

REPORT

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

Date: 16th December 2019

Report by: Susan Vert
Licensing Officer
☎ 643 6904

**Contact
Officer(s):** Susan Vert
Licensing Officer
☎ 643 6904

**Title of
Report:** Licensing Act 2003

Square and Compass
207 Park View
Whitley Bay
Tyne and Wear
NE26 3RD

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 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. 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 NE Safety Group Limited for a New Premise Licence in relation to Square and Compass, 207 Park View, Whitley Bay, Tyne and Wear, NE26 3RD.

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 received from the Local Planning Authority, Environmental Health and residents. These are attached at **Appendix 5**.

1.5 Authority to make decisions

In relation to an Application for the grant of a Premises Licence or Club Premise Certificate 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 a New Premise Licence in respect of Square and Compass, 207 Park View, Whitley Bay, Tyne and Wear, NE26 3RD.

2.1

The Application for the Licence 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**.

3.0 **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. To permit **Supply of Alcohol** (on the premises)
 - Every Day From 09:00 until 23:00 (although in section 15 of the operating schedule the timings are given as 11.00 to 23.00)
2. To permit **Recorded Music** (Indoors).
 - Every Day From 11:00 until 23:00
3. **General Opening Times** as follows :
 - Every Day From 09:00 until 00:00 (although in section 17 of the operating schedule the timings are given as 09.00 to 23.00)

Non-standard timings

Supply of Alcohol on New Year's Eve up to 00:30 and provision of recorded music until 00.30 with the general opening times being from 09:00 until 01:00.

Seasonal Variations

Supply of Alcohol Friday, Saturday and Sunday preceeding and including all Bank Holidays from 09:00 until 00:00 and extend the general opening times from 09:00 until 01:00.

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

4.0 **Promotion of Licensing Objectives**

The applicant has included at section 5 of the application form the additional steps that it intends to take in order to promote the licensing objectives.

Please see **Appendix 1**.

5.0 The Parties

The Parties to the hearing will be:

1. The Applicant - NE Safety Group Limited.
2. Responsible Authorities – Planning and Environmental Health.
3. Other persons.

6.0 For consideration

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

- Application for the Grant of a Premises Licence in relation to Square and Compass, 207 Park View, Whitley Bay, Tyne and Wear, NE26 3RD.

7.0 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.

8.0 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.

9.0 For Decision

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

10.0 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

11.0 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

