

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 10:05 am on Monday, 28 January 2019

PRESENT

Councillor I Hutchinson
(in the Chair)

COUNCILLORS

T Cessford (Reserve)
B Crosby

K Parry

OFFICERS IN ATTENDANCE

M Bulman
T Hardy
L Little

Solicitor
Licensing Manager
Democratic Services Officer

ALSO IN ATTENDANCE

Joanne Dwyer
Simon Lynch
Piers Warne

Company Director
Area manager Punch Taverns
TLT Solicitors

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 A PREMISES LICENCE IN RESPECT OF THE PLOUGH 24 BONDGATE WITHOUT, ALNWICK, NE66 1PN

Tasmin Hardy, Licensing Manager introduced the report advising that the applicant had applied to vary the conditions of the current premises licence as follows:-

- to remove condition 2 from Annex 3 that “A minimum of 2 SIA registered door staff are to be employed from 21:00 until the terminal hour each Friday, Saturday and public holiday and each day preceding a public holiday”
- to also amend condition 13 under Annex 3 so it would read “The designated premises supervisor shall ensure that the rear patio on the east side of the building is not accessed and occupied by members of the public during the hours of 11 pm and 11 am the following day (except during disabled access/egress)

All parties present confirmed that they had received and read the copy of the application, licence and objection circulated with the agenda and the additional information which had been circulated prior to the commencement of the hearing. The Sub-Committee was advised by the applicants’ representative that as the additional information from the Interested Parties had only been received just before the hearing that there had not been time for the applicants to investigate some of the allegations.

The Interested Parties were not in attendance.

Piers Warne provided a verbal submission on behalf the applicants and Members asked a number of questions related to his submission.

Members of the Sub-Committee remained in the meeting to deliberate and make their decision and all others, except the legal advisor, left the room.

When all were asked to return to the meeting the Chair informed the applicants of the Sub-Committee’s decision.

The Sub-Committee in reaching its decisions had taken into account the evidence before it both written and oral; the relevant parts of the Council’s Statement of Licensing Policy; and the relevant parts of the Guidance issued by the Secretary of State.

The Sub-Committee’s reasoning and findings were outlined as follows:-

In respect of the removal of condition 2 of the premises licence, the Sub-Committee had taken into account that there had been no representations from any of the responsible bodies and there had been no evidence of any crime and disorder at the premises. The Sub-Committee therefore felt that the removal of condition 2 would not interfere with the promotion of the licencing objectives.

The Sub-Committee had taken into account the representations from Stephen and Anne Larvin in respect of the amendment of condition 13 and had taken into account that there had been no representations from any of the responsible bodies or any other interested parties regarding any issues with the amendment of the condition. The Sub-Committee felt that the imposition

of the new conditions would mitigate any potential concerns regarding the amendment of the time the terrace could be used.

In view of the amendment to condition 13, the Sub-Committee felt that it was necessary to include a further condition 1a which would state that CCTV was to be installed to monitor the rear terrace area which would comply with the requirements of condition 1.

RESOLVED that the Sub-Committee grant the application for variation of the premises licence as applied for with the removal of condition 2 from the licence, the amendment of condition 13 as sought, with 5 additional conditions to be imposed on the licence.

Conditions

The Conditions which the Committee has placed on the licence in addition are those already contained within the licence save for the removal of condition 2 and the following additional and amended conditions;

1a. CCTV to be installed to monitor the rear terrace area which will comply with the requirements of condition 1.

13. The designated premises supervisor (DPS) shall ensure that the rear patio on the east side of the building is not accessed and occupied by members of the public during the hours of 11 pm and 11 am the following day (except during disabled access/ egress).

15. A risk assessment ('the Assessment') will be undertaken in relation to any functions at the premises to be held in the function room where the function is expected to end later than 22:00 hours. The Assessment will determine, amongst other things, whether SIA registered door supervisors are deemed appropriate to promote the licensing objectives. SIA door supervisors will be employed in the numbers and for the times identified as appropriate in the Assessment. The risk assessment will be recorded in writing and submitted to the Licensing Authority and Responsible Authority.

16. The external areas shall be managed as far as practicable to ensure that customers do not behave in a manner which is likely to cause a public nuisance. For the avoidance of doubt, this condition does not seek to prevent customers engaging socially as would be expected for such premises, but requires a degree of management of customers should their behaviour become overly loud or deemed to be offensive.

17. The premises shall operate in accordance with a detailed Outside Area Management Plan ('the OAMP'). The OAMP will cover the patio to the rear of the premises and the external area to the front of the premises. The OAMP may be updated sporadically to reflect new operating procedures. The OAMP shall be submitted to the Licensing Authority and Responsible Authority.

18. A complaints log will be maintained by the DPS ('the log'). The log will be

used to record any complaints made by residents in relation to the operation of the premises. The log will record the date, time and nature of the complaint, along with the name of the person making the record and any action taken in relation to that complaint. The log will be made available upon request by the Licensing Authority and Responsible Authority.

CHAIR _____

DATE _____