

DELEGATED

AGENDA NO.

**REPORT TO LICENSING
COMMITTEE**

20 August 2019

**LICENSING ACT 2003
APPLICATION FOR VARIATION
ALITHEO'S BAR, 391-393 NORTON ROAD, NORTON, STOCKTON-ON-TEES TS20 2QQ**

SUMMARY

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

RECOMMENDATION

That Members determine the application.

THE APPLICATION

1. An application for a variation has been received from Mr Peter Charlton in relation to Alitheo's Bar, 391-393 Norton Road, Norton, Stockton-On-Tees TS20 2QQ. The proposed variation is to include the upstairs area of the premises and to remove the following condition on Annex 3 of the premise licence under the heading of Prevention of Public Nuisance and as part of the embedded restrictions at point 3.5:

“Regulated entertainment shall be provided no more than three occasions in any week”.

“No more than three events shall be held in any seven day period”.

A copy of the application is attached at Appendix 1.

A copy of the existing licence is attached at Appendix 2 for information.

RESPONSIBLE AUTHORITIES

2. Representations have been received from Cleveland Fire Brigade and Environmental Health. These representations relate to Public Safety and the prevention of Public Nuisance. Copies of the representations are attached at Appendix 3 & Appendix 4

Cleveland Police have received agreed conditions signed by the applicant which will be added to the operating schedule. A copy is attached at Appendix 5.

ADDITIONAL INFORMATION

3. Attached at Appendix 6 is an email received from Building Control.

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

POLICY CONSIDERATION

4. Members also need to give due consideration to the Section 182 Guidance April 2018 issued under the Licensing Act 2003 when determining this application.
5. 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

6. Members may consider the following options:
 1. To reject all or part of the application for variation.
 2. To modify the conditions of the licence.

ASSOCIATED PAPERS

7. The following appendices are attached for information:

Appendix 1	Application Form
Appendix 2	Copy of Existing Licence
Appendix 3	Representation from Cleveland Fire Brigade
Appendix 4	Representation from Environmental Health
Appendix 5	Police Agreed Conditions
Appendix 6	Email from Building Control
Appendix 7	Location Map

Assistant Director Administration Democratic and Electoral Services

Contact Officer:

Telephone No.

Email Address:

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

Financial Implications:

None

Environmental Implications:

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

- The prevention of crime & disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Any conditions imposed should reduce the potential for environmental harm.

Legal Implications:

i) Where a licensing authority rejects (in whole or in part) an application to vary a premises licence the applicant may appeal against that decision.

ii) Where an application to vary a premises licence is granted (in whole or in part) the applicant may appeal against any decision to modify the conditions of the licence; and where a person who made relevant

representation in relation to the application desires to contend -
that any variation made ought not to have been made, or

a) that, when varying the licence, the licensing authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way, he may appeal against that decision.

Community Safety 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 crime and disorder.

Human Rights Implications:

As a licence is deemed to be a personal possession Members should have regard to the Human Rights Act when determining this application.

Background Papers:

Stockton Borough Council Licensing Policy Statement and Section 182 Guidance April 2018

Ward(s) and Ward Councillors:

Norton North
Lisa Evans
Steve Nelson



Stockton-on-Tees
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing.administration@stockton.gov.uk
 Telephone: 01642 526558

* required information

Section 1 of 18

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

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

PETER

* Family name

CHARLTON

* E-mail

pcharlton15@yahoo.co.uk

Main telephone number

07847022747

Include country code.

Other telephone number

07887240952

- 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.

Applicant Business

Is your business registered in the UK with Companies House?

- Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

11496424

Business name

Alitheos Bar LTD

If your business is registered, use its registered name.

VAT number

-

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

3,850

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VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe 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.

To vary the current license to include the upstairs bar area. Also to remove the embedded restrictions and the condition relating to number of regulated entertainment events permitted per week

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

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

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

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ADULT ENTERTAINMENT

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.

Provide 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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

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.

Please remove embedded restrictions

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

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

To have embedded restrictions removed

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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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.

Continued from previous page...

To ensure that the bar is sufficiently staffed, that all sign-age relating to public nuisance and protection of children etc are intact and fully displayed

b) The prevention of crime and disorder

- No drink shall be removed from the premises in an unsealed container.
- The maximum number of persons allowed in these premises shall be (160 persons).

CCTV installed

c) Public safety

There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.

- At all times when the public are present, at least one person who holds a current recognized first aid certificate or award shall be present on the premises. Where more than one such person is present their duties shall be clearly defined.

- Emergency lighting, including illuminated exit signs, the fire alarm system and fire fighting equipment shall be maintained in satisfactory working order.

d) The prevention of public nuisance

Window shutters shall be closed after 23.00 when regulated entertainment is taking place.

e) The protection of children from harm

Persons under 18 years of age must be accompanied by an adult over 21 years of age when on the premises.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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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.

