

TITLE OF REPORT: **Application for the variation of a Premises Licence:**
Durham Road Service Station, Durham Road, Birtley, DH3
2PF

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

1. **PURPOSE OF THE REPORT**

The Sub-Committee is asked to consider the application from Penny Petroleum North East Limited to vary the premises licence for Durham Road Service Station, Durham Road, Birtley, DH3 2PF.

2. **BACKGROUND**

The Application

The application submitted by Penny Petroleum North East Limited ('Applicant') to vary the premises licence for Durham Road Service Station, Durham Road, Birtley, DH3 2PF is attached at Appendix 1.

The variation application that has been submitted seeks to change the supply of alcohol hours to 24 hours in line with the opening hours of the premises.

Licence history

Penny Petroleum North East Limited applied for a premises licence for Durham Road Service Station, Durham Road, Birtley, DH3 2PF on 26 February 2016. The application was for the supply of alcohol Monday to Sunday 00:00-23:59 hours and the provision of late night refreshment Monday to Sunday 23:00-05:00 hours.

Representations were received by Northumbria Police, the Licensing Authority and Public Health. Following a mediation meeting agreement was reached about the licensable activity hours and conditions and therefore a premises licence was granted from 19 April 2016.

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

For the supply of alcohol:

Monday to Sunday 06:00 – 23:00 hours

For the provision of late night refreshment:

Monday to Sunday 23:00 – 05:00 hours

A copy of the Premises Licence is attached at Appendix 1.1

3. REPRESENTATIONS

The following representations were received:

- Public Health (Appendix 2)
- Gateshead Council's Licensing Authority (Appendix 2.1)

Both Public Health and the Licensing Authority have provided supplementary information and these are attached as appendix 2.2 and appendix 2.3.

4. PARTIES

The Parties to the hearing will be:

- a) Penny Petroleum North East Limited will be represented by Sarah Clover from Kings Chambers. Also in attendance and possibly speaking will be Richard Thrower who is an Area Manager for the company and Gill Sherratt, Licensing Consultant from Licensing Matters.
- b) Joy Evans, Public Health
- c) John Bradley, Licensing Authority

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	Supplementary information from Public Health
	2.3	Supplementary information from Licensing Authority
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