

REPORT OF THE DIRECTOR OF NEIGHBOURHOODS

LICENSING SUB-COMMITTEE – 9 JANUARY 2020

LICENSING ACT 2003 – CONSIDERATION OF AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE

ST HILDA’S PARISH CENTRE, BEAUMONT STREET,
SUNDERLAND SR5 2JR

THE CREATIVE SEED CIC

1.0 PURPOSE OF REPORT

- 1.1 To consider an application to grant a premises licence in respect of the above-mentioned premises.

2.0 DESCRIPTION OF DECISION

- 2.1 When determining the application the Sub-Committee is requested to have regard to the representations referred to 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 application subject to the operating schedule modified to such extent as the (Sub-)Committee considers necessary for the promotion of the licensing objectives, and subject to the relevant mandatory conditions;
 - b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) to refuse to specify a person in the licence as the premises supervisor;
 - d) to reject the application.

3.0 INTRODUCTION/BACKGROUND

- 3.1 Relevant representations have been received in relation to the application which is detailed at section 4.0.
- 3.2 A copy of the application form is attached as Appendix 1. The proposed licensable activities are detailed as follows:

Licensable Activity	Proposed Hours
Sale by retail of alcohol	Every Day 12:00 to 22:30 (On sales only)

Performance of Plays	Every Day 09:00 to 22:30
Provision of Films	Every Day 09:00 to 22:30
Performance of Live Music	Every Day 09:00 to 22:30
Playing of Recorded Music	Every Day 09:00 to 22:30
Performance of Dance	Every Day 09:00 to 22:30
Performances of entertainment which is similar to a performance of live music, recorded music or dance	Every Day 09:00 to 22:30

4.0 CURRENT POSITION

- 4.1 A written representation has been received from two persons, who are local residents, a copy of the representation is attached as Appendix 2. Photographs attached to the representation will be made available on the date of the hearing.
- 4.2 The applicant has been informed of the representations and has been invited to attend the hearing.
- 4.4 Following discussions with Northumbria Police, the applicant has agreed to commence the sale of alcohol from 12:00 instead of 09:00 the time stated on the application form.

Taking account of the above, along with the other information contained within the applicant's operating schedule, the Police have no objections to the grant of a licence.

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 – Representations from other persons.

10.0 BACKGROUND PAPERS

10.1 None.

Appendix 1

00EMPREM01320

2/21

Application for a premises licence to be granted
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 The Creative Seed CIC
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description	
St. Hilda's Parish Centre Sunderland SR5 2LS SR5 2JR	
Post town	Sunderland
Postcode	SR5 2JR SR5 2LS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)

- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

M r	<input type="checkbox"/>	Mr s	<input type="checkbox"/>	Mi ss	<input type="checkbox"/>	M s	<input type="checkbox"/>	Other Title (for example, Rev)	
Surname					First names				
Date of birth over					I am 18 years old or <input type="checkbox"/> Please tick yes				
Nationality									
Current residential address if different from premises address									
Post town					Postcode				
Daytime contact telephone number									
E-mail address (optional)									
Where applicable (if demonstrating a right to work via the Home Office online)									

right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)

SECOND INDIVIDUAL APPLICANT (if applicable)

M r	<input type="checkbox"/>	Mr s	<input type="checkbox"/>	Mi ss	<input type="checkbox"/>	M s	<input type="checkbox"/>	Other Title (for example, Rev)	
Surname					First names				
Date of birth over					I am 18 years old or <input type="checkbox"/> Please tick yes				
Nationality									
Current postal address if different from premises address									
Post town							Postcode		
Daytime contact telephone number									
E-mail address (optional)									
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)									

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	The Creative Seed CIC
Address	South Tyneside College St. Georges Avenue South Shields England NE34 6ET
Registered number (where applicable)	06857368

Description of applicant (for example, partnership, company, unincorporated association etc.)
COMMUNITY INTEREST COMPANY
Telephone number (if any) 07725267478
E-mail address (optional) creativeseed100@gmail.com

