

Licensing Sub-Committee

24 January 2017

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

LSQ28/01/17 Appointment of Chair

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

LSQ29/01/17 Declarations of Interest and Dispensations

There were no Declarations of Interest or Dispensations reported.

LSQ30/01/17 Application for the Grant of a Premises Licence – Salty Sea Dog, 17 Union Quay, North Shields, NE30 1HJ (Tynemouth Ward)

The Sub-committee met to consider an application for the grant of a new Premises Licence in relation to Salty Sea Dog, 17 Union Quay, North Shields, NE30 1HJ. The applicant, Mr Leon Caush, sought the grant of a Premises Licence to supply alcohol on the Premises between 11.00 hours and 23.30 hours Monday to Saturday and 11.00 hours and 22.30 hours on a Sunday. The Premises to be open between the hours of 09.00 and 00.00, Monday to Saturday, and between 09.00 hours and 23.00 hours on a Sunday.

The Authority had received representations from the Chief Officer of Police in respect of the licensing objective of the prevention of crime and disorder.

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 Kirkpatrick explained that discussions had take place with the applicant regarding the application and a suggested set of conditions had been proposed which would address the concerns of the police in respect of the application.

Mr Caush explained that it was his intention that the Premises would cater for a more mature clientele in a relaxed environment with the sale of traditional ales from local breweries. The vast majority of those attending at the Premises will be sitting at tables to consume alcohol and light snacks

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 the application for a new Premises Licence in relation to Salty Sea Dog, 17 Union Quay, North Shields be granted subject to the following 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) The CCTV cameras are located at the Premises to provide coverage of entrances and exits, both internally and externally and areas where the 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 licensable activities are taking place at the Premises.
 - (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 31 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.
 - (g) There will be members of staff present at the Premises during the operating hours that are 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 1988 (or any replacement legislation).
2. Signs will be displayed at the Premises informing customers that a CCTV system is in operation at the Premises. Such signs will be displayed so as to be readily seen and read by customers and must be a minimum of A5 in size.
3. All members of serving staff at the Premises shall 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 a photograph of the customer, will either be a current passport, photographic driving licence, proof of age card carrying the hologram "PASS" logo or HM forces ID card.
4. All members of staff responsible for the sale of alcohol will receive training before being permitted to serve alcohol at the Premises. All members of staff responsible for the sale of alcohol will thereafter receive training at least once a year as to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) and generally on the Act. Such training will be provided by the Designated Premises Supervisor.
5. 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 be made available for inspection immediately on request from representatives of Northumbria Police or the Licensing Authority (including Trading Standards Officers).
6. A refusals register (electronic or paper) is to be kept and maintained on the Premises. This shall be supplied to a Police Officer or a representative of Northumbria Police, or a Trading Standards Officer immediately on request.
7. No open bottles or drinks containers are to leave the Premises.

8. Before the Premises opens to the public, the Senior Licensing Officer at North Tyneside Council will ensure that a Fire Risk Assessment has been undertaken that establishes a maximum safe capacity for the Premises and that the Senior Licensing Officer will have had sight of the Assessment before the Premises opens to the public.

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 Applicant has fully demonstrated that he intends to operate the Premises in an appropriate manner and fully understands the obligations that he has to promote the licensing objectives;
- b) The Police have confirmed that their concerns in relation to the licensing objective of the prevention of crime and disorder have been addressed by the addition of a number of conditions on the licence;
- c) The Police have expressed no concerns in relation to the proposed hours of operation of the premises;
- d) There have been no representations received from local residents or businesses or any of the other Responsible Authorities;
- e) A determination of the capacity of the premises is essential in ensuring that the licensing objective in relation to Public Safety will be met.