

## **Licensing Sub Committee**

**Tuesday, 17 August 2021**

Present: Councillors L Darke, T Mulvenna and S Phillips

### **LS7/21 Appointment of Chair**

**Resolved** that Councillor Phillips be appointed Chair for this meeting.

### **LS8/21 Declarations of Interest**

There were no Declarations of Interest or Dispensations reported.

### **LS9/21 Amaze Gourmet Spice, 6 Cauldwell Lane, Monkseaton, NE25 8LN**

The Sub-committee met to consider an application for the grant of a new Premises Licence in respect of Amaze Gourmet Spice, 6 Cauldwell Lane, Monkseaton, NE25 8LN.

The Applicant, Goldmatt Leisure Limited, sought permission to:

- Supply alcohol for consumption on the Premises each day of the week from 10:00 hours to 23:00 hours;
- Supply alcohol for consumption off the Premises each day of the week from 10:00 hours to 23:30 hours;
- Provide late night refreshment on and off the Premises each day of the week from 23:00 hours to 23:30 hours; and
- Open the Premises to the public each day of the week from 08:00 hours to 23:30 hours.

Following introductions the Chair set out the procedure which would be followed during the course of the meeting. Ms S Vert, the Licensing Officer, presented details of the application, the representations received and the options available to the Sub-committee. All parties present were given the opportunity of asking questions of the information presented by the Licensing Officer.

The Sub-committee referred to the written representations submitted in respect of the application and heard from Mrs Charlton and Mr and Mrs Watts who addressed the Sub-committee in respect of their representations in relation to the application. Councillor J Kirwin also addressed the Sub-committee on behalf of a number of residents and Councillor Shaw. All parties were given the opportunity of asking questions of the information presented.

Mr M Foster, on behalf of the applicant, addressed the Sub-committee. Both he and the representative of the applicant company responded to questions from the members of the Sub-committee, Councillor Kirwin, Mrs Charlton, Mrs Watts and the Sub-committee's legal advisor.

During the course of the hearing Mr Foster, on behalf of the applicant, offered to amend the

proposed operating hours.

All parties were then given the opportunity of summing up their respective cases and the Sub-committee withdrew from the meeting to consider its decision in private.

**Resolved** that the application for the grant of a Premises Licence in respect of Amaze Gourmet Spice, 6 Cauldwell Lane, Monkseaton be approved for the following hours

- a) Supply of alcohol for consumption on the Premises each day from 12:00 hours to 22:30 hours;
- b) Supply of alcohol for consumption off the Premises each day from 12:00 hours to 22:30 hours;
- c) Premises open to the public each day from 09:00 hours to 23:00 hours

and subject to the following conditions:

1. The Premises will operate as a restaurant/café providing food and drink There shall be no change to this operating style without prior written notice being given to the Licensing Authority which shall include details of the proposed operating style. The Licensing Authority will advise the Licence Holder within 21 days whether an application for a full or minor variation of the licence is required or if an application for a new premises licence is required and the licence holder will comply with that advice and submit an appropriate application within 21 days of receiving such advice.
2. A member of staff will be on duty each day from 17:30 hours to meet and greet customers on their entry to the Premises to direct customers to their tables.
3. Waiter/waitress service will be available throughout the hours that the Premises is open to the public.
4. A substantial food menu will be available and offered to customers each day from 12:00 hours until 21:30 hours
5. From 18:00 hours the sale of alcohol for consumption off the Premises will be restricted to customers taking away re-sealed unfinished containers of alcohol purchased with food for consumption on the Premises, all alcohol sold for consumption off the Premises will be made using sealed containers and no customer will be permitted to leave the Premises with an open container of alcohol.
6. The Licence Holder will ensure that whenever the Premises are open to the public and a licensable activity is taking place there will be a sufficient number of competent staff on duty to ensure that the terms and conditions of the licence are complied with at all times.
7. 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: -
  - a) The CCTV cameras are located at the Premises so as to provide coverage of entrance(s) and exit(s), both internally and externally and areas where the sale and consumption of alcohol takes place.

- b) The CCTV system is able to capture clear images permitting identification of individuals.
  - c) The CCTV system will be in operation whenever the Premises are open to the public.
  - d) 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.
  - e) The CCTV system is capable of constantly generating an accurate date and time.
  - f) The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection.
8. There will be at least one member 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 Data Protection Act 2018 (or any successor legislation).
9. The Licence Holder and her staff will ensure that no noise will emanate from the Premises as a consequence of a licensable activity permitted by this licence that will be audible above background level at any residential property in Cauldwell Lane, Elmwood Road, Pykerley Road or Front Street Monkseaton that gives rise to a nuisance.
10. Subject to the exemption under section 150(4) of the Licensing Act 2003 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, obtain or consume 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 or HM Forces Identity Card.