

Licensing Sub-Committee

21 September 2016

Present: Councillors D Drummond, M A Green and D McMeekan

LSQ10/09/16 Appointment of Chair

Resolved that Councillor M A Green be appointed Chair for this meeting.

LSQ11/09/16 Declarations of Interest and Dispensations

There were no Declarations of Interest or Dispensations reported.

LSQ12/09/16 Application for a Premises Licence – Booze Masters, 38 Borough Road, North Shields (Riverside Ward)

The Sub-committee met to consider an application for a Premises Licence in relation to Booze Masters, 38 Borough Road, North Shields. The applicant, Mr M Parker, sought permission to supply alcohol by way of off-sales each day of the week between 08.00 hours and 22.00 hours and for the Premises to be open to the public during those hours.

The Authority had received representations from Mr D Arnot who was not present at the hearing. Having confirmed that he had been informed of the date and time of the hearing the Sub-committee agreed to continue with the hearing and determine the application having had regard to his written representations.

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 representation received and the options available to the Sub-committee.

Mr Parker, the applicant, was present at the hearing. He explained that he would employ four people at the premises. He also explained that when he had originally discussed his application with the police it had been in relation to different premises and when these had fallen through he had gone back to the police in respect of the current premises to discuss his application. The conditions suggested by the police had not changed.

All parties were given the opportunity of summing up their respective 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 (1) the application for a Premises Licence in relation to Booze Masters, 38 Borough Road, North Shields be granted; and
(2) the following conditions be attached to the grant of the Premises Licence:-

1. A CCTV system will be designed, installed and maintained in proper working order at the Premises. Such a system shall:-

- i) Provide continuous recording for each camera to a good standard of clarity, with a minimum of four frames per second.
 - ii) Ensure coverage of all entrances and exits to the Premises both internally and externally.
 - iii) Ensure coverage of such other areas as may be required by Northumbria Police.
 - iv) Retain recordings on hard drive, disk or other storage device for a minimum period of 28 days.
 - v) Be in operation at all times the Premises are open to the public.
 - vi) Be fitted with security functions to prevent recordings being tampered with such as password protection.
2. There will be at least one person at the Premises during its operating hours who is trained to provide viewable copies of the CCTV images following a request from Northumbria Police or authorised officer of the Licensing Authority made in accordance with a Data Protection Act 1998 (or any amending or replacement legislation). The CCTV recordings will be supplied in a removable format.
 3. Signs will be displayed both internally and externally at the Premises indicating to customers that CCTV is in operation at the Premises. The signs are to be a minimum of A5 in size.
 4. All persons involved in the sale of alcohol will have adequate training in the Licensing Act 2003 (or any amending or replacement legislation). This training will be refreshed every 6 months for existing staff. Any new staff who work at the Premises must receive this training before they can sell or supply alcohol at the Premises. This training will be given by the Designated Premises Supervisor and documented and kept on file at the Premises. Such training records must be produced to a Police Officer or representative from Northumbria Police, Trading Standards Officer or an officer of the Licensing Authority upon request.
 5. All staff at the Premises who are responsible for selling and supplying alcohol will seek credible photographic proof of age evidence from any person who appears to be under the age of 25 years and who is seeking to purchase alcohol. Such credible evidence, which shall include photograph of the customer, will either be a current passport, photographic driving licence, proof of age card carrying a PASS logo and hologram or military identification card carrying a photograph and date of birth. If no such evidence is provided then the sale must be refused.
 6. A refusals register (electronic or paper based) will be maintained and kept at the Premises at all times detailing the challenges made to customers as to their age and the reason for the refusal recorded in the register. The register will be supplied for inspection by an authorised officer of the Licensing Authority, Trading Standards Officer, Police Officer or a representative from Northumbria Police upon request.
 7. No open bottles or drinks containers are to leave the Premises.

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 objectives which underpin the Licensing Act 2003, the Sub-committee concluded that:-

- a) The premises would be a small off licence which would sell alcohol, cigarettes and confectionery;
- b) The applicant has developed a good relationship with Northumbria Police;
- c) There have been no representations received from any of the Responsible Authorities, including Northumbria Police;
- d) It is appropriate to attach those conditions set out above to promote the licensing objectives concerned with the prevention of crime and disorder and public safety.