

REPORT

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

Date: 18th December 2019

Report by: Jeff Young
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**Title of
Report:** Licensing Act 2003

Ward(s): Wallsend

1.0 Summary/Purpose of Report

Licensing Sub-Committee

- 1.1 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 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 All Fur Coat Limited for a new Premises Licence in respect of All Fur Coat, 25 High Street East, Wallsend, NE28 8PF.
- 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, Home Office Immigration Enforcement 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 at the premises, in a local newspaper and also on the Council Website as prescribed.

Representations have been received from the Local Planning Authority and from a local resident in the form of a petition of eleven persons in total. 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 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

This report relates to an application for a New Premises Licence in respect of All Fur Coat Limited, 25 High Street East, Wallsend.

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

3.1 The Application for the 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 the premises to **supply alcohol** (on the premises) as follows:
 - Every Day From 12:00 until 23:00
2. To permit the premises to allow the **performance of Live Music** as follows:
 - Every Day From 12:00 until 22:00
3. To permit the premises to allow the **playing of Recorded Music** as follows:
 - Every Day From 12:00 until 23:00
4. To permit **anything of a similar description to that falling within Live Music, Recorded Music of Performances of Dance** as follows:
 - Every Day From 12:00 until 23:00
5. **General opening times** as follows:
 - Every Day From 12:00 until 23:00

If the licence is granted this will be subject to mandatory conditions attached at **Appendix 4**.

4.0 Promotion of Licensing Objectives

The applicant has included at section M 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 – Steven Ratcliff, All Fur Coat Limited
2. Responsible Authority - Planning
3. Person acting as lead petitioner and representative of those detailed in the representation at Appendix 5.

6.0 For Consideration

The areas for consideration by the Licensing Sub-Committee are: Application for the Grant of a Premises Licence in respect of All Fur Coat, 25 High Street East, Wallsend, NE28 8PF.

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 that is Chapter 2 Licensing Objectives.

9.0 For Decision

The Sub-Committee is asked to determine these applications in whichever way it sees fit.

10.0 Associated Papers

Appendix 1 – The application for a New Premises Licence

Appendix 2 – Plan of the premises

Appendix 3 – Map of the area

Appendix 4 – Mandatory Conditions

Appendix 5 – 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

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

Delegation Scheme – Licensing Committee 7 February 2005