**Report to** Licensing and Regulatory Committee

**Cabinet Portfolio/Lead Member:** Cllr Jim Foreman Lead Member for Housing and Community Safety.

**Report of** Stuart Wright Director of Place Strategy

**Subject: Premises licence review-The Cyprus**

**Date**: 19th May 2025

**Wards affected: Westoe**

**Council ambitions: Part of strong communities.**

**Does the report and any appendices contain information which has been identified as confidential or exempt?**

[x]  **No**, this report does not contain information identified as confidential or exempt.

**For Executive Decisions only:**

**Is the decision a Key Decision?** **[ ]  Yes** **[ ]  No**

**Is it included in the Forward Plan? [ ]  Yes [ ]  No**

**If not in the Forward Plan is the report:** **[ ]  General Exception Rule**

**[ ]  Special Urgency Rule**

**Relevant Scrutiny Chair:**

**Is the decision eligible for call-in by Scrutiny?** **[ ]  Yes** **[ ]  No**

(If the decision is anything other than any executive decision made by the Cabinet or a Key Decision made by an officer under delegated powers, call-in is not applicable. This should be explained in the report).

**Purpose of Report**

1. To consider and determine a review application from Northumbria Police concerning a licensed premises known as The Cyprus, 48 Chichester Road, South Shields, Tyne and Wear.
2. The Chief Constable believes the premises undermine the licensing objectives, in particular the Prevention of Crime and Disorder objective, due to the way in which the premises were being managed and operated.
3. A hearing is necessary to make sure the premises operates in a manner that promotes the 4 licensing objectives which are:
* Prevention of Crime and Disorder
* Public Safety
* Public Nuisance
* Protecting children from harm

The Committee will always have regard to statutory guidance, the Councils own Licensing Policy, any relevant representations made from all parties attending the hearing and will take steps it considers appropriate for the promotion of the objectives.

**Background Information**

1. The premises licence holder of the Cyprus is FB Taverns FH Limited. They have held the premises licence since 3rd July 2023. The company took over the pub from Camerons.
2. Concerns had previously been raised in relation to the operation of the premises which resulted in an action plan being drawn up with management of the pub and Camerons who were the owners at the time in April 2023.
3. Since then, there has been a number of serious incidents recorded against the premises including a section 18 assault resulting in serious injury, a fight, burglary most recently an attack on a group of men from another group of men on Caribou Cup Day.
4. Northumbria Police have serious concerns regarding The Cyprus in relation to the lack of management of these incidents, lack of reporting of these incidents and the obstructive nature of the management and staff at the premises.

**Main issues and Options to be Considered**

1. There are specific steps open available to the sub-committee and licensing authority when considering a review. These options are;
* Modify the conditions of the licence
* Exclude a licensable activity from the scope of the licence
* Remove a designated premises supervisor
* Suspend the licence for period not exceeding three months
* Revoke the licence
1. In this case however the premises has been closed voluntarily by the Premises Licence Holders since the previous designated premises supervisor left the premises. FB Taverns FH Limited have since met with the Police and agreed a set of revised conditions which are set out below.
2. The Cyprus Reviewed Conditions

