REPORT OF EXECUTIVE DIRECTOR OF COMMERCIAL DEVELOPMENT

LICENSING SUB-COMMITTEE – 4 NOVEMBER 2015

LICENSING ACT 2003 – CONSIDERATION OF APPLICATION TO VARY A PREMISES LICENCE

CROSS KEYS, SPOUT LANE, WASHINGTON, NE38 7AB

WEAR INNS LTD

1.0 PURPOSE OF REPORT

1.1 To consider an application to vary the premises licence of the abovementioned premises (copy attached at Appendix 1).

2.0 DESCRIPTION OF DECISION

- 2.1 The Sub Committee is requested to have regard to the representations detailed in paragraph 4.0 below and to take such steps as they consider appropriate for the promotion of the licensing objectives. The steps may be:
 - a) to grant the variation application,
 - b) to modify the conditions of the licence, or
 - c) to reject the whole or part of the application.

3.0 INTRODUCTION/BACKGROUND

- 3.1 Relevant representations have been received in relation to the application and these are detailed at section 4.0.
- 3.2 A copy of the application form is attached as Appendix 1. The variation sought is to allow the provision of regulated entertainment and the supply of alcohol to take place during the additional hours of 23:00 hours to 00:00 Friday and Saturdays and 22:30 hours to 23:00 on Sundays, and to allow the provision of late night refreshment to take place during the additional hours of 23:30 hours to 00:30 on Fridays and Saturdays.

4.0 CURRENT POSITION

- 4.1 Two written representations have been received. Copies of the representations are attached as Appendix 2.
- 4.2 Representations have also been received by way of a letter and a petition, signed by nineteen people. Copy attached as Appendix 3.

5.0 REASONS FOR THE DECISION

5.1 To determine the application as requested by section 18(3) of the Licensing Act 2003.

6.0 ALTERNATIVE OPTIONS

6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS/CONSULTATIONS

7.1 There are no other considerations that require the attention of the Sub-Committee.

8.0 GLOSSARY

8.1 No acronyms or abbreviations have been used in this report.

9.0 LIST OF APPENDICES

Appendix 1 Application Form.

Appendix 2 Relevant Representation.

Appendix 3 – Relevant Representation in way of a Letter and petition.

10.0 BACKGROUND PAPERS

None.

Appendix 1

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We WEAR INNS LIMITED
(Insert name(s) of applicant)
being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing

Act 2003 for the premises described in Part 1 below

Premises licence number		
OOCMPREM00102		

Part 1 - Premises Details

Postal addres CROSS KEY SPOUT LAN		nce survey map referenc	ce or description	
Post town	WASHINGTON		Postcode	NE38 7AB
Telephone ni	umber at premises (if any)	0191 415 4679		
Non-domesti	c rateable value of premises	£37,750.00		

Part 2 – Applicant details

Daytime contact telephone number		WEAR INNS LIMITED		
E-mail addre	ess (optional)	-		
Current postal address if different from premises address		THE OLD BREWERY CASTLE EDEN		
Post town	HARTLEPOOL		Postcode	TS27 4SU

Fart 5 - Variation		
Please tick as appropriate		
Do you want the proposed variation to have effect as soon as possible?	⊠Yes	☐ No
If not, from what date do you want the variation to take effect?	DD MM	YYYY
Do you want the proposed variation to have effect in relation to the introd (Please see guidance note 1) \square Yes \square No	uction of the late	night levy?
Please describe briefly the nature of the proposed variation (Please see	e guidance note 2))
To allow the provision of regulated entertainment and the supduring the additional hours of 23.00 hrs to 00.00 hrs on Fridays to 23.00 hrs on Sundays and to allow the provision of late nig during the additional hours of 23.30 hrs to 00.30 hrs on Fridays at the suppured of the suppured	and Saturdays ght refreshment	and 22.30 hrs
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:	N/A	