Variation 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 you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise 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

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

DECLARATION

I/We understand that it is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

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

Continued from previous page...

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	<input type="text" value="Peter Charlton"/>
* Capacity	<input type="text" value="Owner/Applicant"/>
* Date	<input type="text" value="05"/> / <input type="text" value="07"/> / <input type="text" value="2019"/> 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/change-1> to upload this file and continue with your application.

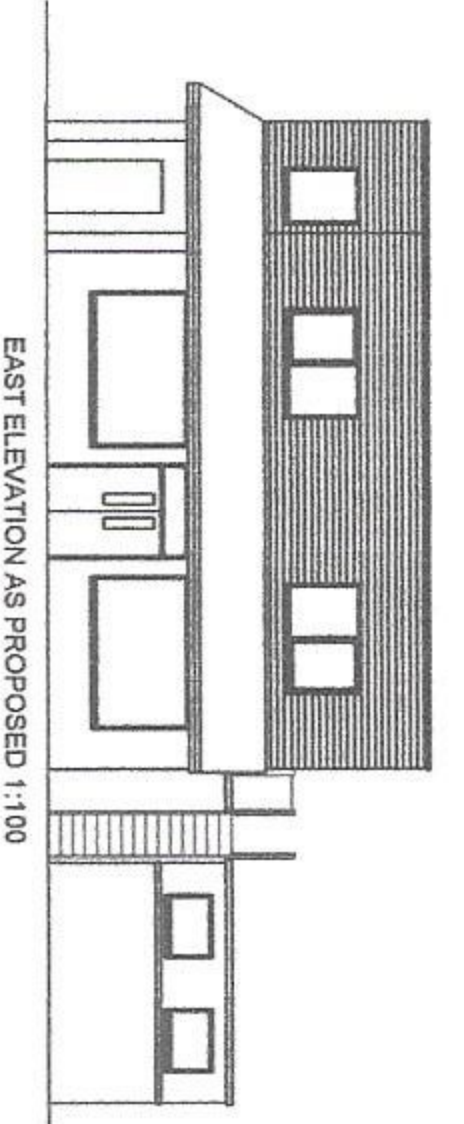
Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

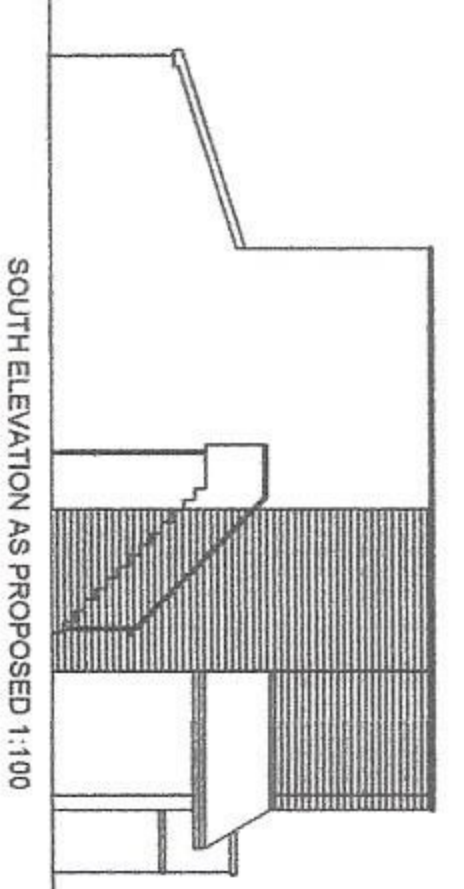
OFFICE USE ONLY

Applicant reference number	<input type="text"/>
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"/>

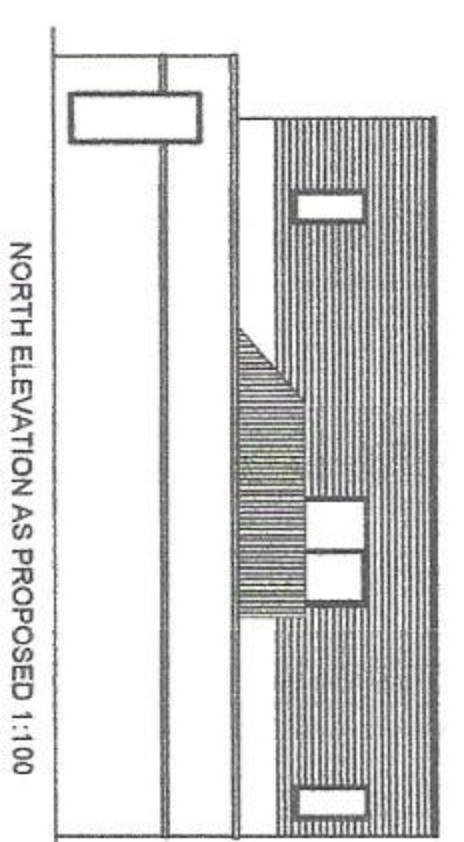
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >