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY

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If you wish the licence to be valid only for a limited period, when do you want it to end? DD MM YYYY

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Please give a general description of the premises (please read guidance note 1)

REFURBISHED CHURCH HALL TO BE USED AS AN ACTS CENTRE.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- Provision of regulated entertainment (please read guidance note 2) 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)
 - f) recorded music (if ticking yes, fill in box F)
 - 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)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M



A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	22.30	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	9.00	22.30			
Wed	9.00	22.30	State any seasonal variations for performing plays (please read guidance note 5)		
Thur	9.00	22.30			
Fri	9.00	22.30	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	9.00	22.30			
Sun	9.00	22.30			

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	22.30	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	9.00	22.30			
Wed	9.00	22.30	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	9.00	22.30			
Fri	9.00	22.30	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	9.00	22.30			
Sun	9.00	22.30			

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	22.30	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	9.00	22.30			
Wed	9.00	22.30	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	9.00	22.30			
Fri	9.00	22.30	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	9.00	22.30			
Sun	9.00	22.30			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	22.30	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	9.00	22.30			
Wed	9.00	22.30	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	9.00	22.30			
Fri	9.00	22.30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	9.00	22.30			
Sun	9.00	22.30			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	22.30	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	9.00	22.30			
Wed	9.00	22.30	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	9.00	22.30			
Fri	9.00	22.30	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	9.00	22.30			
Sun	9.00	22.30			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing <p style="text-align: center; font-size: 1.2em;">KARADKE</p>		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	9am	10:30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	9:00	10:30pm	Please give further details here (please read guidance note 4)		
Wed	9-00	10:30pm			
Thur	9-00	10:30pm	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	9:00	10:30pm			
Sat	9:00	10:30pm	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	9:00	10:30pm			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	9.00	22.30	State any seasonal variations for the supply of alcohol (please read guidance note 5) Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Tue	9.00	22.30			
Wed	9.00	22.30			
Thur	9.00	22.30			
Fri	9.00	22.30			
Sat	9.00	22.30			
Sun	9.00	22.30			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

N	
D	
A	
	00
Postcode	1
Personal licenc	
Issuing licensin	

K

Please highlight any adult entertainment or services, activities, other

entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			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)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

M Describe the steps you intend to take to promote the four licensing objectives:

a) **General** – all four licensing objectives (b, c, d and e) (please read guidance note 10)

[Empty box]

b) The prevention of crime and disorder

CCTV cameras installed with coverage of Entrances/Exits. Footage supplied to Police/Council on request.
No alcohol to be taken off the Premises
Door staff when needed

c) Public safety

Comply with all Statutory fire controls
Comply with all food Safety regulations
legal standard measures of alcohol will be served at all times.

d) The prevention of public nuisance

Place notices at Entrance/Exit to remind customers to leave quietly
Not empty bins between 10pm & 7am

e) The protection of children from harm

Children are only allowed on the Premises between 9am & 9pm.
Challenge 21 Scheme

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
-


- I understand that I must now advertise my application. ✓
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15).
Signature	
Date	23/7/19
Capacity	COMPANY SECRETARY

Southwick Conditions

There will be no change to this operating style without proper written notice to Northumbria Police, which shall include details of the operating style proposed.

A CCTV system must be designed, installed and maintained in proper working order, to the satisfaction of the licensing authority and Northumbria Police. Such a system must;

- Ensure coverage of all entrances and exits to the licensed premises both internally and externally
- Ensure coverage of such areas as may be required by the licensing authority and Northumbria Police.
- Provide continuous recording for each camera to a good standard of clarity. Such recording must be retained for a minimum of 28 days.
- Be in operation at all times the premises are in use.
- A manager/DPS or responsible person at the premise will be trained in the operation of the CCTV system and be able to download images onto disc or otherwise and shall be supplied to a Police officer or a representative of Northumbria Police or a local authority licensing officer 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 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 full driving licence, or proof of age card carrying the hologram 'PASS' logo or HM Forces ID card

All staff training record/s shall be maintained and kept at the premises. All staff shall receive training in their responsibility under the Licensing Act 2003 before being permitted to sell alcohol at the premises, all members of staff, paid or unpaid shall receive this training. Staff will receive refresher training on their responsibilities at least once every 6 months. Training records will be available on request to a police officer or a representative of Northumbria Police or a local authority licensing officer immediately upon request.