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Prov	ision of regulated entertainment	Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	\boxtimes
f)	recorded music (if ticking yes, fill in box F)	\boxtimes
g) ·	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	\boxtimes
Prov	ision of late night refreshment (if ticking yes, fill in box I)	\boxtimes
Supp	ly of alcohol (if ticking yes, fill in box J)	\boxtimes
In all	cases complete boxes K, L and M	

	ard days and		Will the performance of a play take place indoors or both – please tick (please read guidance note 3)	Indoors	
7)	8			Outdoors	
Day	Start	Finish	* *	Both	
Mon			Please give further details here (please read guidance	note 4)	
Tue					
Wed			State any seasonal variations for performing plays (prote 5)	olease read guida	ance
Thur					
Fri			Non standard timings. Where you intend to use the performance of plays at different times to those liste the left, please list (please read guidance note 6)		
Sat					
Sun					

(please	rd days and read guida		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
7)				Outdoors	
Day	Start	Finish	9 9	Both	
Mon			Please give further details here (please read guidance	note 4)	
Tue					
Wed			State any seasonal variations for the exhibition of fill guidance note 5)	ms (please read	
Thur			*		
Fri			Non standard timings. Where you intend to use the exhibition of films at different times to those listed in left, please list (please read guidance note 6)		
Sat					
Sun					

Standa	er sporting ard days and e read guida	d timings	Please give fulther details (please read guidance note 4)
Day	Start	Finish	2.9
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

enterta	or wrestli ninments rd days and		Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	read guida		(,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 4)	
Tue					
Wed			State any seasonal variations for boxing or wrestling (please read guidance note 5)	g entertainment	
Thur					×
Fri			Non standard timings. Where you intend to use the or wrestling entertainment at different times to those column on the left, please list (please read guidance no	e listed in the	xing
Sat					
Sun					

Live music Standard days and timings (please read guidance note			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
7)				Outdoors	
Day	Start	Finish	a .	Both	
Mon	09.00	23.00	Please give further details here (please read guidance	e note 4)	
Tue	09.00	23.00			
Wed	09.00	23.00	State any seasonal variations for the performance of read guidance note 5)	of live music (pl	ease
Thur	09.00	23.00	∞		
Fri	09.00	24.00	Non standard timings. Where you intend to use the performance of live music at different times to those on the left, please list (please read guidance note 6)		
Sat	09.00	24.00	As existing		
Sun	09.00	23.00			
Sun	09.00	23.00			

Recorded music Standard days and timings (please read guidance note		d timings	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
7)			,	Outdoors	
Day	Start	Finish	9	Both	
Mon	09.00	23.00	Please give further details here (please read guidance	e note 4)	
Tue	09.00	23.00			
Wed	09.00	23.00	State any seasonal variations for the playing of rec read guidance note 5)	orded music (p	lease
Thur	09.00	23.00			
Fri	09.00	24.00	Non standard timings. Where you intend to use the playing of recorded music at different times to those on the left, please list (please read guidance note 6)		
Sat	09.00	24.00	As existing		
Sun	09.00	23.00			

Performances of dance Standard days and timings (please read guidance note		d timings	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
7)				Outdoors	
Day	Start	Finish	9	Both	
Mon	09.00	23.00	Please give further details here (please read guidance	note 4)	
Tue	09.00	23.00			
Wed	09.00	23.00	State any seasonal variations for the performance of guidance note 5)	f dance (please	read
Thur .	09.00	23.00		*	
Fri	09.00	24.00	Non standard timings. Where you intend to use the performance of dance at different times to those list the left, please list (please read guidance note 6)		
Sat	09.00	24.00	As existing		
Sun	09.00	23.00			

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)		at falling (g) d timings	Please give a description of the type of entertainment y	ou will be prov	riding
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	\boxtimes
Mon	09.00	23.00	outdoors or both – please tick (please read guidance note 3)	Outdoors	
				Both	
Tue	09.00	23.00	Please give further details here (please read guidance	note 4)	
Wed	09.00	23.00	,		
Thur	09.00	23.00	State any seasonal variations for entertainment of a to that falling within (e), (f) or (g) (please read guidar		ption
Fri	09.00	24.00			
Sat	09.00	24.00	Non standard timings. Where you intend to use the entertainment of a similar description to that falling at different times to those listed in the column on the (please read guidance note 6)	within (e), (f)	or (g)
Sun	09.00	23.00	As existing		

