

DELEGATED

AGENDA NO.

**REPORT TO THE
STATUTORY LICENSING
COMMITTEE**

11 September 2018

**LICENSING ACT 2003
APPLICATION FOR GRANT OF A PREMISE LICENCE
MANHATTANS, 9 HIGH STREET, STOCKTON-ON-TEES TS18 1UB**

SUMMARY

The purpose of this report is for Members to determine an application for the grant of a premise licence under the Licensing Act 2003 to which there have been representations from Responsible Authorities.

RECOMMENDATION

That Members determine the application.

THE APPLICATION

1. An application for grant of a premise licence has been received from Ms Jade Dent, in relation to Manhattans, 9 High Street, Stockton-On-Tees.

The applicant has applied for a licence for the following:

Live & Recorded Music

Sunday to Thursday 10.00 – 00.00

Friday & Saturday 10.00 – 01.00

Late Night Refreshment

Sunday to Thursday 23.00 – 00.00

Friday & Saturday 23.00 – 01.00

Supply of Alcohol On & Off The Premises

Sunday to Thursday 10.00 – 00.00

Friday & Saturday 10.00 – 01.00

Opening Hours

Sunday to Thursday 10.00 – 00.30

Friday & Saturday 10.00 – 01.30

A copy of the application is attached at Appendix 1.

RESPONSIBLE AUTHORITIES

2. Representation has been received from Environmental Health. The representation relates to the public nuisance objective. A copy is attached at Appendix 2.
3. Representation and a witness statement have been received from Cleveland Police. The representation relates to the crime and disorder and public nuisance objectives. A copy is attached at Appendix 3.

4. Representation has been received from Trading Standards. The representation relates to the crime and disorder and public nuisance objectives. A copy is attached at Appendix 4.
5. Representation has been received from Public Health. The representation relates to the crime and disorder and public safety objectives. A copy is attached at Appendix 5.

INTERESTED PARTIES

6. None.

ADDITIONAL INFORMATION

7. Attached at Appendix 6 is a map showing the location of the premises.

POLICY CONSIDERATION

8. Members are respectfully reminded of the need to give due consideration to Stockton Borough Councils Licensing Policy Statement and Section 182 Revised Guidance issued on April 2018 under the Licensing Act 2003 when determining this application. Paragraph 41 of the Council Policy states, *'The Council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of concern. An operating schedule should include information which is necessary to enable any responsible authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory.'*
9. Members must carry out their functions with a view to promoting the four licensing objectives:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm

MEMBERS OPTIONS

10. Members may consider the following options:
 1. To refuse the application
 2. To grant all or part of the application subject to the necessary conditions to promote the four licensing objectives.

ASSOCIATED PAPERS

11. The following appendices are attached for information:
 - Appendix 1 - Application Form
 - Appendix 2 - Representation from Environmental Health
 - Appendix 3 - Representation from Cleveland Police
 - Appendix 4 - Representation from Trading Standards
 - Appendix 5 - Representation from Public Health
 - Appendix 6 - Location Map

**Assistant Director Administration
Democratic And Electoral Services
Contact Officer:**

Margaret Waggott
Sandra Percival
(01642) 526601
Sandra.percival@stockton.gov.uk

Telephone No.

Email Address:

Financial Implications:

None

Environmental Implications:

The Licensing Act 2003 requires the licensing authority to have regard to:

- Public safety;
- The prevention of public nuisance

Any conditions imposed should reduce the potential for environmental harm.

Community Safety Implications:

The Licensing Act 2003 requires the licensing authority to have regard to:

- The prevention of crime and disorder

Any conditions imposed should reduce the potential for crime and disorder.

Legal Implications:

Depending upon the determination of this application Schedule 5 of the Licensing Act 2003 provides the applicant, the holder of a licence and/or any person who made a relevant representation in relation to the application, with the right of appeal to the Magistrates' court.

Human Rights Implications:

Members should have regard to Human Rights Act when determining this application

Background Papers:

Stockton Borough Council Licensing Policy Statement and Section 182 Guidance

Ward(s) and Ward Councillors:

Stockton Town Centre
Councillor Kirton
Councillor Hewitt

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	Manhattans	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	Jade
* Family name	Dent
* E-mail	andreadent72@gmail.com
Main telephone number	
Other telephone number	07729785929

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="14"/>
* Street	<input type="text" value="Rokeby Street"/>
District	<input type="text"/>
* City or town	<input type="text" value="Stockton on Tees"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="TS18 3LF"/>
* Country	<input type="text" value="United Kingdom"/>

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="Manhattans"/>
Street	<input type="text" value="9 High Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Stockton on Tees"/>
County or administrative area	<input type="text" value="Cleveland"/>
Postcode	<input type="text" value="TS18 1UB"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="11,500"/>

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="14"/>
Street	<input type="text" value="Rokeby Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Stockton on Tees"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="TS18 3LE"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="andreadent72@gmail.com"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text" value="07729785929"/>

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

<input type="text" value="Public House"/>

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

Start

End

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

Start

End

End

WEDNESDAY

Start

Start

End

End

THURSDAY

Start

Start

End

End

Continued from previous page...

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Empty rectangular box for text input.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Empty rectangular box for text input.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.
The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with Data Protection legislation.
CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition. Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs.
There will be a minimum of 30 days recording.
The system will record for 24 hours a day.
The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.
The Digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images.
There will be at all times a member of staff who is trained in the use of the equipment and upon receipt of a request for footage from a governing body, such as Cleveland Police or any other Responsible Authority, be able to produce the footage within a reasonable time, e.g. 24hrs routine or less if urgently required for investigation of serious crime.

b) The prevention of crime and disorder

The business will maintain an incident book to record all instances where the staff deal with people who have been unruly, drunk, abusive, aggressive or have committed criminal acts or have had to call police for such incidents. This shall include the date and time of the incident, together with a description of the incident and whether the police were called/attended. The Designated Premise Supervisor/Store Manager/Business Owner will check and sign each page and the incident book will be made available to the Licensing Authority and/or Responsible Authorities upon request.

