

Licensing Sub Committee

Wednesday, 18 December 2019

Present: Councillors J O'Shea, T Mulvenna and E Darke

LS34/19 Appointment of Chair

Resolved that Councillor T Mulvenna be appointed Chair for this meeting.

LS35/19 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

LS36/19 All Fur Coat, 25 High Street East, Wallsend, NE28 8PF (Wallsend Ward)

The Sub-committee met to consider an application for the grant of a new Premises Licence in respect of All Fur Coat, 25 High Street East, Wallsend, NE28 8PF.

The Applicant, All Fur Coat Limited, sought permission to:

- Supply alcohol (on sales) at the premises each day from 12:00 hours until 23:00 hours;
- Play live music, indoors, each day from 12:00 hours to 22:00 hours;
- Play recorded music, indoors, each day from 12:00 hours until 23:00 hours;
- Anything of a similar description to the playing of live or recorded music each day of the week from 12:00 hours and 23:00 hours; and
- Remain open to the public each day from 12:00 hours until 23.00 hours.

Following introductions, the Chair set out the procedure which would be followed during the course of the hearing.

As there were none of the persons who had submitted representations present the Sub-committee initially had to determine whether to proceed with the hearing in their absence. Having been advised that all parties had been given notice of the hearing the Sub-committee agreed to deal with the application in their absence.

Mr G Callum, Licensing Officer, presented details of the application, the representations received and the options available to the Sub-committee. He also responded to a member's question.

The Sub-committee referred to the written representations submitted in respect of the application.

Mr S Ratcliffe, the applicant's spokesperson addressed the Sub-committee in support of the application. He also provided a response to the issues raised during the meeting.

Members of the Sub-committee and officers asked a series of questions which were responded to by the applicant's representative.

Mr Ratcliffe was given the opportunity to sum up his application.

The Sub-committee withdrew from the meeting to make its decision in private. The Sub-committee returned and the Chair announced its decision.

Resolved that the application for the grant of a Premises Licence in respect of All Fur Coat, 25 High Street East, Wallsend be approved as follows:

- (1) The Premises will be permitted to supply alcohol each day of the week from 12:00 hours to 22:45 hours;
- (2) The Premises will be open to the public each day of the week from 12:00 hours to 23:00 hours; and
- (3) Subject to the following conditions:-
 1. A CCTV system will be installed at the Premises and maintained in proper working order at all times and the Licence Holder will ensure that: -
 - The CCTV cameras are located at the Premises so as to provide coverage of entrances and exits, both internally and externally, areas where the consumption of alcohol takes place and the area immediately to the front of the Premises.
 - The CCTV system is able to capture clear images permitting identification of individuals.
 - The CCTV system will be in operation whenever licensable activities are taking place at the Premises.
 - The CCTV system is able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
 - The CCTV system is capable of constantly generating an accurate date and time.
 - The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection.
 2. There will be members of staff present at the Premises during the operating hours trained to provide viewable copies of CCTV images as soon as possible following a request from representatives of Northumbria Police or the Licensing Authority made in accordance with the General Data Protection Regulation and Data Protection Act 2018 (or any replacement legislation).
 3. Signs will be displayed at the Premises informing customers that a CCTV system is in operation at the premises. Such signs will be displayed so as to be readily seen and read by customers and must be a minimum of A5 in size.
 4. There will be clear and legible notices displayed at exits and other circulatory areas of the Premises requesting customers to leave the Premises quietly

having regards to the needs of local residents and in particular emphasising the need to refrain from shouting, slamming car doors and the sounding of car horns.

5. All members of staff responsible for the sale of alcohol will receive training in relation to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) including the use of a "Challenge 25 Policy" and generally on the Act before being permitted to sell alcohol at the Premises. Such training will be provided by the Designated Premises Supervisor.
6. All members of staff responsible for the sale of alcohol will receive refresher training at least once a year as to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation). Such training will be provided by the Designated Premises Supervisor.
7. All training received by staff in relation to the Licensing Act 2003 (or any replacement legislation) will be recorded, and such records kept at the Premises at all times and will be made available for inspection immediately on request from representatives of Northumbria Police or the Licensing Authority, (including Trading Standards Officers).
8. An incident report register will be maintained and kept at the Premises at all times to record any incidents at the Premises such as anti-social behaviour, refusal of admission to and ejection from the Premises.
9. The incident report register will be produced for inspection immediately on request from an authorised officer of the Licensing Authority (including Trading Standards Officers) or other Responsible Authority.
10. All members of staff responsible for the sale of alcohol at the Premises will seek credible photographic proof of age evidence from any person who appears to be under 25 years of age and who is seeking to purchase or obtain alcohol. Such credible evidence, which will include a photograph of the customer, will either be a current passport, photographic driving licence or proof of age card carrying a 'Pass' logo and hologram.
11. A Refusals Register (electronic or paper based) is to be kept at the Premises and kept up to date detailing all challenges made to customers as to their age when attempting to purchase alcohol and the reason for any refusal recorded in the Register. The Register will be made available for inspection immediately on the request of an authorised officer of the Licensing Authority (including Trading Standards officers) or other Responsible Authority.
12. At regular intervals during the hours of trading and at the end of each day of trading, the staff at the Premises will undertake a check of the area immediately to the front of the Premises and remove any discarded cigarette ends, rubbish or similar objects left by customers attending the Premises.
13. No alcohol is to be removed from the Premises at any time.
14. No emptying of bottles or other containers into bins or similar receptacles in

any external areas of the Premises will take place between 20:00 hours and 08:00 hours.

15. The telephone numbers and other contact details of taxi/private hire operators will be displayed at the Premises so that they can be easily read by customers attending the Premises.
16. The noise level from any licensable activity at the Premises and noise associated with such activity when assessed in any of the residential or business premises in High Street East or Woodbine Avenue must not exceed 35 dB LAeq during the operation of the Premises Licence measured over a 15 minute period with the windows of the business or residential premises closed.

Reasons for Decision:

Having heard the oral representations, having taken into account the written representation, and having had regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, North Tyneside Council's Statement of Licensing Policy and the licensing objective in relation to the prevention of crime which underpins the Licensing Act 2003, the Sub-committee concluded that:-

1. The concerns expressed by the residents in relation to the licensing objectives can be met through a mixture of a reduction in the hours that alcohol can be sold and the imposition of the above conditions.