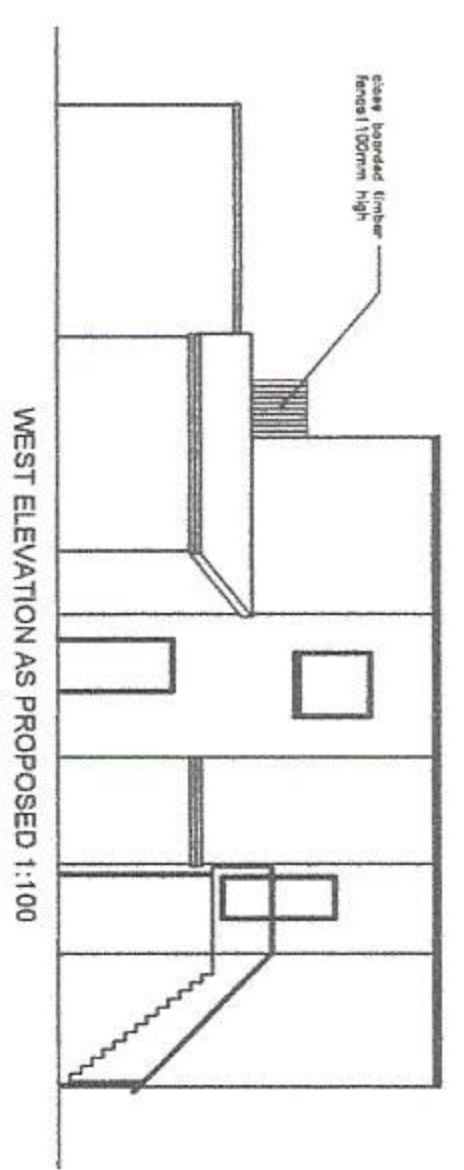
EAST ELEVATION AS PROPOSED 1:100



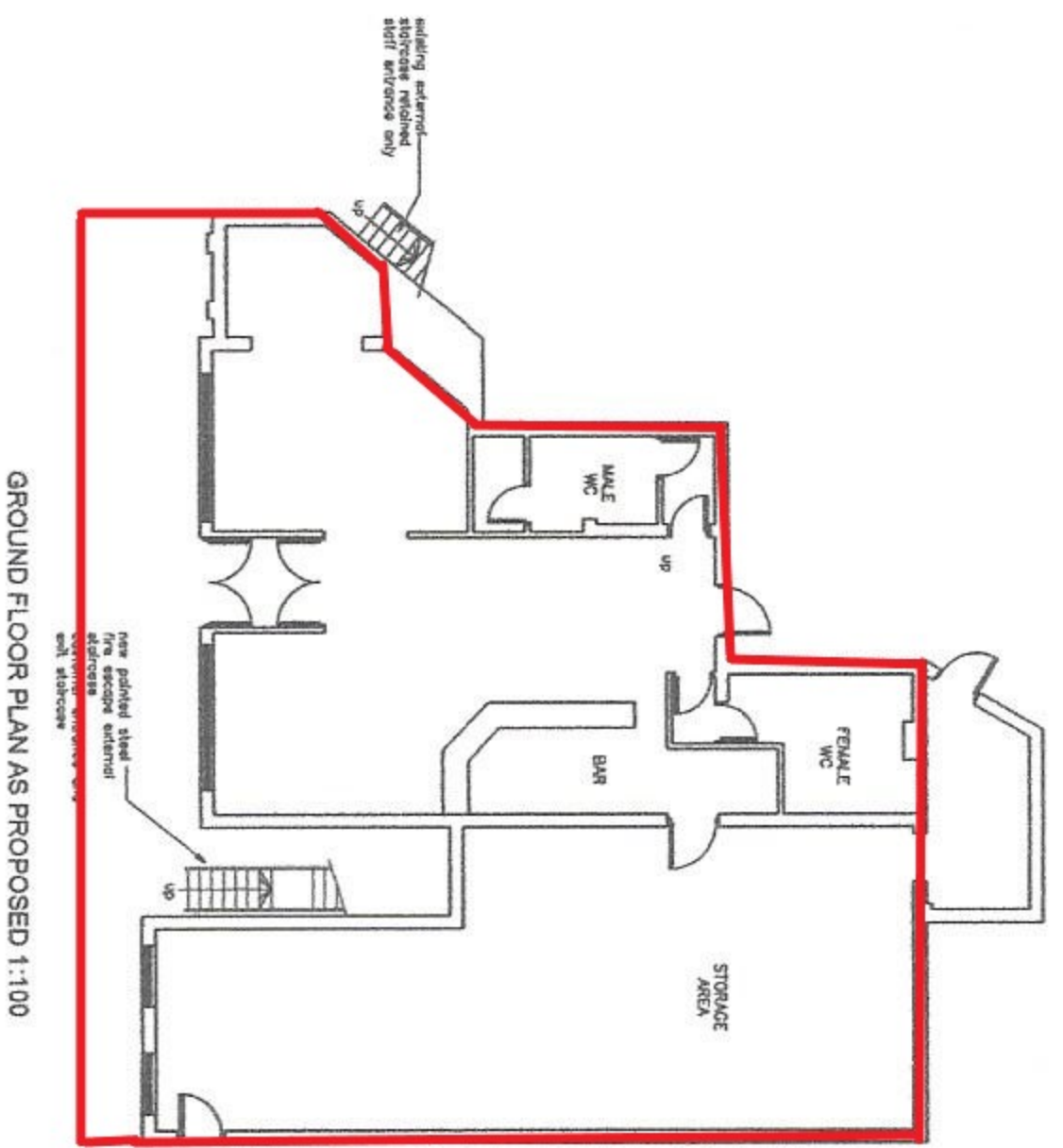
SOUTH ELEVATION AS PROPOSED 1:100



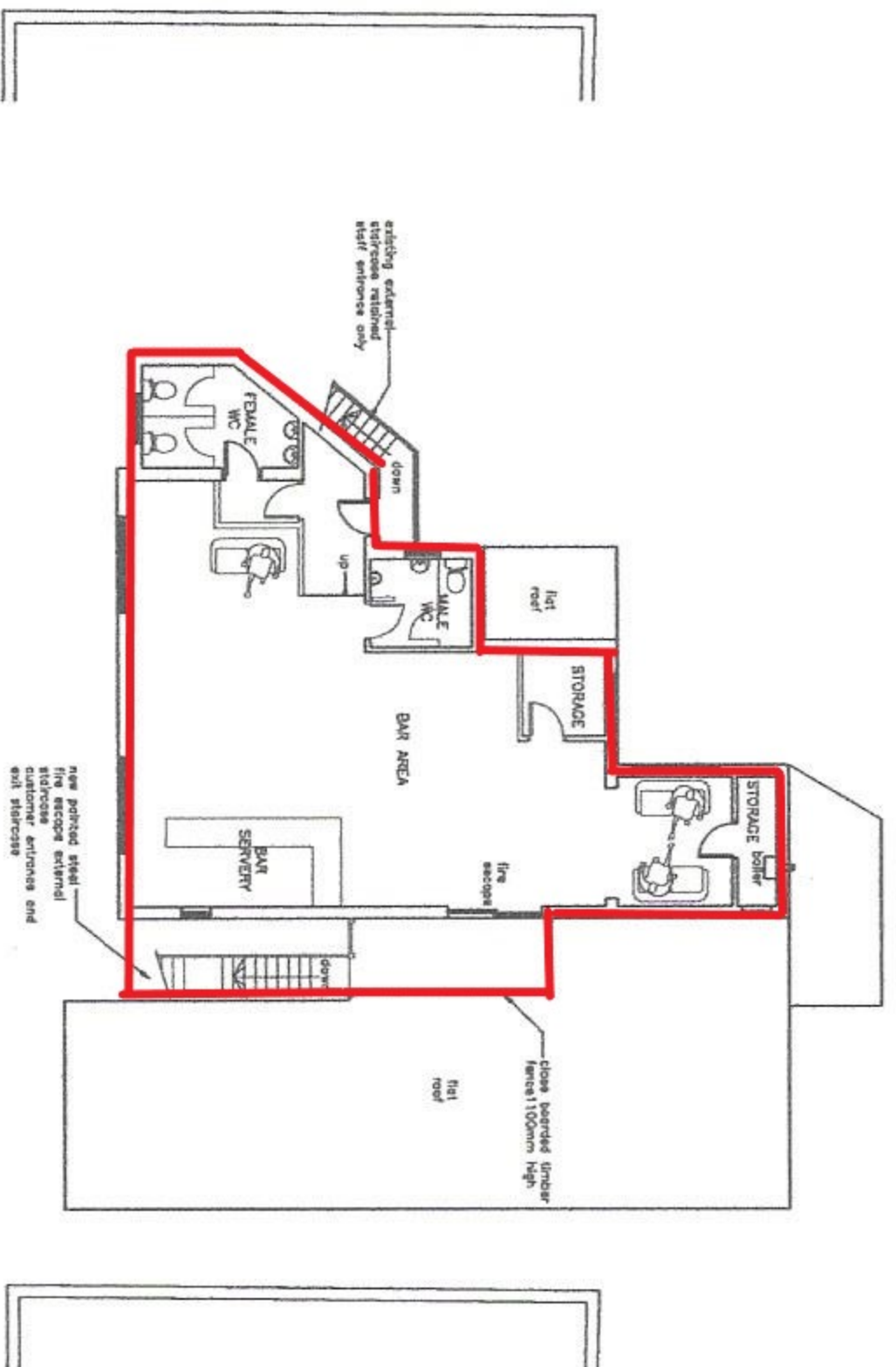
NORTH ELEVATION AS PROPOSED 1:100



WEST ELEVATION AS PROPOSED 1:100



GROUND FLOOR PLAN AS PROPOSED 1:100



FIRST FLOOR PLAN AS PROPOSED 1:100



PROPOSED BLOCK PLAN 1:200

design Ltd
 ARCHITECTURAL DESIGN
 86 Redbridge Road
 London E9 6RN
 Tel: 01832 372254
 Fax: 01832 372255
 Email: info@designltd.com
 Web: www.designltd.com

