

LICENSING COMMITTEE

AGENDA

Meeting to be held in the Civic Centre (Committee Room No.6) on Monday 24th June, 2013 at 2.00 p.m.

ITEM	PAGE
1. Receipt of Declarations of Interest (if any)	
2. Apologies for Absence	
3. Minutes of the last meeting of the Committee held on 26 th November, 2012 (copy herewith).	1
4. Licensing Act 2003 – Decisions of Licensing Sub-Committee Hearings Held in April, May and June, 2013	3

ELAINE WAUGH,
Head of Law and Governance.

Civic Centre,
SUNDERLAND.
14th June, 2013

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At a meeting of the LICENSING COMMITTEE held in the CIVIC CENTRE on MONDAY, 26TH NOVEMBER, 2012 at 2.00 p.m.

Present:-

Councillor MacKnight in the Chair

Councillors Bell, Emerson, Errington, P. Gibson, D. Richardson, D. Smith, Thompson, Waller and Wilson

Declarations of Interest

There were no declarations of interest.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Farthing and Mordey.

Minutes of the Last Meeting of the Committee held on 1st October, 2012

1. RESOLVED that the minutes of the last meeting of the Committee held on 1st October, 2012 be confirmed and signed as a correct record.

Licensing Developments – Early Morning Restriction Orders and Late Night Levies

The Head of Street Scene submitted a report (copy circulated) which briefed the Committee on the implications of new licensing legislation embodied in the Police and Social Responsibility Act 2011 (namely the introduction of Early Morning Restriction Orders and Late Night Levies) which came into effect on the 31st October 2012.

(For copy report – see original minutes)

Tom Terrett, Trading Standards and Licensing Manager, presented the report drawing members attention to the key issues arising from the Act and addressing questions from Members thereon.

Consideration having been given to the report it was:-

2. RESOLVED that the contents of the report be received and noted.

Licensing Act 2003 and Gambling Act 2005 – Regulatory Activity Six Monthly Report April/September 2012

The Head of Street Scene submitted a report (copy circulated) which informed Members of the regulatory activity undertaken by Council Officers and the Licensing Sub Committee in relation to the above Acts during the period April to September 2012.

(For copy report – see original minutes)

Tom Terrett, Trading Standards and Licensing Manager, having presented the report the report it was :-

3. RESOLVED that the report be received and noted.

(Signed) D. MACKNIGHT,
Chairman.

REPORT OF THE DEPUTY CHIEF EXECUTIVE

LICENSING COMMITTEE – 20 JUNE 2013

LICENSING ACT 2003 – DECISIONS OF LICENSING SUB-COMMITTEE HEARINGS HELD IN APRIL, MAY AND JUNE 2013

1.0 PURPOSE OF REPORT

- 1.1 To advise the Committee of the outcomes of Licensing Sub-Committee hearings held in April, May and June 2013.

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 April 2013 a Licensing Sub-Committee considered an application for a new premises licence.
- 3.3 In May 2013 a Licensing Sub-Committee considered an application to review a premises licence.
- 3.4 In June 2013 a Licensing Sub-Committee considered an application to transfer a premises licence.

4.0 CURRENT POSITION

- 4.1 On 22 April 2013, a Licensing Sub-Committee consisting of Councillors P Gibson, D. Richardson and A. Emerson considered an application for the grant of a premises licence in respect of Londis, 2 The Green, Southwick, Sunderland. Representations had been received from two local residents objecting to the granting of this licence on the grounds that there were already enough premises selling alcohol in the area. Neither objector attended the hearing.
- 4.2 After hearing representations from the licensee, the decision of the Sub-Committee was to grant the application.
- 4.3 On 2 May 2013, a Licensing Sub-Committee consisting of Councillors D. MacKnight, D. Richardson and R. Bell considered an application to

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review of the premises licence in respect of Bhangu Store, 19 Johnson Terrace, Sulgrave, Washington. Northumbria Police applied for the review on the grounds of prevention of crime and disorder and the protection of children from harm due to under age sales taking place at the premises.

- 4.5 After hearing representations from both the licensee and Northumbria Police, the Sub-Committee decided to add conditions partaking to CCTV and the prevention of under age sales to the licence.
- 4.6 On 5 June 2013, a Licensing Sub-Committee consisting of Councillors P. Gibson, S. Bonallie and R. Bell considered an application for the transfer of a premises licence in respect of Rye and Dry, 19 Ryhope Street South, Sunderland.
- 4.7 Objections to the application were received from Northumbria Police, on the grounds of the prevention of crime and disorder as the premises licence had previously been revoked following a review of the licence (for the Committee's information, this matter is currently subject to an appeal which is due to be heard at Sunderland Magistrates Court) and they had reason to believe that the applicant was connected to the current licence holder and that this application was an attempt to circumvent the decision of a previous Licensing Sub-Committee to revoke the premises licence .
- 4.8 After hearing representations from both the licensee and Northumbria Police, the decision of the Sub-Committee was that the application to transfer the premises licence be allowed and that the Council will not contest the appeal which is due to be heard in the Magistrates Court subject to the applicant asking the Court to attach conditions to the licence relating to CCTV systems, staff training, and age verification.

5.0 REASONS FOR THE DECISION

- 5.1 To advise the Committee of the outcomes of Licensing Sub-Committee hearings held in April, May and June 2013.

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.