A Refusals/incident Register will be maintained by staff (and door staff if present) and kept at the Premises. Any refusals shall be documented and kept on file for inspection by the Local Authority, Trading Standards Officer or Police Officers or a representative from Northumbria Police immediately upon request

Age related parties of any persons under the age of 21 years will not be held on the premises

No person shall be admitted or leave the premises whilst in the possession of any drinking vessel or open bottle/can.

The PLH/DPS and management will carry out their own risk assessment in determining if SIA door supervisors are required. The DPS should keep a record of their decision. The DPS shall ensure that on each day that Door Supervisors are engaged for duty the premises, their details (names and licence numbers) are recorded in an appropriate book kept at the premises. The PLH/DPS shall also take into account the level and type of staffing to be employed at the Premises and whether it is felt necessary that the Designated Premises Supervisor should be in attendance at the premises;

The PLH/DPS must ensure that at all times when the premises are open for any licensable activity there are sufficient, competent staff on duty at the premises for purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder

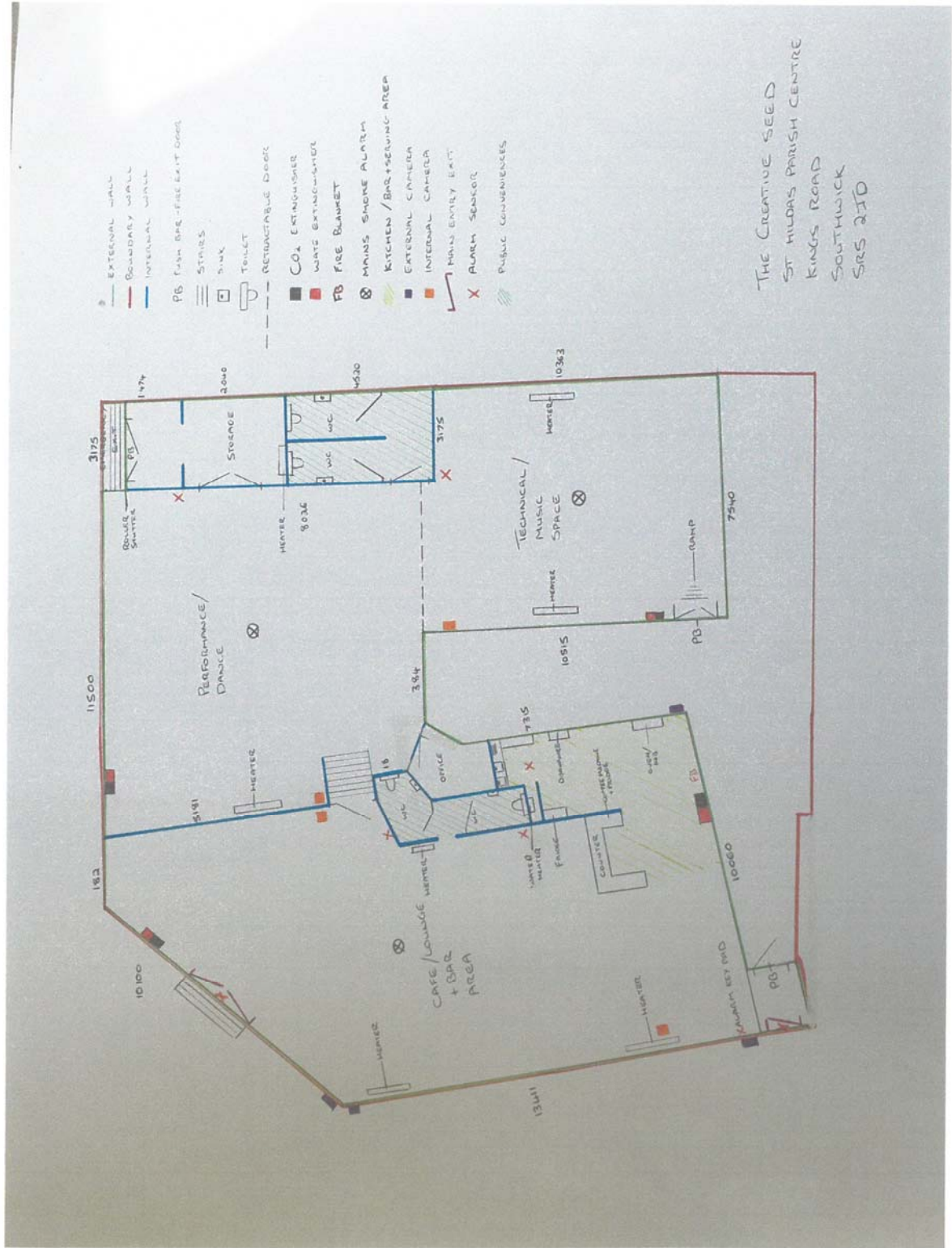
A duty manager will be on site until the visiting public have left the building