MR PETER CHARLTON
 PROPOSED CHANGE OF USE OF FIRST
 FLOOR TO BAR AREA

391 - 393 NORTON ROAD
 NORTON
 STOCKTON ON TEES
 TS20 2QQ

SCALE 1:100 @ A1 SEPTEMBER 2018
 DRAWING NUMBER 2018.034_PP03_E
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LICENSING ACT 2003

PREMISES LICENCE SUMMARY (PART B)

PREMISES LICENCE NUMBER: 051606

PREMISES DETAILS

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Alitheo's Bar
391-393 Norton Road, Norton, Stockton-On-Tees, TS20 2QQ

WHERE THE LICENCE IS TIME LIMITED THE DATES

N/A

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

LIVE MUSIC
RECORDED MUSIC
ACTIVITIES LIKE MUSIC/DANCE
LATE NIGHT REFRESHMENTS
SUPPLY OF ALCOHOL



Margaret Waggott
Assistant Director
(Administration, Democratic & Electoral Services)

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

LIVE MUSIC

MONDAY: 11.00 until 24.00
TUESDAY: 11.00 until 24.00
WEDNESDAY: 11.00 until 24.00
THURSDAY: 11.00 until 24.00
FRIDAY: 11.00 until 24.00
SATURDAY: 11.00 until 24.00
SUNDAY: 11.00 until 24.00

RECORDED MUSIC

MONDAY: 11.00 until 24.00
TUESDAY: 11.00 until 24.00
WEDNESDAY: 11.00 until 24.00
THURSDAY: 11.00 until 24.00
FRIDAY: 11.00 until 24.00
SATURDAY: 11.00 until 24.00
SUNDAY: 11.00 until 24.00

ACTIVITIES LIKE MUSIC OR DANCING

MONDAY: 11.00 until 24.00
TUESDAY: 11.00 until 24.00
WEDNESDAY: 11.00 until 24.00
THURSDAY: 11.00 until 24.00
FRIDAY: 11.00 until 24.00
SATURDAY: 11.00 until 24.00
SUNDAY: 11.00 until 24.00

LATE NIGHT REFRESHMENTS

MONDAY: 23.00 until 24.00
TUESDAY: 23.00 until 24.00
WEDNESDAY: 23.00 until 24.00
THURSDAY: 23.00 until 24.00
FRIDAY: 23.00 until 24.00
SATURDAY: 23.00 until 24.00
SUNDAY: 23.00 until 24.00

SUPPLY OF ALCOHOL FOR CONSUMPTION ON THE PREMISES

MONDAY: 11.00 until 01.00
TUESDAY: 11.00 until 01.00
WEDNESDAY: 11.00 until 01.00
THURSDAY: 11.00 until 01.00
FRIDAY: 11.00 until 01.00
SATURDAY: 11.00 until 01.00
SUNDAY: 11.00 until 01.00

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

SUPPLY OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES

MONDAY: 11.00 until 01.00
TUESDAY: 11.00 until 01.00
WEDNESDAY: 11.00 until 01.00
THURSDAY: 11.00 until 01.00
FRIDAY: 11.00 until 01.00
SATURDAY: 11.00 until 01.00
SUNDAY: 11.00 until 01.00

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

THE OPENING HOURS OF THE PREMISES

MONDAY: 11.00 until 01.30
TUESDAY: 11.00 until 01.30
WEDNESDAY: 11.00 until 01.30
THURSDAY: 11.00 until 01.30
FRIDAY: 11.00 until 01.30
SATURDAY: 11.00 until 01.30
SUNDAY: 11.00 until 01.30

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

Supply Of Alcohol ON The Premises
Supply Of Alcohol OFF The Premises

PART 2

NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Mr Peter Anthony Charlton
9 Fuller Crescent, Norton, Stockton-On-Tees, TS20 1HB

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

N/A

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Mr Peter Anthony Charlton

STATE WHETHER ACCESS TO PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

ANNEX 1

MANDATORY CONDITIONS AND EMBEDDED RESTRICTIONS

MANDATORY CONDITIONS

- **No supply of alcohol may be made under the premises licence:**
 - (a) at any time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at any time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- **Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**
- **This Licence/Club Registration Certificate is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:-**

The Children and Young Person Act 1933
The Cinematograph (Safety) Regulations 1955
The Sporting Events (Control of Alcohol etc) Act 1985

- **(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.**
 - (2) **In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-**
 - (a) **games or other activities which require or encourage, or are designed to require or encourage, individuals to -**
 - (i) **drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or**
 - (ii) **drink as much alcohol as possible (whether within a time limit or otherwise);**
 - (b) **provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;**
 - (c) **provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;**
 - (d) **selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise**

anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

- **The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.**

- **(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.**

(2) The designated premise supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

(a) a holographic mark, or

(b) an ultraviolet feature.

