

REPORT

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

Date: 4 February 2021

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**Title of
Report:** Licensing Act 2003 Application
How Do You Do
Hudson Street
North Shields
NE30 1JS

Ward(s): Tynemouth

1.0 Summary / Purpose of Report

1.1 Licensing Sub-Committee

The Licensing Act 2003 provides that, where an application has been received in respect of the review of a premise licence, a hearing must be held to consider it. 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 an application from The Chief Officer of Northumbria Police for the review of a Premises Licence for How Do You Do, Hudson Street, North Shields held by DD Investments Limited.

1.3 The applicant has been invited to attend the meeting to put forward their case in support of the review application. The premises licence holder has also been invited to attend the meeting.

1.4 Representations from Responsible Authorities and Other Parties

The applicant for a review is required to forward copies of the application to Local Planning Authority, Environmental Health Authority, Health and Safety Enforcement Agency, Licensing Authority, The Local Weights and Measures Authority, Director of Public Health, Fire Authority, the Local Safeguarding Children Board and Home Office Immigration Department with a view to any of these Responsible Authorities making a supporting representation if deemed appropriate.

In addition, the application has been advertised by the Licensing Authority at the premises, the main offices of the Council and on the Council website as prescribed.

Representations have been received from other parties and are appended to this report at **Appendix 5**.

1.5 Authority to make decisions

In relation to an application for the review of a premise licence the Licensing Sub-Committee can, under the Licensing Act 2003:

- Modify the conditions on the licence
- Exclude a licensable activity from the scope of the licence
- Remove the Designated Premises Supervisor
- Suspend the licence for a period of not more than three months
- Revoke the licence

Once the Sub-Committee has reached a decision, the decision and reasons for the decisions 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 by the Chief Officer of Northumbria Police for the review of a premise licence for How Do You Do, held by DD Investments Limited.

The application for review and supporting information are attached at **Appendix 1**, plan of the premises is attached at **Appendix 2** and a map of the area is attached at **Appendix 3**. The current premise licence is attached at **Appendix 4**.

2.1 The Application for the Review of a Premise Licence under Section 51 of The Licensing Act 2003

The Application for the review of the premise licence is made pursuant to Section 51 of the Licensing Act 2003 and the relevant Section of the Act dealing with the determination of such an Application is contained in Section 52 of the Act. The grounds for the review are the prevention of crime and disorder.

2.2 The current premise licence in respect of How Do You Do permits the following:

1. **Supply Alcohol** (for consumption on and off the premises)

- Sunday to Thursday 11:00 to 00:00
- Friday and Saturday 11:00 to 01:00

2. **Provision of Facilities for Dancing and Making Music, Performance of Live Music, Playing of Recorded Music and Provision of Entertainment of similar description to Live Music, Recorded Music or Performance of Dance.**

- Monday to Thursday 19:00 to 23:00
- Friday 19:00 to 00:00
- Saturday 14:00 to 00:00
- Sunday 14:00 to 23:00

3. **Late Night Refreshment**

- Monday to Thursday 23.00 to 23.30
- Friday and Saturday 23:00 to 00:30

4. The **opening hours** of the premises are

- Sunday to Thursday 09.00 to 00.30
- Friday and Saturday 09:00 to 01:30

3.0 The Representations

The Authority has received eight representations from other persons in support of the application brought by The Chief Officer of Northumbria Police. Fifteen representations were also received in support of the Premises Licence Holder and of these, five representations were considered relevant to the licensing objectives and they have been issued with a Notice of Hearing. Those individuals whose representations were not considered relevant to the licensing objectives were advised of this and given the opportunity to re-submit their representation.

4.0 The Parties

The Parties to the hearing will be:

1. The Applicant – The Chief Officer of Northumbria Police
2. Premise Licence Holder.

5.0 For consideration

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

- Application for the review of a premise licence for How Do You Do, held by DD Investments Limited.

6.0 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.

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 Revised Guidance issued under S182 Licensing Act 2003 - Licensing Objectives Chapter 2, Section 2.1 to 2.6 and Reviews, Chapter 11.

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 Review of a Premise Licence together with supporting information.

Appendix 2 – Plan

Appendix 3 – Map

Appendix 4 – Current Premise Licence

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

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

Delegation Scheme – Licensing Committee 7 February 2005