

# REPORT

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

**Date:** 5<sup>th</sup> August 2020

**Report by:** Susan Vert  
Licensing Officer  
☎ 643 6904

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**Title of Report:** Licensing Act 2003  
  
Scott and Wilson  
1 Trevor Terrace  
North Shields  
Tyne and Wear  
NE30 2DG

**Ward(s):** Preston Ward

## **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 Person in respect of an application for a licence, a variation of a licence or a review of a 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 Scott and Wilson Limited for the grant of a Premises Licence in relation to Scott and Wilson, 1 Trevor Terrace, North Shields, Tyne and Wear, NE30 2DG ("the premises).

**1.3** The applicant has been invited to attend the meeting to put forward their case in support of the 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 and the Local Safeguarding Children Board 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 near the premises, in a local newspaper and on the Council Website as prescribed.

Representations have been made by Environmental Health, Planning and other persons. These are attached at **Appendix 5**.

## 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 have 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

This report relates to an application for the grant of a Premise Licence in respect of Scott and Wilson, 1 Trevor Terrace, North Shields, Tyne and Wear, NE30 2DG.

A copy of the application form is attached at **Appendix 1**, a plan of the premises is attached at **Appendix 2** and a map of the area is attached at **Appendix 3**.

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

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 for a premise licence is as follows:

1. **Supply of Alcohol** (on and off the premises)
  - Every Day From 10:00 until 23:00

- **General Opening Times** as follows :
- Every Day From 08:00 until 23:00
- To include an outside seating area as shown in Appendix 2.
- To include the first floor of the premises.

**2.2** The premises known as Scott and Wilson currently have the benefit of a Premises Licence which permits the licensable activities and times as follows to the ground floor of premises.

- To permit **Supply of Alcohol** (on the premises)
- Every Day From 11:00 until 23:00
- **General Opening Times** as follows:
- Every Day From 08:00 until 23:00

**2.3** If the licence is granted, this will be subject to Mandatory Conditions which are attached at **Appendix 4** of the report.

### **3.0 Promotion of Licensing Objectives**

The applicant has included the following additional steps in the operating schedule which they intend to take in order to promote the licensing objectives.

Please see **Appendix 1**.

### **4.0 The Parties**

The Parties to the hearing will be:

1. The Applicant – Scott and Wilson Ltd
2. Responsible Authorities – Planning and Environmental Health
3. Other persons.

### **5.0 For consideration**

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

- Application for the Grant of a Premises Licence in relation to Scott and Wilson, 1 Trevor Terrace, North Shields, NE30 2DG.

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

The Sub-Committee's attention is drawn to the relevant part of the Policy - Section 10 Licensing Objectives.

## **7.0 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 - Chapter 2 Licensing Objectives.

## **8.0 For Decision**

The Sub-Committee is asked to determine the application in whatever way it sees fit.

## **9.0 Associated Papers**

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

Appendix 2 – Plan of the Premises

Appendix 3 – Map

Appendix 4 – Mandatory Conditions

Appendix 5 – Relevant representations

## **10.0 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

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

Delegation Scheme – Licensing Committee 7 February 2005