

# **REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES**

## **LICENSING COMMITTEE – 26 MARCH 2012**

### **LICENSING ACT 2003 – DECISIONS OF LICENSING SUB-COMMITTEE HEARINGS HELD IN FEBRUARY 2012**

#### **1.0 PURPOSE OF REPORT**

- 1.1 To advise the Committee of the outcomes of Licensing Sub-Committee hearings held in February 2012.

#### **2.0 DESCRIPTION OF DECISION**

- 2.1 The Committee is requested to note the contents of the report.

#### **3.0 INTRODUCTION/BACKGROUND**

- 3.1 Under the Licensing Act 2003, Sunderland City Council has responsibility for licensing the sale of alcohol, regulated entertainment and late night refreshment within its area. This encompasses the determination, grant, administration and enforcement of premises licences, club premises certificates, personal licences and temporary event notices.
- 3.2 In February 2012 Licensing Sub-Committees considered an application for a variation of a premises licence and an application to review a premises licence.

#### **4.0 CURRENT POSITION**

- 4.1 On 15 February 2012, a Licensing Sub-Committee consisting of Councillors P Gibson, D Bell and R Bell considered an application to review the premises licence of The Glass Spider, Green Terrace, Sunderland. Northumbria Police applied for the review on the grounds of the prevention of crime and disorder and the protection of children from harm, following numerous crimes and serious incidents taking place at the premises over an extended period of time.
- 4.2 The licensee did not attend the hearing but submitted a lengthy e-mail detailing his representations and asking that the matter proceed in his absence.
- 4.3 After reading the representations from the licensee and hearing representations from Northumbria Police, including viewing CCTV footage of incidents of violence at the premises, the decision of the Sub-Committee was as follows:

- The opening hours of the premises be reduced from:

Sunday to Friday            10:00 a.m. to 5:30 am  
Saturday                      10.00 a.m. to 6:30 am

to

Sunday to Thursday        10:00 a.m. to 2:00 a.m.  
Friday and Saturday       10:00 a.m. to 3:00 a.m.

- The hours that licensable activities are permitted to take place at the premises be reduced from:

Sunday to Friday            10:00 a.m. to 5:00 am  
Saturday                      10.00 a.m. to 6:00 am

to

Sunday to Thursday        10:00 a.m. to 1:30 a.m.  
Friday and Saturday       10:00 a.m. to 2:30 a.m.

- The licensee be removed as the Designated Premises Supervisor of the premises.
- An upgraded CCTV to be installed at the premises which covers all areas of the premises (both internally and externally). The system must meet the current minimum Home Office standards. The system must be approved by the Police and written confirmation must be provided by the Northumbria Police to the Licensing Authority before the premises can reopen to the public.
- All door staff must be provided by a company registered with the Security Industry Authority (or current equivalent) and which has obtained the Security Industry Authority's approved contractor status.
- When door supervisors are employed at the premises a minimum of two headcam systems must be in use by door supervisors at all times. One of these headcams must be used by a door supervisor who is working on the main entrance to the premises with the other being used by a door supervisor within the premises. The system must meet the current minimum Home Office standards and must be retained for a minimum period of 14 days and be made available to officers from Northumbria Police and authorised officers from the local authority upon request.
- All drinking vessels at the premises must be plastic/polycarbonate drinkware and any drinks purchased in glass bottles must be decanted before being handed to the customer.

- The Designated Premises Supervisor or suitable management representative must attend all City Centre Pubwatch meetings.
  - Two incident reporting systems must be in place at the premises. One system is for incidents which take place at the entrance to the premises and shall be kept at the main entrance to the premises. The other system is for incidents that have occurred inside the premises and shall be kept at the bar. All incidents are to be fully recorded and the incident logs are to be kept for a minimum of one calendar year and shall be made available to available to officers from Northumbria Police and authorised officers from the local authority upon request.
  - All members of staff 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 or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, Police or Armed Forces ID card, Proof of Age card carrying a "PASS" logo, or any other Government approved identification card or such evidence which the licensing authority have approved as credible. All staff dealing with the public either behind the bar or as door supervisors are to be trained with regard to this policy and this training to be refreshed at least every six months and all training is to be documented and the training records are to be retained for a minimum of one calendar year and shall be made available to available to officers from Northumbria Police and authorised officers from the local authority upon request.
- 4.4 On 29 February 2012, a Licensing Sub-Committee consisting of Councillors D Richardson, D Smith and G Thompson considered an application for the variation of a premises licence in respect of Monkwearmouth Service Station, North Bridge Street, Sunderland. The application was to vary the licence to allow the sale of alcohol to take place from the premises 24 hours a day, seven days a week.
- 4.5 No representations were submitted by a responsible authority. However, six representations were submitted by interested parties and these interested parties were represented by Councillor S Bonallie at the hearing.
- 4.6 In summary, the interested parties were concerned about the proximity of the premises to residential areas, including two hostels and the new Centre Point building which caters for young homeless people, and the possible effects on these vulnerable people as well as other residents in the area.

4.7 The applicant advised that he would be operating a payment hatch system between the hours of 21:00 and 07:00 (rather than between the hours of 22:00 and 08:00 outlined in his application). He advised that, as customers could not enter the shop, staff would be confident in their ability to refuse a sale should the potential customer either appear to be drunk or engaging in anti-social behaviour.

4.8 The Sub-Committee therefore decided to grant the application in its amended format.

## **5.0 REASONS FOR THE DECISION**

5.1 To advise the Committee of the outcomes of Licensing Sub-Committee hearings held in February 2012.

## **6.0 ALTERNATIVE OPTIONS**

6.1 None.

## **7.0 RELEVANT CONSIDERATIONS**

7.1 None.

## **8.0 GLOSSARY**

8.1 None.

## **9.0 LIST OF APPENDICIES**

9.1 None.

## **10.0 BACKGROUND PAPERS**

10.1 None.