c) Public safety

All staff will be fully trained and the training must include the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18s (proxy sales) , persons appearing to be under the influence of alcohol and also the operation of the associated 'Challenge 25' policy. Staff will receive refresher training at least every 6 months
Training records, signed by both the staff member and the Designated Premise Supervisor/Store Manager/Business Owner will be retained for future reference and shall be updated at least every 6 months. All staff training records will be made

Continued from previous page...

available to the Licensing Authority and/or Responsible Authorities upon request.

d) The prevention of public nuisance

The business will maintain a refusals book to record all instances where the sale of alcohol has been refused. This shall include the date and time of the attempted sale, together with a description of the incident. The Designated Premise Supervisor/Store Manager/Business Owner will check and sign each page and the refusals book will be made available to the Licensing Authority and/or Responsible Authorities upon request.

e) The protection of children from harm

There will be a minimum of two notices displayed on the premise indicating that the sale of alcohol to those under the age of 18 is illegal and that those adults who buy alcohol for immediate disposal to those under age the age of 18 are committing an offence.

Children under the age of 18 years shall be accompanied by a responsible parent/guardian. No children will be allowed to remain in the premises beyond 21:00 hours

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00

Continued from previous page...

Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

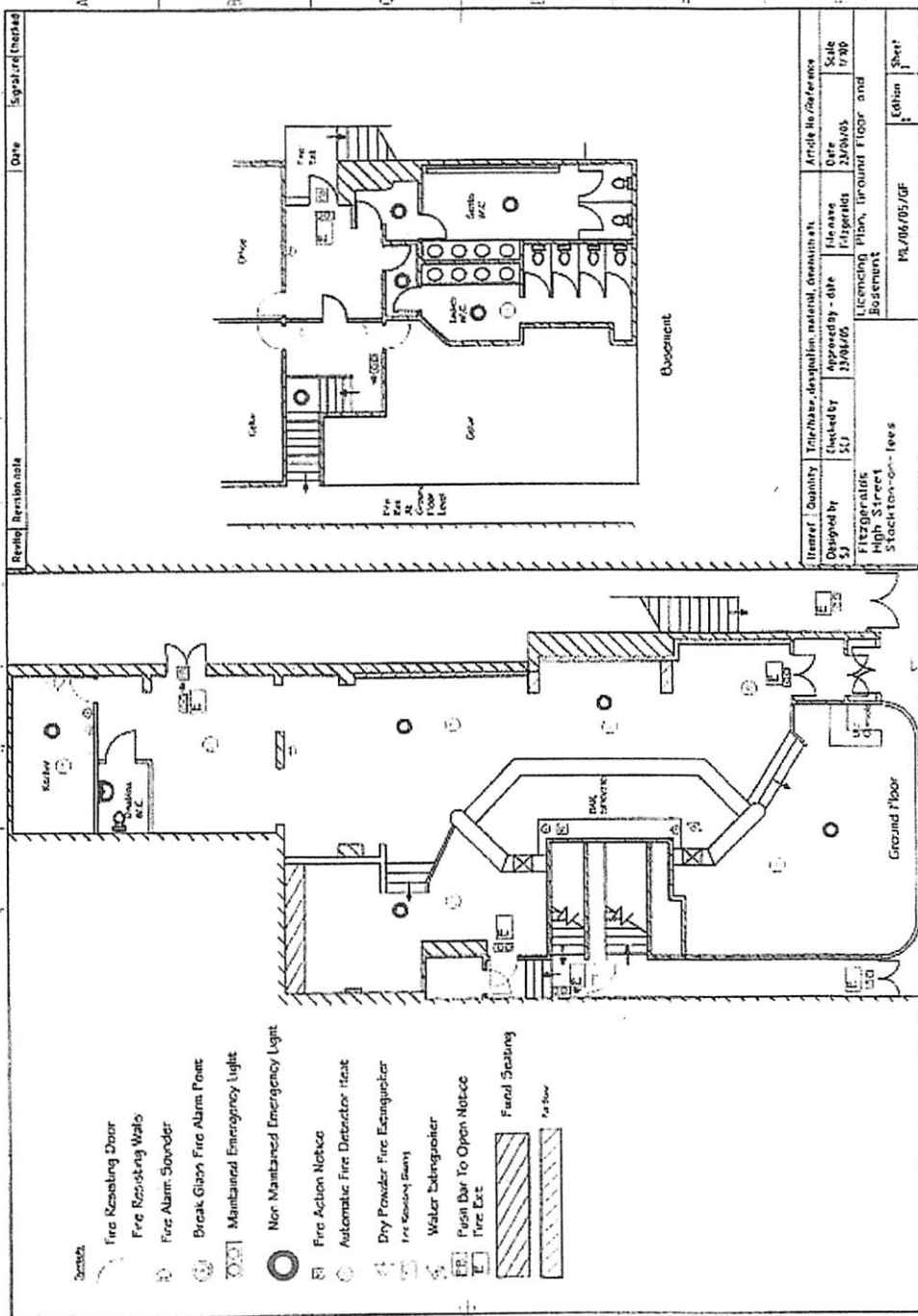
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/stockton-on-tees/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number	<input type="text" value="Manhattans"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>



1cm = 3m

**Representations On An Application By
A Responsible Authority
(Form LA10RA)**

www.stockton.gov.uk

Trading Standards & Licensing, PO Box 232, 16 Church Road, Stockton on Tees TS18 1XD
Tel: (01642) 526558 • Fax: (01642) 526584

**Representations On A Current Application For A Grant/Variation Of A Premises
Licence Or Club Premises Certificate Under The Licensing Act 2003**

Section 1 – Licence Application Details

Applicant Name (If Known)	Ms Jade Dent
Premises Name and Address	Manhattans 9 High Street Stockton-On-Tees TS18 1UB

Section 2 - Responsible Authority

- Trading Standards
- Cleveland Police
- Environmental Health
- Cleveland Fire Services
- Planning
- Protection of Children From Harm

Section 3 – Representation Grounds

<p>The representation is relevant to one or more of the following licensing objectives:</p> <p>Please tick relevant box(es)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Prevention of Crime of Disorder <input checked="" type="checkbox"/> Prevention of Public Nuisance <input type="checkbox"/> Protection of Children from Harm <input type="checkbox"/> Public Safety
<p>Please Select:</p> <ul style="list-style-type: none"> <input type="checkbox"/> I object to the application being granted at all <input checked="" type="checkbox"/> I object to the application being granted in its current form* <p>*If you choose this option remember to tell us what changes you would prefer to see.</p>	

The grounds of the representation is based on the following:

(Please continue on a separate sheet if necessary)

The Environmental Health Unit are of the opinion that the steps outlined in the operating schedule are inadequate to prevent public nuisance.