- **The responsible person must ensure that -**

(a) where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) beer or cider: 1/2 pint;

(ii) gin, rum, vodka or whisky: 25ml or 35ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

- **A. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price**

B. For the purposes of the condition set out in paragraph A -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P=D+(D \times V)$$

Where-

- (i) P is the permitted price**
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if duty were charged on the date of the sale or supply of the alcohol, and**
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol**
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -**
- (i) the holder of the premises licence,**
 - (ii) the designated premise supervisor (if any) in respect of such a licence, or**
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;**
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and**
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994**

C. Where the permitted price given by Paragraph (b) of paragraph B would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny

D. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph B on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

EMBEDDED RESTRICTIONS

- **On Licences
Permitted Hours**

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On Weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11.00am to 11.00pm.**
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12 Noon to 10.30pm.**
- (c) On Good Friday, 12 Noon to 10.30pm**
- (d) On Christmas Day, 12 Noon to 3.00pm and 7.00pm to 10.30pm**
- (e) On New Year's Eve, except on a Sunday, 11.00am to 11.00pm**
- (f) On New Year's Eve on a Sunday, 12 Noon to 10.30pm**
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).**

The above restrictions do not prohibit:

- (a) during the first twenty minutes after these hours the consumption of the alcohol on the premises;**
- (b) during the first twenty minutes after these hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;**
- (c) during the first thirty minutes after these hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;**
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;**
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;**
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;**
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of member of Her Majesty's Naval, Military or Air Forces;**
- (h) the taking of alcohol from the premises by a person residing there; or**
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or**
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.**

- **This licence is subject to such further conditions as are consistent with any restriction imposed on the existing licence of the premises:**

For the showing of films under the provisions of the Cinemas Act 1985

and/or

The performance of plays under the Theatres Act 1968

and/or

The provision of public entertainment under the Local Government (Miscellaneous Provisions Act 1982) as below;

- **1. Permitted Hours Of Operation**
11.00am - 12Midnight Monday - Saturday
12Noon - 11.30pm Sunday
- 2. Maximum Permitted Occupancy Level**
Whole Premises 60
- 3. Special Conditions**
 - 3.1 All doors and windows shall be kept closed whilst entertainment is in progress**
 - 3.2 During an event, the licensee (or a suitable representative) shall make subjective assessments, both internally and externally, of the likelihood of noise disturbance being caused by entertainment. The results of these assessments shall be recorded in a logbook including any action required as a result, which shall be retained for one year.**
 - 3.3 The licensee or nominated person shall take all reasonable steps to prevent disturbance or nuisance by persons leaving the premises and shall undertake such monitoring, if any, in this respect, as may be required by the Council.**
 - 3.4 A sign shall be erected at all exits asking patrons to leave the premises in a quiet manner and to consider the occupiers of nearby dwellings.**
 - 3.5 No more than three events shall be held in any seven day period.**
 - 3.6 The access door to the beer garden at the rear shall not be used whilst a public entertainment event is occurring.**

ANNEX 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

PREVENTION OF CRIME & DISORDER

- **No drink shall be removed from the premises in an unsealed container.**
- **The maximum number of persons allowed in these premises shall be (80 persons).**
- **The Licensee shall not supply alcoholic drinks at a "reduced price" during any limited period on any day.**

PUBLIC SAFETY

- **There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.**
- **At all times when the public are present, at least one person who holds a current recognised first aid certificate or award shall be present on the premises. Where more than one such person is present their duties shall be clearly defined.**
- **Emergency lighting, including illuminated exit signs, the fire alarm system and fire fighting equipment shall be maintained in satisfactory working order.**

PREVENTION OF PUBLIC NUISANCE

- **Window shutters shall be closed after 23.00 when regulated entertainment is taking place.**

PROTECTION OF CHILDREN FROM HARM

- **Persons under 18 years of age must be accompanied by an adult over 21 years of age when on the premises.**

