in North Tyneside Council's Cumulative Impact.
9. Hours - The operating hours proposed do not vary from the hours already permitted under the premises licence for Evan's Bistro. The hours during which alcohol sales are permitted do not vary significantly from that which is already permitted. The start time is 1 hour earlier but the evidence would show that the start time does not cause issues giving rise to the Cumulative Impact Policy being in place. The only extension to the finish time is a half hour extension on Sundays, which we would submit is very modest and will not cause issues bearing in mind the style of offerings.
10. Size – the venue is small operating over ground floor only with a seated capacity of around 80.

Conclusion

The councils Statement of Licensing Policy at para 13.8 states:

"The Authority welcomes the introduction of well operated, high quality licensed premises in the Borough, including the areas referred to in the Cumulative Impact Assessment that will enhance diversity in terms of licensed premises and will add to the economic vitality of the Borough. The Authority on the other hand is aware that large capacity "vertical drinking" premises that are used primarily or exclusively for the sale and consumption of alcohol and have little or no seating for patrons can have a significant impact on the likelihood of crime and disorder. Such establishments are not therefore likely to be granted a licence in the areas referred to in the Cumulative Impact Assessment "

It is our submission that the application proposed will be a "well operated, high quality licensed premises" due to the applicant's experience and proposals for the site.

Due to the size of the premises and the conditions offered the venue does not fall within the category of "large capacity "vertical drinking" premises that are used primarily or exclusively for the sale and consumption of alcohol and have little or no seating for patrons" as they are food-led and predominantly seated.