There will be a greater likelihood of public nuisance associated with noise from clients using the premises as a result of the proposed opening hours and the provision of late night refreshment will increase the likelihood of public nuisance associated with odour from the kitchen area and the disposal of waste food and other refuse from the premises.

The Environmental Health Unit has contacted the applicant regarding these proposed conditions.

1. Refuse such as bottles shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premises.
2. A noise limiting device should be provided covering all sound systems which at all times shall operate at the decibel level set by the Environmental Health Unit and shall be maintained in good working order.
3. All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency. Any music played within the premises shall not cause a disturbance at the nearest residential premises. Any music shall be played indoors only.
4. The licence holder or his representative shall conduct periodic assessments of the noise coming from the premises when used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action. All records shall be retained for one year.
5. Use appropriate management controls to reduce the likelihood of customers causing noise disturbance to local residents when vacating the premises. This should include placing at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly. (Note, this may also include a reference to vehicles)
6. The ventilation and extraction system shall be operated and maintained in accordance with the manufacturers recommendations including the frequency of replacement of any filters.
7. There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained, and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.

Signed: Stephanie Landles

Position: Environmental Health Officer

Dated: 25/07/2018

When complete this form should be returned to the address above or e-mailed to licensing.administration@stockton.gov.uk

For Office Use Only

Date Received		Checked By	
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Stockton-on-Tees
BOROUGH COUNCIL

LICENSING
- 9 AUG 2018
Email
RECEIVED

**Representations On An Application By
A Responsible Authority
(Form LA10RA)**

www.stockton.gov.uk

Trading Standards & Licensing, PO Box 232, 16 Church Road, Stockton on Tees TS18 1XD
Tel: (01642) 526558 • Fax: (01642) 526584

**Representations On A Current Application For A Grant/Variation Of A Premises
Licence Or Club Premises Certificate Under The Licensing Act 2003**

Section 1 – Licence Application Details

Applicant Name (If Known)	Ms Jade Dent
Premises Name and Address	Manhattans 9 High Street, Stockton. TS18 1UB

Section 2 - Responsible Authority

- Trading Standards
- Cleveland Police
- Environmental Health
- Cleveland Fire Service
- Planning
- Protection of Children From Harm

Section 3 – Representation Grounds

The representation is relevant to one or more of the following licensing objectives:	<input checked="" type="checkbox"/> Prevention of Crime and Disorder <input checked="" type="checkbox"/> Prevention of Public Nuisance <input type="checkbox"/> Protection of Children from Harm <input type="checkbox"/> Public Safety
Please tick relevant box(es)	
Please Select: <input checked="" type="checkbox"/> I object to the application being granted at all <input type="checkbox"/> I object to the application being granted in its current form* *If you choose this option remember to tell us what changes you would prefer to see.	

The grounds of the representation is based on the following: (Please continue on a separate sheet if necessary)

This is a new application for a premises licence to allow the sale of alcohol on and off the premises.

The times for the sale of alcohol are 10:00 - 24:00hrs Sun - Thurs.
10:00 - 01:00hrs Friday and Saturday.

Cleveland Police are of the opinion that by granting this application the crime and disorder and public nuisance objectives would be undermined.

The application names Jade Dent as the premises licence holder despite reassurances from the applicant that her mother will not be involved at the venue it is the opinion of Cleveland Police that she will be involved in running this premises. This is based on the fact that her mother is named on the lease of the premises and her contact email address is on the application itself.

Police have serious concerns in respect of her mother's involvement in this premise as she has previously been in charge of 2 licensed premises in Stockton which have both been subject to review proceedings as a result of her management. These premises are the Roseworth Pub and the Queen Victoria.

The recent history of Manhattans is well documented.
Cleveland Police brought a review of the previous licence due to the violence/drug problems and anti social behaviour that occurred as well as breaches of the licence conditions.

This was partly due to the customer base that frequented the premises and Cleveland Police believe that the same type of customer will attend should this licence be granted.

Jade Dent by her own admission, has no experience in the running of a licensed premises which leads Police to suspect that her mother will be involved and given her history, leaves Cleveland police no option but to object to this application.

Further evidence will be provided in the event of a hearing into this application.

Signed: James Johnson	Position: Licensing officer to the Chief Constable of Cleveland Police	Dated: 09/08/2018
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Date Received		Checked By	
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Kimberley Laverick

From: JOHNSON, James (P0190) <James.Johnson@cleveland.pnn.police.uk>
Sent: 15 August 2018 14:31
To: Licensing Admin (ES)
Cc: Leanne Maloney-Kelly; Jodie Allwood; Gemma Mann
Subject: Manhattans application
Attachments: Manhattans scanned docs.pdf

Good afternoon,

Please find attached my statement and exhibits relating to the licence application for Manhattans.

I will endeavour to serve this on the applicant in person.

Thanks,

Pc190 James Johnson

Licensing Support Unit
Middlesbrough Police Office
Bridge Street West
Middlesbrough
TS2 1AB
Tel: 101 x 3177 Mobile: 07515 701003
E-mail: james.johnson@cleveland.pnn.police.uk



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Please **DO NOT** use social media or email channels to report crime information about a criminal activity to us. We do not monitor these accounts 24/7. In an emergency use 999 or 101 when it is less urgent to report a crime or information. You can also report crimes to Crimestoppers on 0800 555 111.

