

TITLE OF REPORT: **Application for a Review of a Premises Licence:**
168-170 Sheriffs Highway, Gateshead, NE9 5SD

REPORT OF: **Strategic Director; Economy Innovation and Growth:**
Licensing Officer

1. PURPOSE OF THE REPORT

The Sub-Committee is asked to consider the application from Local Weights and Measure Authority.

Representations were received from Northumbria Police, Licensing Authority, Public Health and Gateshead Safeguarding Children Partnership, Councillor Dawn Welsh and a member of the public.

2. BACKGROUND

On 12 October 2018 a premises licence was granted for 168-170 Sheriff Highway, Gateshead, NE9 5SD following an application from Mr Farhad Jamnejad.

On 2 August 2019 an application to vary the premises licence to nominate Amer Idris Paul as the Designated Premises Supervisor (DPS) was submitted. Northumbria Police did not object and the application was therefore granted.

As a result of a premises licence inspection by Licensing on the 13 June 2022 it was discovered that Mr Paul no longer worked at the premises. Mr Jamnejad was given advice and later that day he submitted an application to nominate himself as the DPS. Northumbria Police objected to the application, and it is to be considered by Sub-Committee and details are contained in a further report.

Mr Jamnejad has recently advised Licensing that the premises address is 170 Sheriff Highway with 168 Sheriff Highway being residential accommodation. The premises is also known as Sheriff Highway Stores.

Prior to Mr Jamenejad being granted a premises licence in October 2018, a premises licence has been held by others for this address between September 2005 and September 2018. That licence was the subject of a review in September 2015 from the Local Weights and Measures Authority. The premises licence was surrendered in September 2018.

3. THE CURRENT REVIEW APPLICATION

The review application submitted by Local Weights and Measure Authority ('Applicant') is attached at Appendix 1. A copy of the Premises Licence is attached at Appendix 1.1.

The Applicant applied for a review of the existing licence (Appendix 1.1) under s51 of the Licensing Act 2003 on the following grounds:

On 24th February 2022, a test purchase exercise using a 15 year old child volunteer was carried out at the premises and the child was sold a bottle of Desperados Beer. This is an alcoholic beverage containing 5.9% alcohol.

The application for review was advertised in accordance with the provisions of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

The Licensing Authority may attach conditions to any licence which are appropriate for the promotion of the Licensing Objectives. A copy of the Model Pool of Conditions from Gateshead Council's Statement of Licensing Policy is attached at Appendix 1.2.

4. REPRESENTATIONS

The following representation was received:

- Northumbria Police – (Appendix 2.0)
- Licensing Authority – Kirsty Jennings (Appendix 2.1)
- Public Health – Alice Wiseman (Appendix 2.2)
- Gateshead Safeguarding Children Partnership – Saira Park (Appendix 2.3)
- Councillor Dawn Welsh (Appendix 2.4)
- Emma Eltringham (Appendix 2.5)

5. PARTIES

The Parties to the hearing will be:

- a) Local Weights and Measure Authority – Tracey Johnson
- b) Farhad Jamnejad- the Premises Licence Holder
- c) Northumbria Police – Inspector Kevin Ashurst and Force Solicitor Hayley Hebb
- d) Licensing Authority- Kirsty Jennings
- e) Public Health – Julia Sharp
- f) Gateshead Safeguarding Children Partnership – Saira Park
- g) Councillor Dawn Welsh
- h) Emma Eltringham

Ms Eltringham has advised that she will not be attending the hearing.

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 Licensing Act 2003

(c) the Amended Guidance (April 2018) issued under Section 182 of the Licensing Act 2003 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.

An area plan is attached at Appendix 5.

7. 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:

- Take no action;
- Modify the conditions of the licence (alter, add or remove conditions);
- Remove the designated premises supervisor;
- Suspend the licence for a period not exceeding three months; or
- Revoke the licence.

APPENDICES

Appendix	1	Review Application
	1.1	Premises Licence
	1.2	Pool of Model Conditions from Gateshead Council's Licensing Policy
Appendix	2	Representation from Northumbria Police
	2.1	Representation from Licensing Authority
	2.2	Representation from Public Health
	2.3	Representation from Gateshead Safeguarding Children Partnership
	2.4	Representation from Councillor Dawn Welsh
	2.5	Representation from Emma Eltringham
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