ANNEX 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

PREVENTION OF CRIME & DISORDER

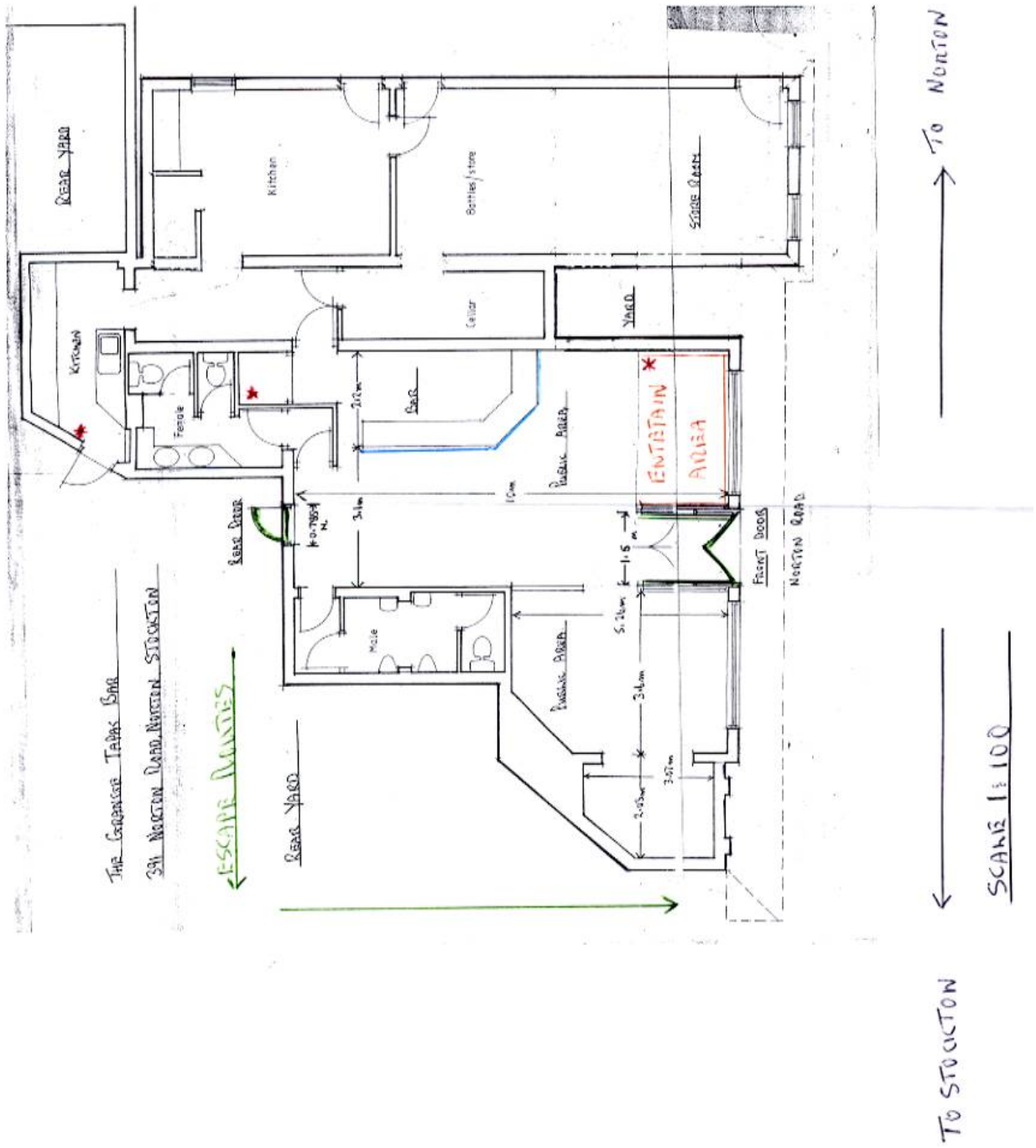
- **Customers shall not be allowed to enter the premises after 23.00.**

PREVENTION OF PUBLIC NUISANCE

- **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 premises. Any music shall be played indoors only.**
- **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.**
- **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)**
- **Entry into the beer garden by customers shall cease at 23.00. All customers to have vacated the beer garden by 23.20. There shall be no music played in the beer garden and no use of flood lighting likely to cause a nuisance to local residential properties.**
- **Regulated entertainment shall be provided no more than three occasions in any week.**

ANNEX 4

PLANS (NOT TO SCALE)



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

It is essential that you provide your full residential address (or business address if you are objecting from a business). Without this information your representation may not be accepted.

Please note that a full copy of your representation (including your personal details) will be sent to the applicant and will be a public document at any hearing of this matter. Summaries of the comments received will also be displayed on our website. You may wish to keep a copy of the completed form for your records.

