

Licensing Sub Committee

Tuesday, 16 November 2021

Present: Councillors L Darke, Janet Hunter and S Phillips

LS17/21 Appointment of Chair

Resolved that Councillor S Phillips be appointed as Chair for this meeting.

LS18/21 Declarations of Interest

There were no declarations of interest or dispensations reported.

LS19/21 Tynemouth 61, 61 Front Street, Tynemouth, NE30 4BT

The Sub-committee met to consider an application for the grant of a new Premises Licence in respect of Tynemouth 61, 61 Front Street, Tynemouth, NE30 4BT.

The Applicants, Mr S Minns and Mr N McWhirter, sought permission for the following:

- The supply of alcohol for consumption on the premises each day of the week from 10:30 hours to 20:00 hours;
- The premises to be open to the public each day of the week between the hours of 10:30 hours and 20:00 hours.

Prior to consideration of the application the Sub-committee considered whether it wished to proceed in the absence of the person who had submitted representation in relation to the application. Having been advised that objector had been notified of the date and time of the hearing and having had a copy of the papers for the hearing sent to him the Sub Committee agreed to proceed in his absence.

Following introductions the Chair outlined the procedure to be followed in the hearing.

Mrs S Vert, Licensing Officer, presented details of the application, the representation received and the options available to the Sub-committee.

Mr McWhirter addressed the Sub-committee in relation to the application. Mr Minns also addressed the Sub-committee in relation to the application. Both responded to questions from the members of the Sub-committee and the Sub-committee's legal advisor.

The applicants having been invited to sum up their application confirmed that they had nothing further to add.

The Sub-committee retired to make its decision in private.

Resolved that the application be approved subject to the following hours and the following conditions:

Hours

- Supply of Alcohol on the premises each day of the week between 10:30 hours and 19:30 hours;
- The premises to be open to the public each day of the week between 10:30 hours and 20:00 hours.

Conditions

1. 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) CCTV cameras are located at the Premises so as to provide coverage of entrances and exits to the Premises, including any smoking area provided by the licence holder.
 - b) CCTV cameras are located in any area where the sale and consumption of alcohol takes place.
 - c) The CCTV system is able to capture clear images permitting identification of individuals
 - d) The CCTV system will be in operation whenever the Premises are open to the public.
 - e) The CCTV footage must be securely retained for a minimum period of 30 days.
 - f) The CCTV system is capable of constantly generating an accurate date and time.
 - g) The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection.
2. There will be at least one member of staff present at the Premises during the operating hours who is able to fully operate the CCTV system and who can provide viewable copies of CCTV footage to representatives of Northumbria Police or authorised officers of the Licensing Authority (including Trading Standards officers) as soon as possible, but in any event no later than within 24 hours of a request for the footage being made by those Responsible Authorities in accordance with the Data Protection Act 2018 (or any successor legislation).
3. An incident log (either in written or electronic format) will be maintained and kept at the Premises at all times to record any incidents at the Premises such as crime, disorder, anti-social behaviour, or a refusal of admission on to the premises or ejection from the Premises. The incident log will retain information relating to a particular incident for a period of no less than 12 months from its date of entry into the incident log.
4. The incident log will be produced for inspection to representatives of Northumbria Police or authorised officers of the Licensing Authority (including Trading Standards officers) immediately on request.
5. 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 or any other form of identification approved by the Secretary of State.

6. 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 authorised officers of Northumbria Police or the Licensing Authority (including Trading Standards Officers).
7. 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 or external accredited trainer.
8. All members of staff responsible for the sale of alcohol will receive refresher training in relation to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) annually. Such training will be provided by the Designated Premises Supervisor or external accredited trainer.
9. 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 to representatives of Northumbria Police or authorised officers of the Licensing Authority, (including Trading Standards Officers).
10. A waiting service will be available throughout the hours that the Premises are open to the public.
11. There will be clear and legible notices displayed at the exits and other circulatory areas of the Premises requesting customers to leave the building quietly having regard 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.

Reason for the Decision:

- The Sub-committee noted that the Premises were primarily operated as a Guest House and were satisfied that the Premises were not to be operated as a public house;
- There had not been any representations received from any of the Responsible Authorities which indicated that they did not have any concerns relating to the application;
- There has been one representation from a local resident which related to the prevention of public nuisance licensing objective and no representations received

from any other local residents.