

NORTHUMBERLAND COUNTY COUNCIL

LICENSING HEARING

At the meeting of the **Licensing Hearing** held at Coroner's Court - County Hall on Friday, 6 May 2022 at 10:00 am.

PRESENT

Jl Hutchinson (Chair) (in the Chair)

MEMBERS

C Humphrey
A Wallace (Reserve)

K Parry

OFFICERS

J Blenkinsopp
H Bowers
H Gebbie

Solicitor
Democratic Services Officer
Senior Licensing Officer

ALSO IN ATTENDANCE

J Richardson
S Smith
K Woodrow

Applicant
Applicant's Legal Representative
Ponteland Town Council

1 ELECTION OF CHAIR FOR THE MEETING

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

2 REPORTS OF THE HEAD OF HOUSING AND PUBLIC PROTECTION

Application for a premises licence in respect of The Old Police Station, 20 Bell Villas, Ponteland, NE20 9BE

The Chair outlined the rules of the hearing and procedure to be followed at the meeting.

Heather Gebbie, Senior Licensing Officer advised all of the application for a premises licence in respect of The Old Police Station, 20 Bell Villas, Ponteland, NE20 9BE for the supply of alcohol on and off the premises.

Two representations had been received, one from an interested party and one from a Responsible Authority on the grounds of public nuisance. The

Ch.'s Initials.....

Responsible Authority had made a written representation, but this was withdrawn following agreement of additional conditions.

The options for the determination of the application were listed within the report.

An application had been received from Mrs Sarah Smith of Sintons Solicitors on behalf of Skewjack71 Limited, for a premises licence for The Old Police Station, 20 Bell Villas, Ponteland, NE20 9BE.

The applicant had applied for the licensable activity on and off the premises for:-

Supply of alcohol Monday - Sunday 10:00 – 00:00

And for the licensable activities indoors only for:-

Regulated entertainment Monday - Sunday 08:00 – 00:00

Late night refreshment Monday - Sunday 23:00 – 00:30

A newly amended operating schedule had been submitted to the Subcommittee members and the Town Council prior to the hearing. All parties had confirmed that this had been received.

The Subcommittee received the written report of the Senior Licensing Officer and heard evidence from Sarah Smith on behalf of the Applicant, Jim Richardson (Director of Skewjack 71 Limited) the Applicant and Councillor Katrina Woodrow on behalf of Ponteland Town Council.

The Subcommittee took into account the Licensing Act National Guidance and the Council's own Licensing Policy and determined to **GRANT** a licence for the following:-

Supply of Alcohol (on sales and off-sales)

Monday to Sunday – 10:00 – 00:00

Extended from finish time on New Year's Eve to start time on New Year's Day
Extended for an addition hour on Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day and the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.

Late Night Refreshment (indoor only)

Monday to Sunday – 23:00 – 00:30

Extended from finish time on New Year's Eve to start time on New Year's Day
Extended for an addition hour on Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day and the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.

Offering of recorded Music and Films/DVD/video (indoor only)

Monday to Sunday – 08:00 – 00:00

Extended from finish time on New Year's Eve to start time on New Year's Day
Extended for an addition hour on Maundy Thursday, Christmas Eve, Christmas Day, Boxing Day and the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend

The Conditions to be attached to the licence are:-

Ch.'s Initials.....

The Mandatory conditions; and
Additional conditions at Operating Schedule (attached to minutes).

Reasons for the Determination:-

The Subcommittee has considered the representations from all parties both written and oral. The Subcommittee has taken into account and given significant weight to the fact that the Responsible Authority has withdrawn their objection given that the public nuisance issue has been mitigated with agreed conditions. The concerns of Ponteland Town Council are essentially limited to noise as to other matters are not linked to one of the four licensing objectives. The Subcommittee believes that the conditions attached to the premises licence sufficiently deals with the issues raised by the Ponteland Town Council in respect of the licensing objectives.

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.

Operating Schedule

1. The operator shall ensure that at all times when the premises are open for any licensable activity there is sufficient trained, competent staff on duty at the premises for the purposes of fulfilling the requirements of the Licensing Act 2003 and for promoting the licensing objectives.

