

TITLE OF REPORT: **Application for the variation of a Premises Licence:**
MRH Races, Derwenthaugh Road, Axwell Park, Blaydon on Tyne, NE21 5PG

REPORT OF: **Service Director, Development, Transport and Public Protection:**
Licensing Officer

1. PURPOSE OF THE REPORT

The Sub-Committee is asked to consider the application from Malthurst Limited to vary the premises licence for MRH Races, Derwenthaugh Road, Axwell Park, Blaydon on Tyne, NE21 5PG. Objections were received from members of the public.

2. BACKGROUND

The Application

The application submitted by Malthurst Limited ('Applicant') to vary the premises licence for MRH Races, Derwenthaugh Road, Axwell Park, Blaydon on Tyne, NE21 5PG is attached at Appendix 1.

The variation application that has been submitted seeks to add the supply of alcohol (off the premises only) 24 hours each day, make alterations to the premises, to remove existing conditions in Annex 2 and to add conditions set out in the operating schedule.

Licence history

Malthurst Limited applied for a premises licence for MRH Races, Derwenthaugh Road, Axwell Park, Blaydon on Tyne, NE21 5PG on 9 March 2016. The application was for the provision of late night refreshment Monday to Sunday 23:00-05:00 hours

There were no objections to the application and the premises licence was granted in April 2016. The times the Premises Licence authorises the carrying out of licensable activities are:

For the provision of late night refreshment:

Monday to Sunday

23:00 – 05:00 hours

In February 2019 the Licensing Authority received notification from Malthurst Limited advising that they have changed registered address.

A copy of the Premises Licence is attached at Appendix 1.1

3. REPRESENTATIONS

The following representations were received:

- Martin Iverson (Appendix 2)
- Chris Martindale (Appendix 2.1)
- Harty Ervine (Appendix 2.2)

4. PARTIES

The Parties to the hearing will be:

- a) Malthurst Ltd will be represented by a representative from Winckworth Sherwood LLP
- b) Chris Martindale
- c) Harty Ervine

Martin Iverson has stated that he is unable to attend the hearing but would still like the Sub-Committee to consider his representation.

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 (April 2018)

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.

8. 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

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| Appendix | 1 | Application to vary the Premises Licence |
| | 1.1 | Premises Licence |
| Appendix | 2 | Representation from Martin Iverson |
| | 2.1 | Representation from Chris Martindale |
| | 2.2 | Representation from Harty Ervine |
| 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 |