Late night refreshment Standard days and timings (please read guidance note 7)		Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
		(presserved gardenee note by	Outdoors	
Start	Finish		Both	
23.00	23.30	Please give further details here (please read guidance	e note 4)	
23.00	23.30			
23.00	23.30	State any seasonal variations for the provision of la (please read guidance note 5)	te night refres	nment
23.00	23.30	,		
23.00	00.30	provision of late night refreshment at different time	es, to those liste	
23.00	00.30	As existing	,	
23.00	23.30			
	Start 23.00 23.00 23.00 23.00	Start Finish	Start Finish	Please give further details here (please read guidance note 4) Please give further details here (please read guidance note 4)

Supply of alcohol Standard days and timings (please read guidance note		d timings	Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
7)	read guid	ance note		Off the premises	
Day	Start	Finish	*	Both	
Mon	09.00	23.00	State any seasonal variations for the supply of alcohologuidance note 5)	ol (please read	
Tue	09.00	23.00			
Wed	09.00	23.00			
Thur	09.00	23.00	Non-standard timings. Where you intend to use the supply of alcohol at different times to those listed in the left, please list (please read guidance note 6)	premises for th	<u>the</u>
Fri	09.00	24.00	As existing		
Sat	09.00	24.00			
Sun	09.00	23.00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matter the use of the premises that may give rise to concern in respect of children (please read guida	
None	

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to the Standa	s premises public ard days an e read guid	d timings			
Day	Start	Finish	1		
Mon	09.00	23.30	- -		
Tue	09.00	23.30	-		
Wed	09.00	23.30			
Thur	09.00	23.30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)		
Fri	09.00	00.30	As existing		
Sat	09.00	00.30	-		
Sun	09.00	23.30	-		
Please conseq None	identify the	ose conditi	ions currently imposed on the licence which you believe could be removed as a d variation you are seeking.		
	have enclo	osed the pro	Please tick as appropriate		

I have enclosed the relevant part of the premises licence

easons why I have not enclosed th	ne premises licence or re	elevant part of pre	emises licence.	

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:
a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)
None – the existing conditions are adequate
b) The prevention of crime and disorder
None – the existing conditions are adequate
c) Public safety
None – the existing conditions are adequate
d) The prevention of public nuisance
None – the existing conditions are adequate
e) The protection of children from harm
None – the existing conditions are adequate

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Checklist:

	Please tick to indicate agre	eement
0	I have made or enclosed payment of the fee; or	\boxtimes
	I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.	
0	I have sent copies of this application and the plan to responsible authorities and others where applicable.	\boxtimes
0	I understand that I must now advertise my application.	\boxtimes
0	I have enclosed the premises licence or relevant part of it or explanation.	\boxtimes
0	I understand that if I do not comply with the above requirements my application will be	\boxtimes

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Appendix 2

27/09/2015

To: The Licensing Authority, Sunderland Council. Jack Crawford House. \$R2 8QR Dear Sir/Madam,

I live, with my husband, at one of the nearest residential houses to the Cross Keys public house. I **strongly** oppose their application to extend their licensing hours on a Friday, Saturday and Sunday.

The noise from people who gather outside the public house to smoke and drink, both at the front and at the back (beer garden) is already a disturbance to the lives of we that live in the village.

When the public house is busy, as it will be when it offers late night drinking, taxis park all the way along the street, and leave their engines running. Our bedroom is at the front of the house and this, plus people banging their own car doors when they go home, is a major issue with us. Groups of people waiting for pre-booked taxis are also often noisy.

The outside areas (especially the rear beer garden area) are acoustically positioned so that the laughter and noise from patrons of the public house can be heard right across the centre of the village.

In recent months, with the expansion of facilities such as coffee shops and restaurants, the day time hours in the village have seen a big increase in litter, smoking outside premises, traffic noise and people noise. In many ways, being able to go to bed and think that sleep is possible, is a treat and I would hate to think this is under threat. I believe that resident's quality of life and own needs should be put before commercial interests, and I sincerely hope that this will be robustly debated.