REVIEWED OPERATING HOURS

* **Ground and first floor - Alcohol Sales General**
* Sunday 11:00 00:00
* Monday 11:00 00:00
* Tuesday 11:00 00:00
* Wednesday 11:00 00:00
* Thursday 11:00 00:00
* Friday 11:00 00:00
* Saturday 11:00 00:00
* **Ground and first floor Recorded Music, Performance of Dance, Exhibit Film, Live Music, General Openings, Similar Activities.**
* Sunday 11:00 00:30
* Monday 11:00 00:30
* Tuesday 11:00 00:30
* Wednesday 11:00 00:30
* Thursday 11:00 00:30
* Friday 11:00 00:30
* Saturday 11:00 00:30
* **Ground and first floor - Late Night Refreshment**
* Sunday 23:00 00:30
* Monday 23:00 00:30
* Tuesday 23:00 00:30
* Wednesday 23:00 00:30
* Thursday 23:00 00:30
* Friday 23:00 00:30
* Saturday 23:00 00:30
* **New Conditions to be agreed**:
* A CCTV system shall be designed, installed and maintained in proper working order to the satisfaction of the Licensing Authority and in consultation with Northumbria Police.
* Such a system shall:
* Be operated by properly trained staff.
* Be in operation at all times when the premises are being used for licensable activity.
* Ensure the coverage of all entrances and exits to the licenced premises internally and externally.
* Ensure coverage of such other areas as may be required by the Licensing Authority and Northumbria Police.
* Provide continuous recording facilities for each camera to a good standard of clarity. Such recordings must be retained for a minimum of 30 days.
* During times licensable activities are provided, a member of management or staff will be contactable and trained in the retrieval of CCTV footage with the ability to download relevant footage.
* CCTV Footage shall be provided to the Licensing Authority or Northumbria Police immediately and without delay.
* On a Friday and Saturday from 19:00 hours until the premises is closed, a minimum of two SIA Door Supervisors are to be employed, or three SIA Door Supervisors if the first floor of the premises is open. On all other days, Door Supervisors are to be employed on a risk assessed basis, paying particular regard to local and international events, including any football matches and events informed of by Northumbria Police. The DPS and/or manager should keep a written record of their decision regarding Door Supervisors.
* The DPS and/or manager shall ensure that on each day that Door Supervisors are engaged for duty on the premises, their details (names and licence numbers) are recorded along with start and finish times and kept on file for inspection. Such documentation shall be maintained for a minimum of 30 days.
* The DPS and/or manager shall also take into account the level and type of staffing to be employed at the Premises on a safety and risk assessed basis.
* All staff training records shall be maintained and kept at the premises. All staff shall receive regular training in their responsibility under the Licensing Act 2003 in relation to age related alcohol sales, conflict management and must understand the conditions of the premises licence before being permitted to sell alcohol at the premises. All members of staff, paid or unpaid shall receive training upon commencement of their role and will receive refresher training on their responsibilities at least once every 6 months. Training records will be available on request to a representative of Northumbria Police or a local authority licensing officer. Such training records shall be kept for a minimum of 12 months, though records relating to individuals may be destroyed one month after the cessation of their working on the premise.
* A refusals of alcohol sales and incident register will be maintained by staff (and door staff if present) and kept at the premises. All refusals and incidents shall be documented and kept on file for inspection by the Local Authority, Trading Standards Officer or Police Officers or a representative from Northumbria Police immediately upon request. Details shall include time, date and signature of the person recording and any action. Such records shall be kept for a minimum of 30 days.
* All members of staff at the premises shall seek credible photographic proof of age evidence from any person who appears to be under the age of 25 (Challenge 25 Policy) and who is seeking to purchase alcohol. Such credible evidence, which shall include a photograph of the customer, will either be a current passport, photographic full driving licence, or proof of age card carrying the hologram 'PASS' logo or HM Forces ID card.
* The premises will operate a search policy for patrons, with signage displayed at the entrance informing patrons that they may be refused entry if they decline to be searched. This policy will be available to patrons, a Police officer or a representative of Northumbria Police or a local authority licensing officer immediately upon request when the premises are open. The policy must include that:
* Any searching of patrons must be conducted in a position covered by CCTV.
* Any suspected illegal substances found on patrons will be sealed in a bag with the date, time and person (or description of the person if they refuse to provide their details) of the seizure. The bag will be kept in a secure area and this shall be reported to Police as soon as possible.
* The premises will adopt their own safeguarding policy that all staff must fully understand and implement and be available as a written document. This policy will be available to a police officer or a representative of Northumbria Police or a local authority licensing officer upon request.
* Age related parties of any person under 21 years of age will not be held at the Premises.
* Children shall be always accompanied by an adult and must vacate the premises by 19:00 unless attending a private function/event held on the first floor or unless the whole premises is hired exclusively for the private event/function and closed to the public.
* When the Designated Premises Supervisor is not present, a member of staff, with a personal licence, must be on the premises and is to be identified by the Designated Premises Supervisor as the person responsible for the management of the premises. Unless in exceptional circumstances, this decision must be recorded in written form and kept on file for inspection by a Police Officer, a representative of Northumbria Police or a Local Authority Licensing Officer immediately upon request. Such records shall be kept for a minimum of 30 days.
* No person shall be admitted or leave the premises whilst in the possession of any drinking vessel or open bottle / can. Persons leaving to consume alcohol in the outside area must do so in containers made of strengthened glass (tempered glassware) or of a material that, in the event of breakage, will fragment with no sharp edges remaining. Alternatively, drinks may be served in non-glassware drinking vessels (e.g. plastic, polystyrene, waxed paper).
* When the Premise Licence Holder/DPS is informed by Northumbria Police of a ‘high risk’ event, such as a football match or the Great North Run, the premise must use, both internally and externally, strengthened glass (tempered glassware) or of a material that, in the event of breakage, will fragment with no sharp edges remaining. Alternatively, drinks may be served in non-glassware drinking vessels (e.g. plastic, polystyrene, waxed paper). In such circumstances no bottle sales shall take place.
* A capacity monitoring system to be provided and maintained in working order for busy weekend evenings and staff must be aware of the capacity of the premises.