Persons under 18 years unaccompanied by an adult will not be admitted to or remain on the premises after 21:00 unless attending a private function/event

Notices shall be prominently displayed at all exits requesting patrons to leave quietly.

10/9/2019

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<https://mail.google.com/mail/u/0/?tab=rm#inbox/FMfcgwxDrCpWFKSmzSiCBbnCvVlGbd?projector=1&messagePartId=0.1>

Appendix 2

RE NOTICE OF APPLICATION FOR A PREMISES LICENCE

THE CREATIVE SEED CIC

ST HILDA PARISH CENTRE

28 November 2019-11-28

Dear Dave Breeze

We live directly opposite these premises. We strongly object to the proposal. When this building was used to sell alcohol in the past it was only open on a weekend and the main reason people attended was it held a pub quiz. We already have a pub on the corner of the street and at least eight shops nearby that sell alcohol. The streets in this area are always covered in take away rubbish, after people have been drinking, as well as empty beer cans, wine and spirit bottles. We do not need more alcohol in the area.

The parking in this area is already a big problem. Nearby streets have parking permits and yellow lines. This part of Kings Rd as no restrictions, therefore it is always busy and at times, especially match days, we have to park streets away instead of being able to park at our own front door. I have enclosed photographs taken on 26 November 2019 of Kings Rd and Beaumont Street highlighting the problem. The staff from the dental practice and surrounding shops all park in the street , which adds to the congestion.

The building is not suitable for the use of this application. There are no onsite parking facilities. There is inadequate sound proofing. When the parish closed the building it was stripped back to a brick shell, it has high vaulted ceilings and single glazing therefore very poor soundproofing. The external doors open straight onto the street so there will be more noise whenever anyone opens the door.

There are already several cafes in the area so there is already plenty of facilities for food and beverages.

We have two grandchildren ages 2 years and 1 year. They often have sleepovers. There is no way we could let them stay at our home with noise which, will most certainly arise, coming from that

building. The grandchildren have a loving stable relationship with us and we do not want to see that jeopardised in any way.

We know Southwick has a bit of a reputation, but apart from the litter problem it is a nice quiet residential area. Gentoo have built some nice houses and the area is improving all the time. We do not wish to undo the good work of the local people who are doing their best to improve the area. If this proposal goes through it will have a detrimental effect on the area.

We hope you will consider our objections and make the right decision for the families and elderly people who live here.