

NORTHUMBERLAND COUNTY COUNCIL

LICENSING HEARING

At a meeting of the **Licensing Sub-Committee** held in the Belsay Room, County Hall, Morpeth, Northumberland, NE61 2EF at 2:00 pm on Wednesday, 05 September 2017

PRESENT

Councillor I Hutchinson
(in the Chair)

COUNCILLORS

T Cessford
R Gibson

K Parry (Reserve)

OFFICERS IN ATTENDANCE

H Bowers
T Hardy
N Masson

Democratic Services Officer
Licensing Manager
Principal Solicitor, Regulation

ALSO IN ATTENDANCE

D Marshall
A Regan

Applicant
Objector

1. ELECTION OF CHAIR

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

2. APPLICATION FOR THE VARIATION OF PREMISES LICENCE IN RESPECT OF ZECCA LOUNGE, 47-49 HIGH STREET, AMBLE, NE65 0LE

The purpose of the hearing was to determine the application for a variation of premises licence in respect of Zecca Lounge, 47-49 High Street, Amble, NE65 0LE.

An application had been received to vary the licence to extend the sale of

alcohol for one hour until 00:00. Currently the premises was licensed to sell alcohol until 23:00.

One representation had been received from interested parties on the grounds of public nuisance. (Appendix E).

Tasmin Hardy, Licensing Manager informed members that a copy of the application (Appendix A) had been sent to all Responsible Authorities and a notice setting out details of the application had been displayed at the premises for a minimum period of 28 days. Following that an objection had been submitted from interested parties, (Appendix C) which was initially rejected as not being relevant to the licensing objectives. (Appendix D). A further objection was received from the interested parties via email (Appendix E) to which the applicant had responded. (Appendix F).

There were several options available to members within the report under section 2.

Members were advised that they could only take into account the licensing objectives in relation to protection of children from harm, public safety, public nuisance and crime and disorder and only issues previously raised in the representations.

The sub-committee considered the officer's report and all representations received along with the proposed conditions, licensing guidance and licensing policy. The applicant then spoke in support of the application. In response to comments, the applicant confirmed that he would be happy to amend the application to prevent any further customers being admitted to the premises after 11:00 pm.

Everyone left the room, except for members of the committee and the Principal Solicitor, in order for members to consider the application and obtain legal advice from the solicitor. Upon reconvening the meeting, the Chair read out the committee's decision notice to all those present:

The sub-committee have considered all of the representations before them, the Council's Licensing Policy and Home Office guidance in the determination of the application.

The sub-committee have determined to **GRANT** the application subject to the mandatory conditions and an additional condition to prevent any further customers being admitted to the premises after 11:00 pm. (Delegated authority to the Licensing Officer to finalise the wording of the condition).

Reasons:

1. No evidence that there are noise nuisance issues currently at the premises.
2. No evidence that by extending the licensable activities for one hour that this would create noise nuisance issues.

3. No evidence provided by statutory consultees of any potential problems of noise.

And because of the above the sub-committee consider that the licensing objectives to prevent public nuisance will be upheld as they are satisfied that no public nuisance will arise from granting the application.

The objector had 21 days to appeal to the Magistrate's Courts.

CHAIRMAN

DATE