

NORTHUMBERLAND COUNTY COUNCIL

LICENSING HEARING

At a meeting of the **Licensing Subcommittee** held in Committee Room 2, County Hall, Morpeth, Northumberland, NE61 2EF on Tuesday, 1 October 2019 at 10:00 am.

PRESENT

Councillor I Hutchinson
(in the Chair)

COUNCILLORS

W Pattison
G Roughead (reserve)

A Sharp

OFFICERS IN ATTENDANCE

H Bowers
M Bulman
H Gebbie

Democratic Services Officer
Solicitor, Regulation
Senior Licensing Officer

ALSO IN ATTENDANCE

J Padgett
J Wilthew

Chair, Riding Mill Village Hall Trust
Secretary, Riding Mill Village Hall
Trust
Interested Party

Mr T Steinlet

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1. ELECTION OF CHAIR FOR THE MEETING

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

2. REPORT OF THE HEAD OF HOUSING AND PUBLIC PROTECTION

Variation of a premises licence in respect of Riding Mill Village Trust, 2 Station Close, Riding Mill, Northumberland, NE44 6HE

Heather Gebbie, Senior Licensing Officer, advised that the Subcommittee had been called to determine the application by the Management Committee of Riding Mill Village Trust (the Applicant).

The Applicant had applied to vary the licensable activities of the sale of alcohol and the provision of regulated entertainment.

One representation had been received from an interested party on the grounds of prevention of crime and disorder; prevention of public nuisance; public safety and protection of children from harm.

Within the application the Management Company had also applied to vary the mandatory alcohol condition requiring a Designated Premises Supervisor (DPS) in respect of a premises licence to be disapplied.

Having considered the report, all relevant representations and verbal submissions from those persons entitled to speak at the hearing, the Subcommittee was required to make its determination in respect of the application on the conclusion of the hearing. In this particular occasion, the Subcommittee may:-

1. Grant the licence subject to conditions consistent with the operating schedule, modified to the extent to such as the Subcommittee considers appropriate for the promotion of the licensing objectives.
2. Grant the licence conditions in accordance with sections 25(A) and 41D(3) of the Licensing Act 2003
3. Exclude from the scope of the licence any of the licensable activities to which the application related.
4. Reject the application if it is not possible to promote one or more of the licensing objectives by any other means

The copy of the application was attached as Appendix A. The applicant had applied to vary the timings for the sale of alcohol from 11:00 to 23:00, Monday to Sunday and the regulated entertainment from 11:00 to 23:00, Monday to Sunday.

Janet Padgett and Judith Wilthew provided evidence on behalf of the Management Committee.

Members then asked questions of the applicant's representatives.

Representations when then heard from Mr Steinlet, followed by questions from members of the Subcommittee.

Members of the Subcommittee and the legal advisor left the room to deliberate and make a decision.

When all returned to the meeting the legal advisor and the Chair presented the Subcommittee's findings and decision as follows:

The Subcommittee has determined to:-

GRANT the application for a variation of a premises licence as applied for, save that the licensable activity in respect of recorded music will be restricted to indoors of the premises only as amended and agreed by the applicant.

The Conditions to be attached to the licence are:-

1. The mandatory conditions in respect of the supply of alcohol, save that alternative licence conditions in accordance with sections 25A(2) and 41D(3) will be applied due to the disapplication of mandatory conditions in respect of a DPS.
2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
3. The Manager of the premises or a member of the management committee of the premises shall be present on the premises 45 minutes before the terminal hour of any hire of the premises for a wedding event.

Reasons:-

1. The Subcommittee believes that the applicant has demonstrated that the licensing objectives will be promoted through their style of operation and management of the premises.

However, the Subcommittee has included the additional conditions to ensure that there is no public nuisance occurring at or from the premises in view of neighbouring residential properties.

There is a right of appeal to the Magistrates' Court against this decision which must be lodged within 21 days of the date of the written notification of the decision.

CHAIR _____

DATE _____