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Licensing Sub-Committee

A meeting of the Licensing Sub-Committee was held on Thursday, 1st June 2006.

Present: Councillors Rix, Roberts and Woodhead.

Officers: M Vaines (DNS), Ms R McKenzie (LD).

Chairman – Appointment

RESOLVED that Councillor Woodhead be appointed Chairman for this meeting only.

The Roseworth, Redhill Road, Stockton on Tees Application under Schedule 8 of the Licensing Act 2003 - Application for a review of a premise licence under Schedule 8 of the Licensing Act 2003

An application for review was submitted by Cleveland Police in respect of The Roseworth Pub, subsequently further applications in respect of the review were received from the Environmental Health Department of Stockton-on-Tees Borough Council. The Licensee of the Roseworth was also in attendance to state her case.

The Licensee requested a further adjournment of the hearing as her Solicitor was not able to attend. The Committee were informed that the application for review had been adjourned on two previous occasions. The Licensee explained that she originally instructed [REDACTED] who is based in Sheffield to attend the hearing on the 3rd April 2006. However the Licensee's solicitor said they only received the papers two days before the hearing and so the committee agreed to request an adjournment to allow the Licensee to obtain legal advice. The Licensee stated that she changed her to Solicitor to a local firm as her solicitor was unable to travel to Stockton. The Licensee also requested an adjournment of the hearing on the 4th May as she was on holiday. Her request was granted.

The Licensee stated that she had instructed Appleby Hope and Matthew eight weeks ago. The Licensee produced a letter from her Solicitors dated 23 May 2006 which explained that her Solicitor could not attend the hearing. It also stated that her solicitor had attempted to contact the Licensee throughout the day on Friday 19 May 2006. The Licensee confirmed that all the documents were sent to her new Solicitor and that they had received all the information in relation to the application. The Licensee informed the Committee that she had met with her Solicitor to obtain legal advice and that he had intended to be present at the hearing today.

In relation to the application for adjournment the representative from Cleveland Police stated that she would not agree to an adjournment and stressed that this was the Police's application. An adjournment was also opposed by the representative from the Environmental Health Department.

In considering the application for adjournment the Committee took into consideration that the hearing had been adjourned on two previous occasions. The Committee also took into consideration that the hearing was convened at the request of the Police and that legislation stated a hearing should be convened within 20 working days of an application for review. The Committee noted that first hearing had taken place on the 3 April 2006. The Committee also noted that the letter from their Solicitors was dated the 23 May 2006 and that the Licensee had done nothing to try

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and obtain further legal representation as indicated in the letter from Appleby Hope & Matthews. The Committee therefore decided that the licensing objectives may be undermined if the hearing did not continue and therefore refused the application for adjournment.

The Licensing Officer referred the parties to the report which detailed the application for a review.

Summary of Representations made on behalf of Cleveland Police

The Legal Adviser on behalf of Cleveland Police explained to the Committee that the Police were seeking a review on the grounds of crime and disorder and public nuisance. The Legal Adviser referred the Committee to the reports of crime and disorder in relation to The Roseworth. Cleveland Police submitted a booklet of evidence in relation to their application and the Committee Members were guided through this. The Legal Adviser stated that the Licensee was also the designated premises supervisor. The Legal Adviser informed the Committee that when the Licensee recently went on holiday the premise was closed but re-opened without authority by her husband. Through her evidence a representative from Cleveland Police described the Roseworth as a small pub that catered mainly for local residents.

The Roseworth first came to the attention of Cleveland Police when local beat officers received complaints regarding youths and noise. The Committee were informed that in on the 12th August 2005 the Licensee arranged an under 18 disco and did not seek any advice regarding organising such an event. Alcohol was still being served within the premise. There were a number of children present within The Roseworth who were in various stages of drunkenness and were causing trouble. The Licensee was advised that she should hold no more under 18's discos. The Licensee held a further under 18's disco on the 26th August 2005 and again there were children at the disco where alcohol was served, the Licensee was interviewed by the police and warned that there should be no more incidents.

A representative from the Police stated that she thought the Licensee's attitude was irresponsible and that as a result of the raves Police Officers were assaulted and cars were damaged. A representative from the Police stated that the Licensee should have known the laws in relation to children. Furthermore, the Licensee had people on the doors that were not properly trained or regulated. There had been no raves since the incident in August 2005. The Police representative explained that the Police had received a number of reports regarding after hours drinking, drugs and under age drinking. Furthermore, the pub is very small and within a 17 month period there had been 49 incidents reported. The Police representative explained that this was more than some of the pubs within the centre of Stockton.

The Police representative stated that on the 7 June 2005 Cleveland Police received a report that the landlady's partner had threatened someone. The Police representative explained that the Licensee's partner was not the licensee or the DPS.

Furthermore, in relation to drugs, residents had complained that the dealing of drugs was blatantly taking place within the premise. The Police representative stated that she would expect the DPS to inform Cleveland Police of any drug dealing and to either remove the person from the premise or to contact the Police so they could deal with the culprits. The Police representative further stated that if The Licensee had employed proper door staff they could have assisted in relation to the problems

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which occurred at the raves. Furthermore, if the Licensee had sought advice, Cleveland Police would have explained the procedure that she should have followed and how she should have dealt with any problems. The Police representative explained that the Licensing Unit was there to help Licensees and that she had not sought any advice in relation to drugs or raves.

The Police representative stated that the Licensee's management was affecting crime and disorder and affecting other residents. Furthermore, Cleveland Police had received letters from residents who stated that they wished to move due to the problems at The Roseworth. The Police representative stated that they had received reports of criminal damage and assault and that a lot of the problems within the pub were spilling out on the street and the Police had been called as a result. These disturbances were subsequently causing a nuisance to other residents and included banging on windows late at night. The Police also explained that many of these incidents were domestic incidents between the Landlady and her partner.

A recent domestic incident involved a report from the daughter of the Landlady who contacted the Police. The Police representative also referred to an incident on the 2 May 2006 which involved a burglary at the premise. The Police had requested to see the pub's CCTV footage however were informed that this was broken and had not yet been fixed.

