

## **Licensing Sub-Committee**

**12 November 2018**

Present: Councillors L Darke, D McMeekan and J O'Shea.

### **LSQ26/11/18 Appointment of Chair**

**Resolved** that Councillor J O'Shea be appointed Chair for this meeting.

### **LSQ27/11/18 Declarations of Interest and Dispensations**

There were no declarations of interest or dispensations reported.

### **LSQ28/11/18 Application for the grant of a new Premises Licence in respect of The Old Smokehouse, Tanners Bank, North Shields, NE30 1JH (Tynemouth Ward)**

The Sub-committee met to consider an application for the grant of a Premises Licence in respect of the Old Smokehouse, Tanners Bank, North Shields, NE30 1JH.

The applicant, Ralbos Limited, sought permission to supply alcohol by way of on and off-sales from Sunday to Wednesday between 10:00 hours and 00:00 hours and Thursday to Saturday between 10:00 hours and 01:00 and the provision of regulated entertainment consisting of the exhibition of films, live music, performance of dance, the provision of recorded music and anything of a similar description to live music, recorded music and performance of dance (all indoors) Sunday to Wednesday between 10:00 hours and 00:00 hours and Thursday to Saturday between 10:00 hours and 01:00 hours. In addition the Applicant sought to provide late night refreshment each Sunday to Wednesday from 23:00 hours and 00:00 hours and each Thursday to Saturday between the hours of 23:00 and 01:00. It was also proposed that the premises would be open to the public from 08:00 to 00:30 hours Sunday to Wednesday and between 08:00 and 01:30 hours Thursday to Saturday. The applicant also sought to provide licensable activities between the terminal hour and the opening hour of the premises on New Year's Day.

Initially the Sub-committee had to decide whether to proceed in the absence of the people who had made representations in respect of the application. The Sub Committee had regard to the guidance set out in the Licensing Act 2003 (Hearings Regulations) 2005 and having satisfied itself that all parties had been given proper notice of the hearing the Sub-committee decided that the hearing should proceed in the absence of the objectors.

Following introductions, the Sub-committee's legal advisor set out the procedure which would be followed during the course of the hearing. The Council's Licensing Officer then presented details of the application, the representations received and the options available to the Sub-committee.

The applicant was represented at the hearing by Mr R Arnot of Ward Hadaway Solicitors.

Mr Arnot explained that the Applicant intended to provide good quality food, drink and entertainment at the premises as this was what customers now wanted. He also explained that discussions had taken place with the Police on the conditions which were proposed to be attached to the operating schedule. In addition he also addressed each of the points raised by the objectors in their written representation.

Mr Arnot responded to questions asked by Members of the Sub-committee.

Mr Arnot was given the opportunity of summing up his submission.

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 the Old Smokehouse, Tanners Bank, North Shields be approved subject to the following conditions:

1. A CCTV system shall be installed and maintained at the Premises giving coverage of all areas to which the public have access.
2. The CCTV system shall be maintained in good working order and shall record clear images in any light condition.
3. CCTV recordings shall be retained for a minimum of 28 days and shall be made available to the Police or an authorised officer of the Local Authority upon request, subject to such request being made in compliance with the General Data Protection Regulations and Data Protection Act 2018.
4. CCTV recordings must be retained in an easily downloadable format.
5. A member of staff at the Premises must be present during opening hours who can facilitate the viewing and downloading of CCTV footage if requested by either the Police or an officer of the Licensing Authority.
6. At least one CCTV camera must give coverage of the entrance to the Premises.
7. Notices shall be displayed in the Premises advising customers that a CCTV system is in operation.
8. The CCTV system shall be in operation whenever licensable activities are taking place at the Premises.
9. The Premises Licence Holder shall operate an Age Verification Scheme such as "Challenge 25".

10. The Premises Licence Holder shall display a notice advising customers of the operation of an Age Verification Scheme.
11. The only forms of identification for the purposes of the Age Verification scheme are a UK Driving Licence, a valid passport, a proof of age card bearing a PASS hologram logo, military identification card or any other identification from time to time approved by the Secretary of State.
12. The Premises Licence Holder shall ensure that each member of staff has received training in respect of their responsibilities under the Licensing Act 2003 before being permitted to sell alcohol.
13. Staff training shall be recorded.
14. Training records shall be kept and made available to the Police or an authorised officer of the Local Authority within 5 working days of receipt of the request.
15. All relevant staff shall undergo regular refresher training at least every 6 months.

#### Reasons for Decision:

Having heard the oral representations, having taken into account the written representations, 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 applicant company has a track record of operating licensed premises elsewhere in the region without any issues in relation to crime and disorder and this is an indication on how the premises will be operated should a licence be granted.
2. The applicant company has engaged with the Police in developing the proposed licence conditions which gives further reassurance that the premises will be well managed.
3. The Police, who the Sub Committee relies upon to provide advice in relation to the licensing objective concerned with the prevention of crime and disorder, have made no representation in relation to the application.
4. There have been no representations received from any of the other Responsible Authorities which would indicate that they do not have any concerns about the grant of the premises licence.