Regards

27 September 2015

Dear Sir or Madam,

I write to protest strongly about the application by the Cross Keys Public House (Washington Village) to extend it's licensing hours on a weekend. I live in the village, with my spouse, a short distance from the Cross Keys. The increase in commercial interests in the village over the last two years with coffee shops, restaurants etc has put huge pressure on those who live in the village. We have to weave our way through traffic and cars parked in illegal places to even reach our own houses. And then sometimes, can not park near our own house. There has been an increase in litter, and in noise pollution.

On a weekend, we have a row of taxis near our house waiting for Cross Key's customers, who leave their engines running as they wait. We have noise from customers who leave late and who have their own cars parked outside, we have noise and litter from customers who take their drinks outside to access smoking areas. To extend this is an insult to those that live here.

Washington Village is first and foremost a residential area. The Council have supported commercial interests for long enough and now need to recognise the impact that this is having on residents. To extend the licensing hours of an already popular public house is going to do nothing to support the residents and their needs. This impacts of family life and peace of mind. We all deserve peace and quiet at the end of our working days and, particularly, on a weekend.

Sincerely yours,

Appendix 3

On behalf of residents in Spout Lane

The Licensing Section Jack Crawford House Sunderland City Council Commercial Road Sunderland SR2 8QR

27th September 2015

Dear Sir/madam

Re: Objection to the proposed extension of licensing hours by the Cross Keys, Washington Village.

On behalf of the residents who have signed this letter I should like to raise objections to the extension of weekend licensing hours to 00.00am on Fridays and Saturdays and to 23.30pm on Sundays.

Before detailing specific reasons for our objections I should like to bring to the attention of the licensing committee some background information about the demographics of our town's drinking culture and why we are opposing this extension.

Washington town – with a population of over 67,000 - does not have a traditional town centre hosting an array of licensed venues in close proximity for evening drinking and entertainment. There is only one venue, Oasis, inside the Galleries. Instead, many people meet up to drink at three main 'hotspots' elsewhere in our town hosting clusters of public houses and restaurants. These are:

- Concord, our former town centre, which has a series of public houses along one street in the heart of the shopping area for which you have already granted very late licences. These are not in a residential area, however
- Riverside, which is in much less densely inhabited area with few local, adjacent homes and where licensed establishments look onto the river and impact little on local residents
- Washington Village, which is at the heart of Washington with a high concentration of residential properties.

Washington Village currently has four public houses, a licensed club, two licensed restaurants and two takeaway outlets in very close proximity.

Of the four public houses in the Village, the Cross Keys is possibly the most iconic, situated at a key crossroads within the Washington village conservation area opposite Holy Trinity Church, the Cenotaph and the historic smithy, currently operating as a restaurant. The pub's ornate traditional frontage is indeed recognized by virtually all the town's residents and its outdoor seating space overlooking the gardens of The Green has proved popular since permission was granted for outdoor drinking. It further benefits from an additional larger permanent outdoor seating area to the rear of its premises. Consequently, in terms of surface area, the Cross Keys is able to accommodate a substantial number of customers seeking to consume food and alcohol. (See surface area on Appendix 1)

The Cross Keys is also fortunate to have a taxi rank immediately in front of its premises on the public highway directly opposite the residential properties of numbers 2 to 10 Spout Lane, 15m away. At peak times taxis queuing for fares line up further along the road subject to residential parking and also on the opposite side of the road in front on numbers 12 to 24 Spout Lane.

There is already a degree of noise and disturbance by patrons leaving the Cross Keys on weekend evenings, particularly at key dates on the calendar, on major sporting events or by people attending group celebrations. Residents living nearby have tolerated this through gritted teeth. But, in fairness, we have enjoyed the support of the proprietors of the Cross Keys in the town's annual remembrance services at the Cenotaph immediately opposite through its patriotic displays. Equally, the Cross Keys gained recognition for the village through its support of the Village in Bloom initiative as a consequence of its stunning floral basket displays that adorn its frontage, achieving Silver Gilt. The pub frontage is also frequently decorated to show support for major sporting events, Halloween and the Washington Village Christmas Festival. At one point the proprietors also showed their support for our local heritage by displaying a large heritage plaque detailing the story of a 7-year old boy chimney sweep who suffocated up a chimney in 1872 in nearby Washington Hall and whose body was laid out in the Cross Keys.

