

# REPORT

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

**Date:** 13<sup>th</sup> May 2020

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**Title of  
Report:** Licensing Act 2003  
Pranzo Italian Tapas & Wine Bar  
16 Station Road  
Whitley Bay  
Tyne & Wear  
NE26 2RA

**Ward(s):** Whitley Bay

## **1.0 Summary / Purpose of Report**

### **1.1 Licensing Sub-Committee**

The Licensing Act 2003 provides that, where representations have been received from a Responsible Authority or Other Persons in respect of an application for a Premises Licence, a hearing must be held to consider them, unless the parties and the Authority agree that a hearing is unnecessary. Sub-Committees have been established in accordance with provisions of the Act for the purpose of hearing such applications.

**1.2** The Sub-Committee is asked to consider and determine the application from Leonardo 19 Ltd (“the Applicant”) for a Premises Licence in relation to Pranzo Italian Tapas & Wine Bar, 16 Station Road, Whitley Bay, Tyne & Wear, NE26 2RA (“the Premises”).

**1.3** A representative from the Applicant has been invited to attend the hearing in support of its application. All persons making relevant representations have also been invited to attend.

## 1.4 Representations from Responsible Authorities and Other Persons

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 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. The application has been advertised at the premises, in a local newspaper and also on the Council Website as prescribed.

There have been no representations received from any of the Responsible Authorities.

Representations have been received from Other Persons and are appended to this report at **Appendix 6**.

## 1.5 In relation to an application for the grant of a Premises Licence the Licensing Sub-Committee can, under the Licensing Act 2003:

- grant a Licence subject to conditions consistent with the operating schedule and appropriate for the promotion of the licensing objectives in addition to the mandatory conditions
- exclude from the scope of the Licence any of the licensable activities to which the application relates,
- refuse to specify a person in the licence as premises supervisor
- or reject 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 a Premises Licence in respect of Pranzo Italian Tapas & Wine Bar, 16 Station Road, Whitley Bay, Tyne & Wear, NE26 2RA.

A copy of the application form is attached at **Appendix 1**, the proposed operating schedule for the premises is attached as **Appendix 2**, a plan of the premises is attached at **Appendix 3** and a map of the area is attached at **Appendix 4**.

### **3.0 The Application for the Grant of a Premises Licence under Section 17 of The Licensing Act 2003**

**3.1** The application for Grant of the Premises Licence is made pursuant to Section 17 of the Licensing Act 2003 and the relevant Section of the Act dealing with the determination of such an application is contained in Section 18 of the Act.

The application requests the following activities and times:

1. **Supply of Alcohol** (on and off the premises)
  - Every Day From 11:00 until 23:00
2. **Late-Night Refreshment**
  - Every Day From 23:00 until 23:30
3. **General Opening Times**
  - Every Day From 08:00 until 23:30

The Licence if granted will be subject to Mandatory Conditions which are attached at **Appendix 5** of the report.

**3.2** The premises which is the subject of this application is within the area identified in the Authority's Cumulative Impact Assessment forming part of the Authority's Statement of Licensing Policy. This Policy creates a rebuttable presumption that an application for a premises licence in the areas referred to in the Cumulative Impact Assessment that relate to alcohol led licensed premises will be refused. An applicant wishing to obtain a new premises licence must demonstrate within their application that there is likely to be no negative cumulative impact on one or more of the licensing objectives should their application for a licence, or variation of an existing licence, be granted.

### **4.0 Promotion of Licensing Objectives**

The applicant has included the following additional steps within the operating schedule which they intend to take in order to promote the licensing objectives. These can be found at **Appendix 2**.

### **5.0 The Parties**

The Parties to the hearing will be:

1. The Applicant - Leonardo 19 Ltd
2. Other persons.

## **6.0 For consideration**

The areas for consideration by the Licensing Sub-Committee are:

An Application for the Grant of a Premises Licence in relation to Pranzo Italian Tapas & Wine Bar, 16 Station Road, Whitley Bay, Tyne & Wear, NE26 2RA.

## **7.0 The North Tyneside Council Statement of Licensing Policy**

The Sub-Committee's attention is drawn to the relevant part of the Policy – Sections 10.1 – 10.5 Crime and Disorder. Further to this the premises are situated within the cumulative impact area of Whitley Bay as defined in the Cumulative Impact Assessment and referenced at section 13.3 of the Statement of Licensing Policy. It should be noted that the Policy relates to alcohol led licensed premises, where alcohol is consumed on the premises. The effect of the Cumulative Impact Policy is that there is a rebuttable presumption that an application for a premises licence in the areas referred to in the Cumulative Impact Assessment will be refused. To rebut that presumption, the applicant will need to demonstrate that granting the licence will be unlikely to add to the cumulative impact caused by the number and density of licensed premises in the area of the premises.

## **9.0 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 Chapter 2 Licensing Objectives and Chapter 14 which includes cumulative impact. There are other chapters particularly the one on determining applications that should be referred to.

## **10.0 For Decision**

The Sub-Committee is asked to determine the application in whatever way it deems appropriate.

## **11.0 Associated Papers**

Appendix 1 – The application for the Grant of a Premises Licence  
Appendix 2 – Proposed Operating Schedule  
Appendix 3 - Plan of the Premises  
Appendix 4 – Map  
Appendix 5 – Mandatory Conditions  
Appendix 6 – Relevant representations

## **12.0 Background Information**

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

North Tyneside Council's Statement of Licensing Policy  
North Tyneside Council's Cumulative Impact Assessment  
The Licensing Act 2003 and Regulations  
Revised Guidance issued under Section 182 of the Licensing Act 2003 published by the Home Office  
Delegation Scheme – Licensing Committee 7 February 2005