Furthermore in relation to the incident on the 20 May 2006 the Licensee had gone on holiday to Spain and closed the bar. The Licensee was informed that her partner had opened the bar and was serving drinks to members of the public. As a result the Licensee called the Police and her partner was informed that he must close the bar until the Licensee returned.

Cleveland Police also explained that the Licensee had not been attending pub watch. The Committee were informed that the meetings were of great importance as licensees were kept informed of any changes within the law and information was shared regarding people who were barred from premises. The Police felt this was an important requirement and strongly recommended those within the industry to attend Pub Watch. Therefore it was imposed on the licence as a condition. Pub Watch was held every three months and there had been no representation from The Roseworth for the last five meetings. Therefore the Licensee was in breach of her licence conditions.

Cleveland Police stated they felt that the number of incidents would be reduced if the Licensee was removed from being the DPS as she herself caused some of the problems. Furthermore the Police would like to see the premise close at an earlier time. Cleveland Police said that a lot of their time had been spent dealing with the incidents from The Roseworth. Cleveland Police felt that the Licensee was not running the pub to the best of her ability and that she was not requesting help in relation to the management. The Licensee had been given opportunities to seek advice and remedy the situation and that as a last resort the police has requested a review.

The Committee enquired whether a lot of the incidents reported were domestics. The Police confirmed that the domestic incidents were cause of concern for the Police.

The Committee asked the Police what conditions they felt could be imposed to improve the management of The Roseworth. Cleveland Police explained this maybe achieved by reducing hours and monitoring this over a period of time. Furthermore a

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condition could be imposed not to allow any person under 18 on the premise at all. This would prevent the situation where adults are buying alcohol on behalf of children and therefore deal with the issue of underage drinking.

The Committee also enquired how the Police sought to address the altercations between the Licensee and her partner. Cleveland Police stated that a number of reported incidents occurred when the family had been drinking and there were staff of friends within the bar after hours. The Police stated that they would like a change to be made to the DPS,

The Committee questioned whether the Police made representations when the Licensee had applied for a variation of a premise licence. The Police stated that they did make representations but agreed conditions with the Licensee such as installing CCTV, regular attendance at Pub Watch, not to allow any person barred to enter the premise and to keep an incident book.

Environmental Health Officer, stated that the Department had received complaints of loud music and karaoke continuing to 1.30 am. As a result an Officer visited the premise and discussed the complaints. The Licensee denied the allegations and the Environmental Officer had requested to see a record of periodic assessments and also gave advice in relation to noise nuisance. The Licensee stated that she had not kept any periodic assessments. As a result of the visit the Officer tried to contact the complainant and gather more information, but this was unsuccessful.

The Licensee stated that she had only been interviewed by the Police regarding the incidents in relation to the underage raves. She also stated that the Police had not been into the premises to address any concerns regarding underage drinking. She explained that she would be aware if someone entered the premise and were underage. Furthermore a lot of her customers are middle aged as the pub does not attract young customers. The Licensee informed the Committee that there were no drugs within The Roseworth.

The Licensee stated that she had gone through the reported incidents with her Solicitor, however he had not returned the documents to her. The Legal Advisor asked her whether she wanted a copy of the booklet or an opportunity to read through the booklet again. She declined this opportunity. The Licensee stated that she owned the premise and lived there together with her partner. She said had recently separated from her partner and that she intends to buy a bar in Spain.

Cleveland Police clarified that in relation to the 49 incidents they had referred to they involved an accumulation of assaults, burglary and were not just in relation to drugs. The Licensee informed the Committee that the pub was located near to a parade of shops which attracted children. She further stated that she always moves children on if they congregate near to her premise. The Licensee contended that in relation to the after hours drinking the Police had visited once within three years and she was never made aware of any other problems. Furthermore in relation to the domestic incidents these always occurred after hours when the pub was closed to the public and the Police would be able to verify this from their record of phone calls. The Licensee acknowledged that she should not have domestic incidents in any event however these were not in front of customers. She stated that hopefully the pub would be sold within the next six to eight weeks.

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The Committee made enquiries regarding the allegations of under 18's within the pub. The Licensee reiterated that she did not allow underage drinking within her pub however children do drink outside of her pub. Furthermore, in relation to the underage raves she followed the Police advice and covered up the pumps whilst the raves were continuing. The Committee referred the Licensee to the statement of PC Khan which referred to an interview and a caution given to an underage 16 year old who admitted drinking within her premise. The Licensee stated that this individual was arrested as a result of a telephone call she had made and that during a function this individual had smashed a window in the kitchen. She stated that the Police had not notified her of the outcome and that the individual had not been drinking in her pub.

The Committee also enquired whether the Licensee thought her domestic altercations would have an affect and whether she thought her behaviour was acceptable. The Licensee stated that the incidents did not occur during the day and were only late at night.

The Committee questioned the Licensee as to why she appeared reluctant to attend for Police interviews. She stated that she had been invited to three interviews and was poorly on one occasion and that the interviews were all in relation to the raves.

Furthermore the Committee enquired why no representative had been attending the Pub Watch meetings. The Licensee stated that she wasn't aware that this was a condition upon her licence as she had not read the licence properly. The Licensee also stated that in relation to the drugs and late night drinking, these were first brought to her attention when the Police submitted an application for review.

The Legal Adviser for the Police explained to the Committee that the Police were not seeking a second bite of the cherry but that they were seeking to promote the Licensing objectives. Furthermore, the Police had given the Licensee a chance however the Police continued to receive many allegations in relation to the premise. The Adviser stated that it was appropriate to review the premise licence and that the Committee should view any breach seriously as the licence conditions had clearly not been adhered to and the licence conditions had been undermined.

The Licensee had no further comments to make.

After considering all of the evidence and representations made the Committee felt that there was evidence of underage drinking taking place within the premise. The Committee noted that the statement of a PC was clear evidence that underage drinking was taking place at the premise. The Committee took into consideration that the statement referred to two individuals who were cautioned for underage drinking on the same day. The Committee also noted the Licensee's refusal to accept any of the evidence relating to underage drinking. The Committee felt the management of The Roseworth would only be improved if the Licensee was prepared to accept some of the concerns raised by Cleveland Police.

