

26 July 2018

**TITLE OF REPORT:** **Application to vary a premises licence to specify an individual as a designated premises supervisor**  
Bensham News, 247 Bensham Road, Gateshead, NE8 1UT

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

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## **1. PURPOSE OF THE REPORT**

The Sub-Committee is asked to consider the application from Shiv Kant Jairath to vary the premises licence for Bensham News, 247 Bensham Road, Gateshead, NE8 1UT by varying the Licence to nominate himself as the designated premises supervisor (hereafter 'DPS').

The application has been brought before the Sub-committee following a representation /objection made by Northumbria Police.

## **2. BACKGROUND**

### **The Applications**

The application submitted by Shiv Kant Jairath ('Applicant') to vary the premises licence by nominating a new DPS for Bensham News, 247 Bensham Road, Gateshead, NE8 1UT is attached as Appendix 1.

Shiv Kant applied and was issued a personal licence by Gateshead Council on 17 May 2018.

### **Representation**

Northumbria Police objected to the application on the grounds the licensing objective of the prevention of crime and disorder would be undermined. The objection is attached as Appendix 2.

### **Parties**

The Parties to the hearing will be:

- a) Shiv Kant Jairath (the Applicant) and proposed DPS
- b) Northumbria Police.

## **3. FOR CONSIDERATION**

The areas for consideration by the Sub-Committee are:

- The application to vary the premises licence to specify a new DPS; and
- The representation.

#### **4. THE POLICY**

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 (April 2018) issued under Section 182 of the Licensing Act 2003 by the Secretary of State.

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

#### **5. FOR DECISION**

The Licensing Authority may, having regard to the application, take any of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the application; or
- Refuse the application.

**APPENDICES**

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| Appendix | 1 | Application to vary a premises licence to specify an individual as a designated premises supervisor |
| Appendix | 2 | Representation from Northumbria Police  |
| 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              |