An outside management plan must be in place to include the following:

* Any drinks to be consumed in the outside area must be served only in containers made of strengthened glass (tempered glassware) or of a material that, in the event of breakage, will fragment with no sharp edges remaining. Alternatively, drinks may be served in non-glassware drinking vessels (e.g. plastic, polystyrene, waxed paper).
* The licence holder/DPS must ensure that staff regularly patrol the premises both indoors and out to supervise the orderly conduct of patrons.
* Suitable signage must be displayed in the outside area requesting patrons to respect the amenities of local residents and discourage them from shouting.
* Where outside areas are provided for the use of patrons, facilities for the disposing and collecting of litter will be maintained. To minimise the effect of littering, the applicant will provide litter bins both inside and directly outside the premises. During opening hours, and at the close of business, regular monitoring and cleaning patrols will take place.
* The premises licence holder will implement a Dispersals Policy. This shall include a wind down period during the last 30 minutes of opening, when music will be played at a lower volume.
* Clear and legible notices must be displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of residents: in particular emphasising the need to refrain from shouting, slamming car doors, and the sounding of car horns.
1. FB Taverns have stated that they intend to reopen the premises under completely new management with the revised conditions and operating times.
2. In the light of the new revised conditions, and the changes agreed in the operating times and the change of management it is recommended that these new conditions be ratified by this Committee.

**Financial and Resources**

1. The reduction of ASB which it is hoped the review will contribute towards, can only have a positive impact on the work that the Council’s ASB team is tasked with undertaking.”

**Legal and Governance**

1. The review is a statutory function of the Council and is required to be conducted in a way consistent with the rules of natural justice. The procedure to be adopted complies with these requirements”.

**Risk**

1. A failure to complete the review or to do so in a way which contributes to the Council’s Ambitions would carry reputational risk to the Council

**Equality and Diversity and Community**

1. No implications

**Environmental and Sustainability**

1. No implications.

**Council Ambitions, Policies, Strategies and Plans**

1. Part of strong communities

**Consultation and Engagement**

1. No implications.

**Recommendations**

1. The Committee is requested to consider the application for review and ratify the mediated and conditions agreed between the premises licence holder and the Police.

**Reasons for Recommendations**

1. The new conditions will help to promote the licencing objectives.

**List of Appendices**

None.

background papers background papers background papers

**Premises licence review - The Cyprus**

The following is a list of the background papers (excluding exempt papers) relied upon in the preparation of the above report:

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| **Background Paper** | **File Ref:** | **File Location** |
| Review Application from the Police |  | Licensing Service.Town hall and Civic Offices.South Shields. |
| The Licensing Act 2003 Policy |  | Licensing Service.Town hall and Civic Offices.South Shields. |
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