The Committee noted that the Police had made representations regarding raves held for under 18's. The Committee considered that the last event was held in August and that the Licensee had followed police advice and not held any further raves. The

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Committee felt that the Licensee and Cleveland Police had adequately dealt with the issues regarding the raves.

The Committee took into consideration that the Police had concerns regarding the application for variation and therefore conditions had been agreed with the Licensee to promote the licensing objectives. The Committee also took into consideration that it was a condition of the Licensee's licence that a representative from The Roseworth attended Pub Watch meetings that were held every three months and since the variation of her licence no representative had attended. The Committee also noted that the breach of a condition to fit an internal CCTV was another important breach and that the Licensee had ample time to ensure that this was fixed. The Committee took into consideration that the Licensee had also failed to conduct periodic assessments and noted these had been requested by Environmental Health.

The Committee felt the Licensee had shown little regard to some of the conditions imposed on the licence. This was further exasperated by the fact no satisfactory explanation was given as to why the breaches had occurred. In particular the Committee thought that the failure to attend Pub Watch meetings as a result of not reading the premise licence properly was a blatant disregard to the licensing regime and evidence that the Licensee had failed to manage The Roseworth in line with the licensing objectives.

The Committee noted that many of the reports contained in the booklet involved domestic incidents between the Licensee and her partner. The Committee noted that the incidents were causing a nuisance to those that lived in the vicinity as they often continued outside the pub. However the Committee took into consideration that many of these incidents occurred outside the licensable hours contained on the premises licence.

The Committee noted the representations made by Cleveland Police that the Licensee had closed the pub prior to her going on holiday and that she had acted accordingly.

The Committee took into consideration that the Licensee felt she did not serve any under 18's and that it may be the case that adults buy alcohol on behalf of those under 18. The Committee therefore felt it appropriate to attach the following conditions:-

- No under 18's to be admitted to the premise.
- Request ID from anyone who appears under the age the age of 18.

The Committee considered that the Police had agreed conditions with the Licensee and that the premise licence had been granted which incorporated those conditions. The Committee noted that the conditions had been imposed to prevent crime and disorder that the Licensee had failed to regard the conditions of any importance. The Committee felt this was further evidence the pub was not been managed in line with the licensing objectives and imposed the following condition.

- All licensable activities to cease by 10.30 pm. The premise to close by 11 pm.

Furthermore in relation to the breach of licensing conditions the Committee felt strongly about the breaches especially as the licensee had agreed the conditions with Cleveland Police and Environmental Health when she applied for the variation of

JRS //

the licence. The Committee also noted that no reasonable excuse had been provided for failing to enforce the conditions and felt the crime and disorder and public nuisance objective had been undermined as a result. The Committee also felt that the Licensee had failed to show any remorse in relation to the breaches. It was felt by the Committee that the Licensee would only take her obligations under the premise license seriously by suspending the licence.

- The Committee felt it appropriate to suspend the premises licence for a period of six weeks.

RESOLVED that:-

1. The following conditions be attached to Roseworth Premise Licence:-
 - a. No persons under the age of 18 be admitted to the premise.
 - b. ID be requested from anyone who appears under the age the age of 18.
 - c. All licensable activities to cease by 10.30 pm. The premise to close by 11 pm.
2. The Premise License be suspended for a period of six weeks.

JRJ/2

My Ref: JN/SR/0008
Your Ref:
Please ask for: Jonathan Nertney
Tel: (01642) 526312
Email: jonathan.nertney@stockton.gov.uk

9 January 2009

Dear Sir

**The Queen Victoria, 54 Yarm Road, Stockton-on-Tees, TS18 3PQ
Application for a Summary Review of the Premises Licence Under the Licensing Act 2003**

As a person who made a relevant representation on this matter I write to inform you of the decision of the Licensing Sub Committee which met on the 5 January 2009 to consider this application for a review of the premises licence at the request of Cleveland Police.

Attendance:

Sub Committee:	Councillor Woodhead (Chair), Councillor Kirton, Councillor Mrs Nelson
Licensing:	Mr Vaines, Principal Licensing Officer
Law and Democracy:	Mr Nertney, Principal Solicitor
Premises Licence Holder:	Marstons Plc – Mr Jervis (represented by Mr Cochrane from Flint Bishop Solicitors)
Cleveland Police:	PC Icton (represented by Miss Smith, Barrister)
Environmental Health:	Mr Snowdon, Environmental Health Manager
Persons Living Within the Vicinity of the Premise	Six representations had been received and three of those persons were in attendance at the meeting along with their representative Councillor Rix, Ward Councillor

Preliminary

The Chair introduced all persons who were present and explained the procedure to be followed during the hearing.

First Class Post

JRS/2

The Report to Committee

Mr Vaines advised the Committee that an application had been received from Cleveland Police under the provisions of Section 51 of the Licensing Act 2003. However further issues of concern arose for the Police and an expedited review application was submitted under Section 53A of the Licensing Act 2003.

The Sub Committee had met on 9 December 2008 in accordance with the expedited review procedure and had resolved to:-

- Remove [REDACTED] as the Designated Premises Supervisor with immediate effect; and
- Suspend the premises licence with immediate effect

It was noted that the premises licence holder had not objected to the interim measures and the matter before the Sub Committee was now a review of the premises licence

It was noted that normally the appellant and each person who had made a relevant representation would be invited to address the Sub Committee. However the Police and Premises Licence Holder were in agreement in relation to this matter. They had reached what they believed to be an amicable and reasonable approach to this matter and they were invited to inform the Committee of their proposals.

The representatives for the Police and Premise Licence Holder informed that Sub Committee that they both were in agreement that the Designated Premises Supervisor ([REDACTED]) should be removed and that the licence should remain suspended until such time as the Premise Licence Holder has obtained vacant possession of the premise and evicted [REDACTED]. It was noted that the Premises Licence Holder had a possession hearing listed before Middlesbrough County Court in February 2009. The Premises Licence Holder had agreed that should possession not be obtained within a period of three months, which is the maximum period a licence can be suspended, then the licence will be revoked.

