

NORTHUMBERLAND COUNTY COUNCIL

LICENSING HEARING

At a meeting of the **Licensing Sub-Committee** held in the Council Chamber, County Hall, Morpeth, Northumberland, NE61 2EF at 10:00 am on Thursday 07 November 2019

PRESENT

Councillor I Hutchinson
(in the Chair)

COUNCILLORS

R Gibson

K Parry

OFFICERS IN ATTENDANCE

H Bowers
M Bulman
T Hardy

Democratic Services Officer
Solicitor
Licensing Manager

ALSO IN ATTENDANCE

L Dixon
T Richardson

Democratic Services Apprentice
Regulatory Compliance Apprentice

Mr J M Vincent

Applicant

S Cochrane

Licensing Coordinator, Northumbria
Police

H Hebb
PC D Robson

Solicitor, Northumbria Police
Northumbria Police

1. ELECTION OF CHAIR FOR THE MEETING

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

Ch.'s Initials.....

2. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:-

(a) that under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the Agenda as they involved the likely discussion of exempt information as defined in Part 1 of the Schedule 12(A) of the 1972 Act, and
(b) that the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:-

Agenda Item 3, Paragraph 1 of Part 1 of Schedule 12A

"information relating to any individual."

PART II

3. REPORTS OF THE HEAD OF HOUSING AND PUBLIC PROTECTION

(1) Application for the variation of a premises licence in respect of Highfield Stores, 4 Ayton House, North Road, Berwick upon Tweed, TD15 1PR (the Premises)

Tasmin Hardy, Licensing Manager, advised that a request had been received from the applicant for an adjournment as they were in the process of selling the premises which was due to complete in December.

Some discussion ensued and a short adjournment took place whilst Members considered the applicant's request. Members of the Subcommittee remained in the meeting and all others, except the Legal Adviser left the meeting.

On returning to the meeting the Chair advised that the Subcommittee would proceed with the hearings for the variation of a premises licence and the review of the premises licence.

Tasmin Hardy, Licensing Manager reported that the application was before the Subcommittee to determine the application for the variation of a premises licence in respect of Highfield Stores. A copy of the application was attached to the report.

An objection had been received from Northumbria Police in relation to the change of Designated Premises Supervisor

The options in determining the application were as listed in the report..

Representatives from Northumbria Police then gave a verbal submission in support of their objection. Members then asked questions of the objector.

The applicant then gave a verbal submission in support of his application. Members then asked questions of the applicant.

Members of the Subcommittee remained in the meeting to deliberate and make their decision and all others, except the Legal Adviser, left the room.

The Subcommittee considered all written and verbal representations before them and determined to **REFUSE** the application for the variation of a premises licence to vary the Designated Premises Supervisor.

Reasons:

The Subcommittee believed that the appointment of the proposed DPS would undermine the licensing objective of the prevention of crime and disorder.

If the applicant is aggrieved by the decision of the Subcommittee they may appeal to the Magistrate's Court within the period of 21 days beginning with the day on which they receive formal written notification of the decision.

(2) Review of a premises licence from Northumbria Police with regards to Highfield Stores, 4 Ayton House, North Road, Berwick upon Tweed, TD15 1PR (the Premises)

Tasmin Hardy, Licensing Manager introduced the report and advised the Subcommittee that an application for the review of a premises licence had been received by Northumbria Police in relation to the prevention of crime and disorder.

The Subcommittee received the written report of the Licensing Manager and heard evidence from Hayley Hebb, Solicitor and PC Darren Robson on behalf of the Applicant.

Representations were then heard from the premises licence holder.

Members of the Subcommittee remained in the meeting to deliberate and make their decision and all others, except the Legal Adviser, left the room.

The Subcommittee considered all the written and verbal representations before them and determined to **REVOKE** the premises licence.

Reasons:

The Subcommittee gave full reasons for their determination and determined that it was necessary to revoke the premises licence as the Subcommittee had no confidence that the licensing objective in respect of the prevention of crime and disorder could be maintained by the applicant in respect of the premises.

The Subcommittee considered alternative options available to them in respect of the review and did not feel that in the circumstances anything other than revocation of the licence was appropriate.

If the applicant is aggrieved by the decision of the Subcommittee they may appeal to the Magistrate's Court within the period of 21 days beginning with the day on which they receive formal written notification of the decision.

CHAIR _____

DATE _____