2. The operator and designated premises supervisor shall conduct a risk assessment for the general operation of the premises and in the case of individual bespoke events. This risk assessment shall be documented and available for inspection by members of the Licensing Authority and /or Northumbria Police upon request and shall take into account the level of staffing, including whether SIA registered door staff should be employed during peak times or bespoke events.

3. A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of the Licensing Authority and in consultation with Northumbria Police. Such a system shall:-

- i) be operated by properly trained staff,
- ii) be in operation at all times that the premises are being used for a licensable activity
- iii) ensure coverage of all entrances and exits to the licensed premises internally and externally;
- iv) ensure coverage of such other areas as may be required by the Licensing Authority and Northumbria Police;
- v) provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained by the method required by Northumbria Police for a period of 28 days and shall be supplied to the Licensing Authority or Police Officer on request.

4. There shall be "CCTV in operation" signs prominently displayed at the premises.

Ch.'s Initials.....

5. The maximum number of persons permitted on the premises at any one time shall not exceed a figure prescribed by the risk assessment carried out by the Premises Licence Holder in accordance with the fire safety legislation.
6. The Designated Premises Supervisor shall ensure that there are effective management arrangements in place to enable him/her to know how many people there are in the premises at times prescribed within the risk assessment.
7. Noise from the licensed premises, including noise from patrons, amplified music and live music shall not be audible at the nearest noise sensitive property to the premises so as to cause statutory nuisance to nearby residents.
10. An operating policy shall be implemented in respect of the outside terraces to include, staffing, monitoring and general management of the area on a daily basis.
11. Customers will not be permitted to consume food or drink in any external area at the premises after 23.00hrs.
12. All members of staff authorized to sell alcohol at the premises shall undergo adequate training in the Licensing Act 2003. Records of training shall be kept and maintained and made available on request to Trading Standards, Licensing Authority or Northumbria Police. Refresher training shall occur on a regular basis.
13. A refusal register and incident log (electronic or paper based) is to be kept and maintained on the premises. This shall be kept at the premises for at least 6 months and made available to an authorized Officer of the Police or the Licensing Authority on request.
14. Subject to the exemption within section 150(4) of the Licensing Act 2003, all members of staff at the premises shall seek credible photographic proof of age from any person who appears to be under the age of 25 years and who is seeking to purchase alcohol on the premises. Such credible evidence shall include a photograph of the customer which will either be a passport, photographic driving licence or proof of age card carrying a PASS logo.
15. A full noise assessment encompassing all noise sources shall be undertaken by a suitably qualified person and a comprehensive noise management plan shall be submitted to be agreed by Northumberland Council, Environmental Health Team.

This shall cover both the internal and external use of the premises and shall set suitable levels and restrictions to effectively manage noise from the premises. Regulated entertainment shall not be held at the premises and the external areas shall not be used until this plan has been approved.
16. No external speakers will be installed at the premises.
17. Deliveries, collections and operational servicing shall not be carried out between the hours of 7pm and 7am except where access at other times is unavoidable and specific procedures are in place to limit disturbance.

Ch.'s Initials.....

18. Windows, doors and fire escapes shall remain closed within the premises unless a noise management plan to control potential noise escape from this source is approved in writing by Northumberland Council, Environmental Health Team. The premises shall be capable of being operated at all times of year without doors or windows being opened for ventilation. Air handling and air conditioning plant and systems must be designed and located so that noise emitted does not breach the limits set in the noise assessment and management plan.

19. The licensee shall ensure that maintenance of building plant and machinery is undertaken to minimise noise.

20. No glass bottles or other waste materials shall be deposited outside the premises between the hours of 7pm and 7am.

21. Clear and legible notices must be displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents; in particular emphasising the need to refrain from shouting, slamming car doors and the sounding of car horns.

22. Internal and external lighting provided for the purpose of customer and staff safety and for the security of the premises must be so positioned to not cause nuisance to neighbouring or adjoining properties.

23. Lighting associated with activities of entertainment must be positioned so as not to cause nuisance to neighbouring or adjoining properties

24. Lighting provided externally to promote advertising of the premises or activities associated with the premises must be of an intensity such as not to cause nuisance to neighbouring or adjoining properties.

CHAIR.....

DATE.....

Ch.'s Initials.....