The representatives for the Police and Premise Licence Holder invited the Sub Committee to agree to their suggested course of action.

Members Decision Making

In considering their decision Members of the Sub Committee had regard to the documentary evidence which had been submitted to them, to Statutory Guidance and to guidance issued by the Department for Culture, Media and Sport titled Expedited/Summary Licence Reviews Guidance which was issued in October 2007.

The Committee gave consideration to whether the DPS should be removed. The Committee agreed that this would be appropriate and proportionate in these circumstances.

The Committee also felt it was appropriate to suspend the premises licence. The Committee noted that the Premises Licence Holder was in full agreement with this course of action.

The Committee therefore resolved to:-

- Remove [REDACTED] as the Designated Premises Supervisor with immediate effect; and
- Suspend the premises licence with immediate effect until such time as the Premise Licence Holder obtains vacant possession of the premise and [REDACTED] is evicted. Should vacant possession not be obtained within a period of three months then the premises licence shall be deemed revoked.

Any person aggrieved by this decision may appeal to the Magistrates Court within 21 days of receipt of this letter. Any person considering whether to submit an appeal is advised to seek their own

JRJ/2

independent legal advice. If any appeal is not successful then the magistrates have the power to award costs against the unsuccessful appellant.

If you have any queries please do not hesitate to contact me.

Yours faithfully

Principal Solicitor &
Legal Adviser to the
Licensing Sub Committee

JRJ/3

Dated 11/6/18

[REDACTED]
To
Danielle Bradshaw.

(2) JADE [REDACTED] OF [REDACTED]
[REDACTED]

LEASE

Of

GROUND FLOOR PUBLIC HOUSE AND BASEMENT

At

[MANHATTONS] 9 HIGH STREET STOCKTON ON TEES

[REDACTED]
[REDACTED]
[REDACTED]

JRS/3

PRESCRIBED CLAUSES

LR1. Date of Lease 11/6/18

LR2. Title number(s)

LR2.1 Landlord's title number:

LR2.2 Other title numbers: None

LR3. Parties to this lease

Landlord:

Tenant

JADE DENT AND

OF

Other parties:

Danielle Bradshaw

Guarantor: JADE

OF

LR4. Property

In the case of a conflict between this clause and the remainder of this lease then, for the purposes of registration, this clause shall prevail.

See the definition of "Demised Premises" in Clause 1.1 and in the First Schedule of this lease.

LR5. Prescribed statements etc

None.

LR6. Term for which the Property is leased

The term as specified in this lease at Clause 1.2 in the definition of "Term".

LR7. Premium

None.

LR8. Prohibitions or restrictions on disposing of this lease

This lease contains a provision that prohibits or restricts dispositions.

LR9. Rights of acquisition etc.

LR9.1 Tenant's contractual rights to renew this lease, to acquire the reversion or another lease of the Property, or to acquire and interest in other land.

None.

JRJ/3

THIS LEASE is made the ___11/6/18_____

**BETWEEN
PARTIES**

The Landlord: [REDACTED]
[REDACTED] Danielle Bradshaw.
The Tenant: _ JADE [REDACTED] OF [REDACTED]
[REDACTED]

MEANING OF TERMS

1 in this lease the following terms have the meanings set against them: -

"the Demised Premises" means the building [MANHATTONS PUBLIC HOUSE] 9 HIGH
STREET STOCKTON ON TEES

1.1 (any walls separating the Demised Premises from any adjoining premises being party walls deemed to be divided vertically and being maintainable and repairable by the Tenant as party structures) as more particularly described in the First schedule.

1.2 "the Term" means 10 YEARS commencing on 11/6/18 _____

1.3 "the Initial Rent" means [REDACTED] per annum plus vat per .

1.4 The rent will be charged at [REDACTED] per week plus vat .

1.5 Rent free period from the 11/6/18 until the 1st September 2018 and all rents to start on the 1st of September and each week thereafter.

1.6 ALL PRICES PLUS VAT

1.7 INSURANCE FOR THE UNIT TO BE PAID WITHIN 7 DAYS OF RECEIPT OF INVOICE THIS WILL BE CHARGED FROM THE 11/6/18

1.8 "the Permitted Use" shall mean _____PUBLIC HOUSE_ AND BAR ONLY _____ and ancillary purposes thereto

1.9 "Review Date" means the anniversary of the date of this lease

1.10 "the Liability Period" means:-

1.10.1 in the case of the Tenant the period during which the Tenant is bound by the tenant covenants of this Lease together with any additional period during which the



**Representations On An Application By
A Responsible Authority
(Form LA10RA)**

www.stockton.gov.uk

Trading Standards, PO Box 232, 16 Church Road, Stockton on Tees TS18 1XD
Tel: (01642) 526560 • Fax: (01642) 526584

**Representations On A Current Application For A Grant/Variation/Review Of A
Premises Licence Or Club Premises Certificate Under The Licensing Act 2003**

Section 1 – Licence Application Details

Applicant Name (If Known)	Manhattans
Premises Name and Address	9 High Street Stockton-On-Tees TS18 1UB

Section 2 - Responsible Authority

- Trading Standards
- Cleveland Police
- Environmental Health
- Cleveland Fire Service
- Planning
- Protection of Children From Harm
- Health

Section 3 – Representation Grounds

<p>The representation is relevant to one or more of the following licensing objectives:</p> <p>Please tick relevant box(es)</p>	<input checked="" type="checkbox"/> Prevention of Crime and Disorder <input type="checkbox"/> Prevention of Public Nuisance <input checked="" type="checkbox"/> Protection of Children from Harm <input type="checkbox"/> Public Safety
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Please Select:

I object to the application being granted at all
 I object to the application being granted in its current form*

*If you choose this option remember to tell us what changes you would prefer to see.


