

TITLE OF REPORT: **Application for the variation of a Premises Licence:**
The Metropole, 262 High Street, Gateshead, NE8 1AQ

REPORT OF: **Strategic Director, Communities and Environment:**
Licensing Officer

1. **PURPOSE OF THE REPORT**

The Sub-Committee is asked to consider the application from Amber Taverns Ltd to vary the premises licence for The Metropole, 262 High Street, Gateshead, NE8 1AQ.

2. **BACKGROUND**

The Application

The application submitted by Amber Taverns Ltd ('Applicant') to vary the premises licence for The Metropole, 262 High Street, Gateshead, NE8 1AQ is attached at Appendix 1.

The variation application that was submitted sought to extend the commencement hour for the sale of alcohol and provision of regulated entertainment from 09:00 hours, to extend the terminal hour on Friday and Saturday until 01:00 hours and to allow for non standard timings.

In discussion with Northumbria Police (who subsequently withdrew their objection) the Applicant agreed to the following:

- Withdraw the extension to the terminal hour for the sale of alcohol and provision of regulated entertainment on Fridays and Saturdays to 01:00 hours. The terminal hour for licensable activities is to therefore remain as 00:00 hours (midnight)
- Withdraw the non standard timings with the exception of New Years Eve.
- Retain the conditions in annex 2 of the premises licence and only add the following conditions from the operating schedule of the variation application (with some modifications);
 - i. The designated premises supervisor or other responsible person appointed by the designated premises supervisor shall take part in local Pubwatch meetings as and when they are operating. Full engagement including explanation of what the scheme requires as well as the frequency of such meetings shall be done by the local Neighbourhood Policing Team with the designated premises supervisor or other responsible person prior to any such scheme taking place

ii. During the absence of DPS a designated duty manager will be on site during key trading hours.

iii. Regular toilet checks will be implemented and the results recorded.

iv. An incident book shall be kept at the premises which is utilised and maintained at all times. This book will be available to the Police or local authority on request.

The application now only seeks to extend the commencement hour for the sale of alcohol and provision of regulated entertainment from 09:00 hours every day including New Years Eve.

Licence history

A premises licence has been held for this site since 4 September 2005.

The Applicant became the premises licence holder on 8 October 2014 after submitting a transfer application having immediate effect along with an application to vary licence to nominate a new designated premises supervisor.

Later that month the Applicant submitted an application to vary the premises licence. That application sought to:

- alter the structure of the premises reflecting in a new layout plan
- to alter the conditions and replace the operating schedule to be consistent with that of the company
- to extend the commencement hour for the sale of alcohol and regulated entertainment each day from 09:00 hours and to extend the terminal hour for the same Sunday to Thursday until 00:00 and Fridays and Saturdays until 01:00 and to allow for non standard timings.

Following discussions with Northumbria Police the Applicant agreed a number of conditions as well as that all licensable activities are to take place between 10:00 hours and 00:00 hours each day. It was also agreed that seasonal timing apart from the New Years Eve exemption were to be removed.

On 28 February 2017 the Applicant submitted an application to vary the premises licence to nominate Tracy Mooney as the new designated premises supervisor.

A copy of the Premises Licence is attached at Appendix 1.1.

The times the Premises Licence authorises the carrying out of licensable activities are:

For the supply of alcohol:

Monday to Sunday	10:00 – 00:00 hours (midnight)
New Years Eve	10:00 hours to the start of permitted hours on New Years Day

For the provision of regulated entertainment:

Monday to Sunday	10:00 – 00:00 hours (midnight)
New Years Eve	10:00 hours to the start of permitted hours on New Years Day

For the provision of late night refreshment:

Sunday to Thursday	23:00 – 23:30 hours
Friday and Saturday	23:00 – 00:30 hours
Bank Holiday Sunday & Monday	23:00 – 00:30 hours
Christmas Eve & Boxing Day	23:00 – 00:30 hours
New Years Eve	23:00 – 05:00 hours on New Years Day

3. REPRESENTATIONS

The following representations were received:

- Public Health (Appendix 2)
- Gateshead Council's Licensing Authority (Appendix 2.1)
- Interested parties: Councillor Keith Wood and Councillor Angela Douglas (Appendix 2.2)

4. PARTIES

The Parties to the hearing will be:

- a) A representative from Amber Taverns Ltd
- b) Joy Evans, Public Health
- c) Peter Wright, Licensing Authority
- d) Councillor Keith Wood
- e) Councillor Angela Douglas

5. FOR CONSIDERATION

The areas for consideration by the Sub-Committee are:

- The variation application
- The representations; and
- Whether or not the variation application should be granted.

6. THE POLICY & GUIDANCE

When carrying out its functions the Sub-Committee must have regard to:

- (a) the Statement of Gateshead Council's Licensing Policy, and
- (b) the Amended Guidance issued by the Secretary of State

Some relevant parts of the Policy and Amended Guidance are reproduced in Appendices 3 and 4. The parties may refer to any part of the Policy and Guidance during the hearing.

7. FOR DECISION

The Sub-Committee is asked to consider the variation application, decide whether or not it should be granted, and if relevant, attach such conditions as it deems appropriate for the promotion of the Licensing Objectives.

APPENDICES

Appendix	1	Application to vary the Premises Licence
	1.1	Premises Licence
Appendix	2	Representation from Public Health
	2.1	Representation from the Licensing Authority
	2.2	Representations from Interested Parties
Appendix	3	Relevant Extracts from Gateshead Council's Licensing Policy
Appendix	4	Relevant Extracts from the Guidance issued under Section 182 of the Licensing Act 2003
Appendix	5	Area Plan