

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Committee Room 1A, County Hall, Durham on **Friday 2 June 2023 at 1.30 pm**

Present:

Councillor L Mavin (Chair)

Members of the Committee:

Councillors C Hunt and E Waldock

Also Present:

G Proud (Council's Solicitor)

H Johnson (Licensing Team Leader)

M Downey (Applicant)

1 Apologies for Absence

Apologies for absence were received from Councillors J Blakey and M Wilson.

2 Substitute Members

There were no substitute Members.

3 Declarations of Interest

There were no declarations of interest.

4 Application for the grant of a Premises Licence - Hidden on the Harbour, 4 North Terrace, Seaham, SR7 7EU

The Chair welcomed everyone to the meeting and introductions were made. The Council's Solicitor outlined the procedure for the hearing.

The Licensing Team Leader presented the report of the Corporate Director of Neighbourhoods and Climate Change, to determine an application to grant a Premises Licence in respect of Hidden on the Harbour, 4 North Terrace, Seaham SR7 7EU. A copy of the application and location plan had been circulated together with details of the representations received (for copy see file of minutes).

During the consultation period, the Licensing Authority received three

objections to the application from other persons. Responses were received from Durham County Council's Environmental Health, the Durham Safeguarding Children Partnership, County Durham and Darlington Fire Safety Authority and Durham Constabulary all confirming they had no comments to make regarding the application.

Following mediation, the Applicant agreed to amend the activities to the following:

- Live Music (Indoors) Removed this activity as now deregulated – Monday to Sunday - Non-standard timings to remain;
- Recorded Music (Indoors) Removed this activity Monday to Thursday as now deregulated - Non-standard timings to remain;
- Recorded Music (Indoors) Sunday 23:00 hrs – 23:30 hrs - Non-standard timings to remain;
- Sale by retail of alcohol (On the premises) Monday to Thursday from 11:00 hrs – 23:00 hrs, Friday to Saturday 11:00 hrs – 01:00 hrs and Sunday 11:00 hrs – 23:30 hrs - Non-standard timings to remain;
- Late Night Refreshment (Indoors) Removed this activity Monday to Sunday - Non-standard timings to remain.

The Licensing Team Leader asked Members to note that live and recorded music in licensed premises was deregulated (not licensable) between 8.00 hrs and 23.00 hrs when alcohol was being sold and there were less than 500 persons present.

Following the amendments by the Applicant, two objectors withdrew their representations.

The Licensing Team Leader advised that the remaining objector was unable to attend the meeting and the Sub-Committee would take into account her written representation.

All parties were given the opportunity to ask questions of the Licensing Team Leader.

Following a query from the Council's Solicitor, It was confirmed that the times were within the licensing framework hours.

Members noted the objector's written representations and invited the Applicant to address the Sub-Committee.

Mr Downey advised that he had been in the leisure industry from the age of 15 in many job roles including food, bar, security and management and had a wealth of experience and passion for the sector. He had invested time and finances in bars, nightclubs, restaurants and cafes in Sunderland and was excited to launch his new venture in Seaham which had been in the works since 2018.

Mr Downey and his wife had lost a few businesses due to Covid and the only business they had left was the 'Keel Lounge' café bistro in Sunderland which was a very popular venue with a 5* food hygiene rating and the vacant property at 4 North Terrace, Seaham. Since the pandemic they have opened Hidden Cocktail Bar / roof terrace and Trilogy in Sunderland City Centre.

It was intended for Hidden on the Harbour to be open 7 days a week as a bar bistro with a full food menu offering table service Monday to Saturday and Sunday lunches, Friday and Saturday evenings serving tapas as well as fine wines, cocktails, ales and craft beers. They would be open later on weekends and would use SIA registered security personnel to ensure the safety of customers and the wider public. Staff members would be trained in the licencing objectives and would ensure that a personal licence holder would be on the premises during opening hours.

Mr Downey also advised that he had a strict over 21 policy from 7.00 pm which had been positively received in the Sunderland venue and attracted a more mature clientele. The business would provide around 15-20 additional jobs to the area as well as providing residents and visitors to Seaham another attraction to the seafront.

All parties were given the opportunity to ask questions of the Applicant.

At 1:40 pm Councillors L Mavin, C Hunt and E Waldock **Resolved** to retire to deliberate the application in private. After re-convening at 1:50 pm the Chair delivered the Sub-Committee's decision.

In reaching their decision the Sub-Committee considered the report of the Licensing Team Leader and took into account the written and verbal representations from the Applicant and written representation from the Other Person. The Sub-Committee also considered the Council's Statement of Licensing Policy and Section 182 Guidance issued by the Secretary of State.

Resolved:

That the licence be granted.