

Licensing Sub Committee

Friday, 21 January 2022

Present: Councillors Janet Hunter, T Mulvenna and S Phillips

Apologies: Councillors John Hunter

LS20/21 Appointment of Chair

Resolved that Councillor Phillips be appointed Chair for the meeting.

LS21/21 Declarations of Interest

There were no declarations of interest reported.

LS22/21 Kork Wine and Deli, 74 Whitley Road, Whitley Bay, NE26 2NE

The Sub-committee met to consider an application to vary the Premises Licence in respect of Kork Wine and Deli, 74 Whitley Road, Whitley Bay, NE26 2NE.

The Applicant, Mr S Darling-Cooper, sought permission for the following:

- The supply of alcohol for consumption off the premises each day from 09:00 hours to 23:00 hours;
- The supply of alcohol for consumption on the premises each day from 12:00 hours to 23:00 hours;
- The premises to be open to the public from 08:00 hours to 23:00 hours each day;
- Seasonal variations to increase the standard hours for the sale of alcohol and for the premises to be open to the public on Christmas Eve/Day and New Years Eve/Day; and
- To vary the layout of the premises.

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

Mr Young, Licensing Officer, presented details of the application, the representations received and the options available to the Sub-committee. He responded to a series of questions from Councillor O'Shea.

Councillor J O'Shea addressed the Sub-committee in relation to his, and a number of residents', concerns about the application. He responded to questions from members of the Sub-committee.

Mr and Mrs Darling-Cooper addressed the Sub-committee in support of the application. During the hearing Mr Darling-Cooper confirmed that he wished to amend the application to remove the seasonal variations and to change the time for the last on-sale of alcohol to 22:45 hours each day. Mr Darling -Cooper responded to questions from Councillor O'Shea and members of the Sub-committee.

All parties at the hearing were given the opportunity to sum up their respective cases and the Sub-committee then withdrew to make its decision in private.

Resolved that the application to vary the premises licence in respect of Kork Wine and Deli, 74 Whitley Road, Whitley Bay, as amended during the hearing, and set out below be approved:

- The supply of alcohol for consumption off the premises each day between 09:00 hours and 23:00 hours;
- The supply of alcohol for consumption on the premises each day between 12:00 hours and 22:45 hours;
- The premises to be open to the public each day between 08:00 hours and 23:00 hours;
- There were no changes made to the use of the outside area; and
- The plan of the premises be amended in accordance with the plan submitted with the application.

Reasons for decision

- There have been no representations submitted by any of the Responsible Authorities which indicated that they do not have any concerns that granting the variation applied for will adversely impact on the promotion of the licensing objectives.
- There is both opposition to and support for the application from the local community which indicates that the decision is finely balanced.
- The Sub-committee does not consider that the granting of the variation to the Licence will undermine prevention of crime and disorder, the public safety, the protection of children from harm and the prevention of public nuisance licensing objectives.
- The Sub-committee considers that the conditions attached to the licence will address any concerns in relation to the operation of the premises in respect of the licensing objectives.