This level of community spirit has not gone unnoticed and, indeed has been valued by local residents, but it is with some dismay that we have been notified of the application by the proprietors to extend the weekend licensing hours to what we feel is a totally inappropriate late hour given the pub's central position in a traditional and established residential area and the already existing noise level. (See Appendix 2)

Our specific objections to the extension of licensing hours are as follows:

 By extending the licensing hours you are clearly encouraging late-night drinking that brings with it additional and later noise and nuisance when patrons leave either on foot or by taxi. Many of our homes front directly onto the street without gardens to help alleviate and distance us from passing noise. We have all heard, witnessed or been woken up late in the evening by shouting, singing, banging on doors, domestic disputes the occasional brawl or just very loud conversations that already disrupt sleep and which can be unpleasant at times, if not intimidating for some elderly people. Obviously, it cannot all be attributed to patrons of the Cross Keys, but as the largest public house, it must be accountable for a significant proportion of the noise and nuisance.

- 2) As previously pointed out, there are four public houses in the village, three within a 300m crawl. By allowing one of these public houses to open late, you are clearly signalling your intention to allow the other two to follow suit. This is a precedent that we residents feel is unacceptable, especially after many local residents fiercely objected to the nearby Black Bush's application for a later licence which you supported, totally ignoring their concerns and resulting in increased late night noise by revellers returning home using a shortcut via the lane to the rear of our homes in Spout Lane. Your decision will not only encourage late-night drinking by existing patrons, but will add to the volume of late-night drinkers who move on from nearby public houses both within walking and taxi distance that close earlier, further exacerbating noise and nuisance levels. Furthermore, by permitting other nearby public houses within the village to open late you will then undoubtedly increase noise level and extend disturbance to residents of additional areas of Washington Village that will include Musgrave Terrace, Hill Rise and the 50 unit Whiteladies Close retirement complex.
- 3) Given that the Cross Keys has seating areas both to the front and rear, catering for people who smoke, and drinkers who would rather be outside, especially on warm evenings, we expect that the resultant noise will increase. The seating area to the rear is in a relatively confined space that exacerbates and funnels noise levels which, unknown to patrons, can be heard from quite a distance, including inside local residents' homes. Already, on warm summer evenings nearby residents are forced to close bedroom windows in an effort to eliminate sound when trying to sleep.
- 4) We are also concerned that this application is a prelude to resuming late-night musical entertainment – something which, although enjoyed by patrons of the Cross Keys, was not appreciated by local residents who could hear the music in their homes and bedrooms that front the Cross Keys. The layout is such, that within the confines of the buildings around The Green, noise echoes disproportionately, increased when doors into the building are open.
- 5) There is an assumption that the weekend is a time of relaxation and that the residents of the Village do not go to work on Saturdays and Sundays and so

don't need to rise early and are able to sleep late to compensate for late-night noise and anti-social behaviour. That is most certainly NOT the case. Many of us work on Saturdays and Sundays, and certainly Mondays. So, why should our working lives – and even the lives of retired people - be disturbed by the proprietors' desire to extend profit: proprietors who do not even live in our village?

6) For several years many residents of Washington Village have suffered from the effects of anti-social behaviour caused by alcohol consumed to excess. Official crime statistics (See Appendix 3) centred around the Cross Keys postcode, NE38 7AB, clearly demonstrate this. We doubt that your decision to extend licensing until midnight, with an additional half hour or more for patrons to leave – passing our homes, will reduce the already high level of noise, antisocial behavior and crime; most likely the opposite.

Our government has for some time encouraged a local community empowerment agenda, enabling communities to have a greater voice in the running of their neighbourhoods and decisions that affect it. Our objection to this extended licence is one clear example of a community coming together to voice their concerns.

We, the residents of Spout Lane hope the committee – of which we believe only one member on it represents the interests of our ward - will respect our concerns and take the above six points into account before making a decision that will clearly impact on us in future weekends.

