

Licensing Sub-Committee

15 November 2017

Present: Councillors D Drummond, L Darke and L Spillard

LSQ13/11/17 Appointment of Chair

Resolved that Councillor D Drummond be appointed Chair for this meeting.

LSQ14/11/17 Declarations of Interest and Dispensations

There were no Declarations of Interest or Dispensations reported.

LSQ15/11/17 Application for the Grant of a New Premises Licence – Rene’s, 22 Front Street, Tynemouth, NE30 4DX (Tynemouth Ward)

The Sub-committee met to consider an application for the grant of a new Premises Licence in relation to Rene’s, 22 Front Street, Tynemouth, NE30 4DX. The applicant, Karen Greener, sought permission to supply alcohol, both on and off the premises, each day of the week between 09.00 hours and 23.00 hours and to remain open to the public each day between 09.00 hours and 23.00 hours.

The Authority had received representations from the Chief Officer of Police which requested that additional conditions be added to the licence and the hours of operation be amended to permit the supply of alcohol both on and off the premises every day between the hours of 11.00 and 21.30 hours and for the premises to be open to the public between the hours of 09.00 and 22.00 hours.

Following introductions, the Sub-committee’s legal advisor set out the procedure which would be followed during the course of the hearing. The Council’s Licensing Officer then presented details of the application, the representation received and the options available to the Sub-committee.

Mr Kirkpatrick, on behalf of the Chief Officer of Police, explained that initially the police had concerns about the application due to it being within the Tynemouth Cumulative Impact Area. Following a discussion with the applicant the police had suggested an amendment to the hours of operation and the imposition of a number of conditions which if implemented would address their concerns.

Miss Greener, the applicant, explained that the premises currently operated as a vintage tea room and that some of her customers wanted a glass of wine or Prosecco with their food. She explained that the premises catered for a more mature clientele who wanted to be able to enjoy a drink in a quiet atmosphere. Miss Greener confirmed that she agreed to the suggested hours and conditions put forward by the police and confirmed that the premises would continue to be a food led business.

All parties were given the opportunity of summing up their respective submissions.

The Sub-committee withdrew from the meeting to make its decision in private. The Sub-committee returned and the Chair announced its decision.

Resolved that the application for a new Premises Licence in relation to Rene's, 22 Front Street, Tynemouth, NE30 4DX be granted subject to the following conditions:

1. A digital CCTV system will be installed at the Premises and maintained in proper working order at all times, and the Premises Licence Holder will ensure that:
 - The CCTV cameras are located at the Premises so as to provide coverage of entrances and exits, both internally and externally, and areas where the consumption of alcohol takes place.
 - The CCTV system is able to capture clear images permitting identification of individuals.
 - The CCTV system will be in operation whenever licensable activities are taking place at the Premises.
 - The CCTV system is able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 30 days.
 - The CCTV system is capable of constantly generating an accurate date and time.
 - The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection.
 - There will be members of staff present at the Premises during the operating hours trained to provide viewable copies of CCTV images as soon as possible following a request from representatives of Northumbria Police or the Licensing Authority (including Trading Standards officers) made in accordance with the Data Protection Act 1988 (or any replacement legislation).
2. Signs will be displayed at the Premises informing customers that a CCTV system is in operation at the Premises. Such signs will be displayed so as to be readily seen and read by customers and must be a minimum of A5 in size.
3. All members of staff serving alcohol at the Premises shall seek credible photographic proof of age evidence from any person who appears to be under the age of 25 years and who is seeking to purchase alcohol. Such credible evidence, which shall include a photograph of the customer, will either be a current passport, photographic driving licence or Proof of Age Standards Scheme card (PASS) containing the appropriate PASS hologram or HM Forces Identification Card.

4. All members of staff responsible for the sale of alcohol will receive training in relation to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) and generally on the Act before being permitted to sell alcohol at the Premises. Such training will be provided by the Designated Premises Supervisor.
5. All members of staff responsible for the sale of alcohol at the Premises will receive refresher training at least once a year as to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) and generally on the Act. Such training will be provided by the Designated Premises Supervisor.
6. All training received by staff in relation to the Licensing Act 2003 (or any replacement legislation) will be recorded, and such records kept at the Premises at all times and be made available for inspection immediately on request from representatives of Northumbria Police or the Licensing Authority (including Trading Standards officers).
7. A refusals register (electronic or paper based) is to be kept and maintained on the Premises at all times and be made available for inspection immediately on request from representatives of Northumbria Police, or the Licensing Authority (including Trading Standards officers).
8. The outside seating area to the front of the Premises will not be used by customers attending the Premises, or any other person, for the consumption of alcohol after 21.00 hours.
9. Alcohol can only be supplied to customers taking table meals at the Premises.

Reasons for Decision:

Having heard the oral representations, having taken into account the written representations, and having had regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, North Tyneside Council's Statement of Licensing Policy and the licensing objectives which underpin the Licensing Act 2003, the Sub-committee concluded that:-

- a) The Premises will be a Vintage Tea Room which caters for a more mature clientele and provides alcohol to accompany food therefore it will be food led rather than alcohol led. The applicant has operated the premises for a number of years and there is no evidence that the premises will not be well managed;
- b) There have been no representations received from any of the other Responsible Authorities, members of the public, local businesses or the local Residents' Association in relation to the licensing objectives;
- c) The concerns of the Police have been addressed by an amendment to the operating hours and the imposition of a number of conditions;
- d) It is appropriate to attach those conditions set out above to promote the licensing objectives concerned with the prevention of crime and disorder, public nuisance and the protection of children from harm.