<p>The grounds of the representation is based on the following: (Please continue on a separate sheet if necessary)</p> <p>Stockton Trading Standards actively work with partner including Cleveland Police and Public Health working towards an effective and robust licensing regime and the licensing objectives. In the main Trading Standards have responsibility in relation to the Protection of Children from Harm objective</p>
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and are aware of many licensees within the Borough of Stockton that ensure their premises adhere to specific and effective procedures in relation to the prevention of under-age sales, these procedures include the use of a refusals register, training of members of staff to ensure competency, till-prompts and the implementation of the Think 21/ 25 policy to name but a few. The undertaking of such systems demonstrates that a licensee is acting responsibly and meeting their legal obligations in undertaking reasonable efforts to eliminate the risk of under-age sales.

Aside from the above Trading Standards additionally actively support the roles of other Responsible Authorities and consider that historically these premises have failed to meet the licensing objectives demonstrating an ignorance to their responsibilities and the legislation in place, thus leading to the revocation of the licence.

This application does not appear to address the inherent issues with the premises and as such I cannot be confident that a new licence will not see a repeat of the issues previously encountered with the premises.

I am therefore minded to object to the premise licence application on the basis that it does not appear to promote the licensing objectives and the Licensing Policy in place at Stockton Borough Council.

Signed: 	Position: Trading Standards Officer	Dated: 2 nd August 2018
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When complete this form should be returned to the address above or e-mailed to licensing.administration@stockton.gov.uk

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Date Received		Checked By	
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Licence Or Club Premises Certificate Under The Licensing Act 2003**

Section 1 – Licence Application Details

Applicant Name (If Known)	Jade Dent
Premises Name and Address	Manhattans 9 High Street Stockton on Tees

Section 2 - Responsible Authority

- Cleveland Fire Service
- Cleveland Police
- Environmental Health
- Planning
- Protection of Children From Harm
- Public Health
- Trading Standards

Section 3 – Representation Grounds

<p>The representation is relevant to one or more of the following licensing objectives:</p> <p>Please tick relevant box(es)</p>	<ul style="list-style-type: none"> • Prevention of Crime and Disorder Prevention of Public Nuisance Protection of Children from Harm • Public Safety
<p>Please Select:</p> <p>I object to the application being granted at all</p> <p>I object to the application being granted in its current form*</p> <p>*If you choose this option remember to tell us what changes you would prefer to see.</p>	

The grounds of the representation is based on the following:
(Please continue on a separate sheet if necessary)

Public Health, as a responsible authority, works to prevent and reduce both individual and population level harm from the misuse of alcohol. The Public Health approach supports all of the borough licencing objectives.

The applicant has applied for a licence for a Public House to sell alcohol for consumption both on and off the premises. The hours of consumption stated in the application are from 10.00 – 00.00 Monday – Thursday and Sunday, 10.00 – 01.00 Friday and Saturday. Public Health has considered the application in relation to local data and national evidence related to alcohol harm, and to the promotion of the licencing objectives for the borough.

Public Health objects to the current licence application on the basis that due to the nature of the establishment it will be a high risk venue that, with the current conditions attached to the application, will contribute to excessive drinking which will undermine crime and disorder and public safety licencing objectives.

The premises are not yet trading so the licencing objectives above have not yet been undermined, but Public Health determine that, if the application is accepted in its current form it is likely that they will be undermined should the licence be granted. In the case of *East Lindsey District Council v Abu Hanif (t/a Zara's restaurant)* (2016) Mr Justice Jay said:

[T]he prevention of crime and disorder required a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.

The current application does not provide assurance that the applicant, in line with point 117 of the statement of licencing policy, will promote responsible drinking beyond those measures outlined in the mandatory licencing act, as outlined in point 118 of the statement of licencing policy. Having regards to the existing levels of alcohol related harm to Stockton-on-Tees town centre where the premise is situated, and the nature of how the premise will operate (high risk, vertical drinking establishment) Public Health determines that the licence granted under the current conditions included in the application would contribute to excessive drinking patterns and crime and disorder in the town centre.

With regards to section 119 of the statement of licencing policy Public Health have carefully considered the nature of the proposed premise. In the application, the information provided leads Public Health to conclude that Manhattans is intended to be a vertical drinking establishment. The Institute of Alcohol Studies (IAS) collates evidence about features of the night time economy that are identified as causes of excessive or problematic alcohol consumption. Vertical drinking establishments are identified a particular cause of problematic consumption. The IAS describes vertical drinking establishments as those where drinking is an end in itself, rather than accompanying activities such as having a meal or being seated at a table. Discount drinks and promotions that encourage heavy drinking (e.g. happy hours) within vertical drinking establishments are identified as specific factors that are linked to the higher likelihood of aggression.

Findings from systematic reviews (a form of research that provide high quality, robust evidence) in the area of alcohol harm provides evidence for the association between vertical drinking and increased consumption, in particular:

- There is evidence that young people, binge drinkers and harmful drinkers should a preference for cheaper drinks (NICE PH24)
- There is an association between point of purchase promotions and effects on alcohol consumptions (NCIE PH24)

There is particular concern about current levels of alcohol related ambulance call outs and alcohol related crime and disorder within the vicinity of the proposed premise:


- Stockton town centre ward has the second highest level of alcohol related ambulance call outs for the borough.
- Alcohol related violence has increased by 18% across the borough during July 17 to June 18.
- Manhattans Pub is located with the Stockton Town Centre ward where offences have rose by 15% during the same time period.

As per section 167 of the statement of licencing policy, Public Health conclude that there is a lack of assurance in the current application that the applicant has considered the context within which the premise is situated, and the likely cumulative impact on crime and disorder and public safety that excessive drinking at the establishment would contribute to.

Public Health propose the following condition, if the applicant accept these conditions then the representation will be withdrawn:

The licensee shall endeavour to promote responsible drinking (i.e. Through the active promotion of posters in the premises to remind customers of the unit content of alcoholic drinks and low risk drinking guidelines, through the active promotion of soft drinks alongside any drinks promotions).

In the event that these conditions are not accepted a statement will be provided by Public Health.

Signed: 	Position: Health Improvement Specialist	Dated: 14/8/18
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When complete this form should be returned to the address above or e-mailed to licensing.administration@stockton.gov.uk

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