Yours sincerely

(on behalf of the following residents)

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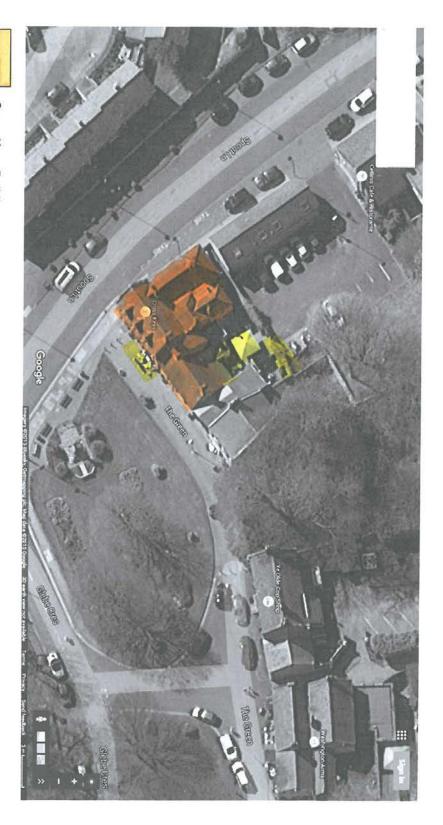
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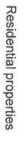


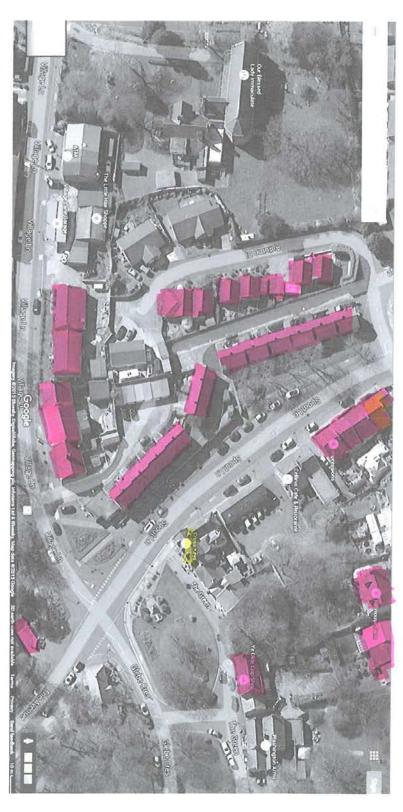
Cross Keys Building premises.

Cross Keys outdoor seating.











official police recorded crime reports. The following crime statistics for the postcode area NE387AB (Newcastle Upon Tyne) are based on

Police Service: Northumbria Police

Total crime	Other crime	Antisocial behaviour	Robbery	Burglary	Violent crime	Vehicle/car crime	Criminal activity
4.2	17.	22.1	O	0.04	0.52	0.2	NE387AB*
2.4876	0.7553	1.0531	0.0297	0.1976	0.2989	0.153	National*
agerake M 4669-	oStrake A 96801-	agerane am %69	adetane 98 %001	average	-74% Wi	-31% Wo	Local crime rate
-69% Worse than average	-128% Worse than average	-63% Worse than average	100% Better than average	80% Better than average	-74% Worse than average	-31% Worse than average	

*Figures refer to the number of criminal offences recorded per 1000 population, as recorded by government statistics from November 2010 onwards.

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United Kingdom,

Useful resources

- Police UK

postcode areas. a criminal offence, and local crime maps for Northern ireland, including details how to report Crime and policing in England, Wales and

Gov.uk Crime Statistics

crime, racist incidents, crime detection and crime Crime statistics from Gov.uk, including hate sessenioud agains

justice agencies, police forces and the general Stats related to crime and justice collected from UK National Statistics

» Data, Police

Wales and Northern Ireland, including street Open data for policing and crime in England. level crime for local areas.

Latest figures from the Crime Survey for England Office for National Statistics

More information about crime statistics in the samples in the year ending June 2013. Crime Statistics on Wikipedia and Wales, based on nationally representative

