

## **Licensing Sub Committee**

**Thursday, 25 June 2020**

Present: Councillors Janet Hunter, W Samuel and J Cruddas

### **LS4/20 Appointment of Chair**

**Resolved** that Councillor W Samuel be appointed as Chair for this meeting.

### **LS5/20 Declarations of Interest**

There were no Declarations of Interest reported.

### **LS6/20 Woods, 1 and 2 King Edward Court, Front Street, Tynemouth, NE30 4DZ (Tynemouth Ward)**

The Sub-committee met to consider an application for the variation of a Premises Licence in respect of Woods, 1 and 2 King Edward Court, Front Street, Tynemouth, NE30 4DZ.

The Applicant, Front St Limited, sought permission to add off sales to the existing licence.

The Premises were currently permitted to supply alcohol for consumption on the Premises by customers taking a table meal between 12.00 hours and 21.00 hours Monday to Saturday and between 12.00 hours and 19.00 hours each Sunday and Bank Holiday. The Premises were allowed to be open to the public each Monday to Friday between 08.00 hours and 21.00 hours, Saturday between 09.00 hours and 21.00 hours and each Sunday and Bank Holiday between 09.00 hours and 19.00 hours.

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

Mr J Young, Licensing Officer, presented details of the application, the representations received and the options available to the Sub-committee.

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

Mr Rice and Mr Loughland addressed the Sub-committee in relation to their representations in respect of the application and responded to questions.

Mr S Smallwood, on behalf of the applicant, addressed the Sub-committee in support of the application and responded to questions. He also provided a response to the issues raised during the meeting.

All parties were given the opportunity to sum up their particular submissions

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 to vary the Premises Licence to permit off sales in respect of Woods, 1 and 2 King Edward Court, Tynemouth be approved and in addition to the existing licence conditions the Sub-committee considers that it is appropriate to amend the following conditions and add additional conditions as set out below:

The following conditions be amended:

1. The noise level from the licensable activity inside the Premises and noise associated with such activity inside the Premises when assessed in any of the residential premises in King Edwards Court must not exceed 35 dB LAeq during the operation of the Premises Licence measured over a 15 minute period with the windows of the residential premises closed.
2. A CCTV system will be installed at the Premises and maintained in proper working order at all times and the Premises Licence Holder will ensure that:
  - i. The CCTV cameras are located at the Premises so as to provide coverage of entrances and exits, both internally and externally and areas where the consumption of alcohol takes place, including any outside area provided by the Licence Holder for the consumption of alcohol supplied at the Premises.

The remainder of this condition remains unaltered.

The new conditions that are to be added to the premises licence follow on from condition 9 and are considered appropriate and proportionate for the promotion of the licensing objectives concerned with the prevention of crime and disorder and the prevention of public nuisance and are as follows: -

10. There must be at least one member of staff based in any external seating area of the Premises provided by the Licence Holder whose responsibility is to monitor the external seating area whenever that area is open for the use of customers.
11. Any customers identified as behaving in a loud manner in any external seating area of the Premises provided by the Licence Holder will be spoken to and required to quieten down. If the behaviour does not improve then the customer will be required to leave the external seating area immediately.
12. Staff must ensure that at all times customers using any external area provided by the Licence Holder are not obstructing the public highway.
13. All customers using any external seating area of the Premises provided by the Licence Holder must sit at a table provided and remain seated.
14. Any alcohol sold for consumption off the Premises (excluding those sales made for consumption in any external seating area provided by the Licence Holder) must be in a sealed container.

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 variation of two of the conditions on the licence and the addition of additional conditions will promote the Licensing Objectives and address residents' concerns.