

NORTHUMBERLAND COUNTY COUNCIL

LICENSING HEARING

At a meeting of the **Licensing Sub-Committee** held in Committee Room 2, County Hall, Morpeth, Northumberland, NE61 2EF at 2:00 pm on Wednesday, 7 June 2017

PRESENT

Councillor I Hutchinson
(in the Chair)

COUNCILLORS

R Gibson
K Parry

K Nisbet (Reserve)

OFFICERS IN ATTENDANCE

L Findlay
H Gebbie
T Hardy
K Norris

Solicitor, Regulation
Senior Licensing Officer
Licensing Manager
Democratic Services Officer

ALSO IN ATTENDANCE

D Cooper
M Nicholson
A Ball
Cllr L Rickerby

Applicant
Applicant
Objector
Ward Member for South Byth

1. MEMBERSHIP AND TERMS OF REFERENCE

The membership and terms of reference of the Licensing Committee as agreed by full Council on 24 May 2017 were reported for information.

RESOLVED that the information be noted.

2. ELECTION OF CHAIR

RESOLVED that Councillor Ian Hutchinson be elected as Chair for the duration of the meeting.

Ch.'s Initials.....

3. APPLICATION FOR VARIATION OF PREMISES LICENCE IN RESPECT OF BLYTH TOWN FOOTBALL CLUB, SANDRINGHAM DRIVE, BLYTH, NE24 3PS

The purpose of the hearing was to determine the application for a variation of premises licence in respect of Blyth Town Football Club, Sandringham Drive, Blyth, NE24 3PS (the premises).

Tasmin Hardy, Licensing Manager informed the committee that the applicant had requested an adjournment in respect of a legal issue relating to the lease, namely that the outside area was public open space and not within their lease. They wished to consider the lease issues as a committee to ensure it complied with the proposals going forward. The objector disagreed that the hearing should be adjourned and said it should go ahead as scheduled.

Confirmation was provided regarding the area currently leased and clarification of where it would be extended to. After further discussion, the Solicitor stated that it was not necessary for a person to have a legal interest in the land in order to apply for a licence.

Councillor Rickerby said she could not support an adjournment when the current lease had been in place since 2015.

At that point members of the committee left the room with the solicitor to deliberate if the hearing should be adjourned. After 30 minutes the meeting reconvened and the Chair stated that the committee considered that an adjournment was not necessary for consideration of the representations. Whether or not the applicant had a lease of the land in question was not relevant as an interest in land was not required for a person to apply for a premises licence. If the applicant was ultimately not able to operate as planned because of issues between landlord and tenant, that was not a matter for the sub-committee.

The Licensing Manager summarised the report and stated that the applicant had applied for the licensable activities of:-

- The sale of alcohol

Seven representations had been received from interested parties on the grounds of:-

- Prevention of public nuisance
- Prevention of crime and disorder
- Public safety
- Protection of children from harm

The Licensing Manager explained the options in determining the application.

No objections had been received by any of the statutory consultees.

The Sub-Committee considered the Officer's report and all representations, and verbal submissions from those persons entitled to speak at the hearing.

Everyone left the room except for members of the committee and the solicitor in order for them to consider the application. The applicants, objector and Councillor Rickerby agreed to be informed of the committee's decision by letter.

RESOLVED: -

That having considered the application, the representations and presentations and the reports/appendices/background papers, the sub-committee determined that, on balance, it was appropriate to grant the licence variation. It was noted that there may be an issue with delineating the outside area to be part of the premises and, as such, it would be appropriate for the promotion of the licensing objectives to impose a condition requiring a post and rope/chain type barrier to be in place at the boundary of the outdoor area at all times the premises was in use.

CHAIRMAN

DATE