Section 1 – Licence Application Details

Premises Name and Address	Alitheos Bar 391-393 Norton Road Norton Stockton TS20 2QQ
Please indicate as appropriate:	
<input checked="" type="checkbox"/> I wish to object to the application <input type="checkbox"/> I wish to support the application	

Section 2 – Your Personal Details

If you are acting as a representative, please go to Section 3	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ward Councillor <input type="checkbox"/> Other: (please state)
Surname	
First Name(s)	
Address (including Postcode)	
E-mail Address	
Telephone Number	

Section 3 – Representative Details

If you represent residents or businesses in the vicinity please complete details below:	
Name of Representative or Organisation	Cleveland Fire Brigade
Address (including Postcode)	Training & Administration Hub Endeavour House Queens Meadow Business Park Hartlepool TS25 5TH

Please indicate capacity:

- Representative of Residents Association
- Ward Councillor
- Parish Council
- MP
- Trade Association
- Other (please specify) **Fire Authority**

Please supply details of those you represent e.g. residents of The Avenue, TS21 8BP
(please continue on a separate sheet if necessary)

as above

Section 4 – Representation Grounds

The representation is relevant to one or more of the following licensing objectives:

Please tick relevant box(es)

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Protection of Children from Harm
- Public Safety

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.

You need to complete the box below as fully as possible. If you do not the Licensing Authority may not be able to assess the relevance of your representation. Please continue on a separate sheet if necessary.

The grounds of the representation is based on the following:

(Try to be as specific as possible and give examples of any evidence you may have e.g. on 1 June I could hear loud music from the premises between 10pm and 1.am. I am concerned that if the premises open until after 2am this will cause a nuisance to me and other residents of the street)

The first floor of the premises is going to be used as a licensed premises. Where internal alterations have took place without the required Building Regulations approval as yet.

We have visited the site and can confirm that the current means of escape provision would not meet the requirements of Approved Document B v2 (Building Regulations). An internal protected staircase would be required in order for an external fire escape to be acceptable (ADB v2 4.44a).

Awaiting Building Regulations consultation to be submitted, in its current state we would not deem it suitable.

Signed: S Ferguson	Dated: 29th July 2019
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When complete this form should be returned to:

Stockton on Tees Borough Council
 Licensing Service
 Municipal Buildings
 Church Road
 Stockton on Tees
 TS18 1LD

Email: licensing.administration@stockton.gov.uk

For Office Use Only

Date Received		Checked By	
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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)	Mr Peter Charlton
Premises Name and Address	Alitheo's Bar 391-393 Norton Road Norton Stockton-On-Tees TS20 2QQ

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)

Environmental Health are of the opinion that this premises is not currently suitable for the Licensable activities they are applying for, the premises has external metal stair cases, which the Fire Brigade have made Representation to and a single door for customers to access the premises which will allow significant noise outbreak to disturb the very close residential premises to the rear.

Officers have visited the premises to discuss options with the applicant to see if there are any conditions that could be agreed to ensure that no disturbances were created but as the premises stands in its current state there would be no option other than to recommend the following conditions

- No music, Live or amplified, shall be played in the 1st floor sports bar.
- 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.

That said however, this condition would not abate the noise of customers accessing the premises on the metal staircase and being in very close proximity to the bedroom of the residential property.

It would be the professional opinion of Environmental Health that this issue could be solved by the total enclosure of the stair case, however, additional planning permission will be required and the specifications of the enclosure will need to comply with both Fire Safety and Noise Mitigation.

Signed: Stephanie Landles	Position: Environmental Health Officer MCIEH	Dated: 30/07/2019
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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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For the attention of: PC James Johnson
Licensing Section
Cleveland Police HQ
Bridge Street West
Middlesbrough
TS2 1AB

Licensing Act 2003

Alitheo's

391-393 Norton Road
Stockton
TS20 2QQ

Following my discussions with Cleveland Police concerning the above premises. I confirm that I wish to amend my operating schedule to include the following:

1, 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 31 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.

2, Alcohol shall not be removed from the designated licensed area in open containers.

3, 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.

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

5, 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.

6, 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.

7, Children under the age of 18 years shall be accompanied by a responsible parent/guardian. Children will not be allowed at the bar or to remain in the premises beyond 21:00 hours.

If my application is successful, I understand that these amendments will then form part of any conditions attached to the grant of the licence.

Signature:  _____

Print Name: Peher

Position: Managing Director

Date: 26-7-19.

From: Raymond Sullivan
Sent: 01 August 2019 16:08
To: Polly Edwards <Polly.Edwards@stockton.gov.uk>
Subject: FW: Alithios

From: Raymond Sullivan
Sent: 01 August 2019 15:28
To: pcharlton15@yahoo.co.uk
Cc: Fiona Bage <Fiona.Bage@stockton.gov.uk>
Subject: Alithios

Peter

Following on from our telephone conversation, I've attached an items list for your information, regarding Building Regulations. As discussed there is a real concern regarding the omission of any internal stairs for the publics escape route from the 1st floor bar.

I have discussed with Fiona Bage the proposal of enclosing the external escape route. I have however been informed that a new planning application would be required, and Planning would be unable to assure you of it being approved until the design was submitted.

Should you have any further queries, do not hesitate in contacting me.

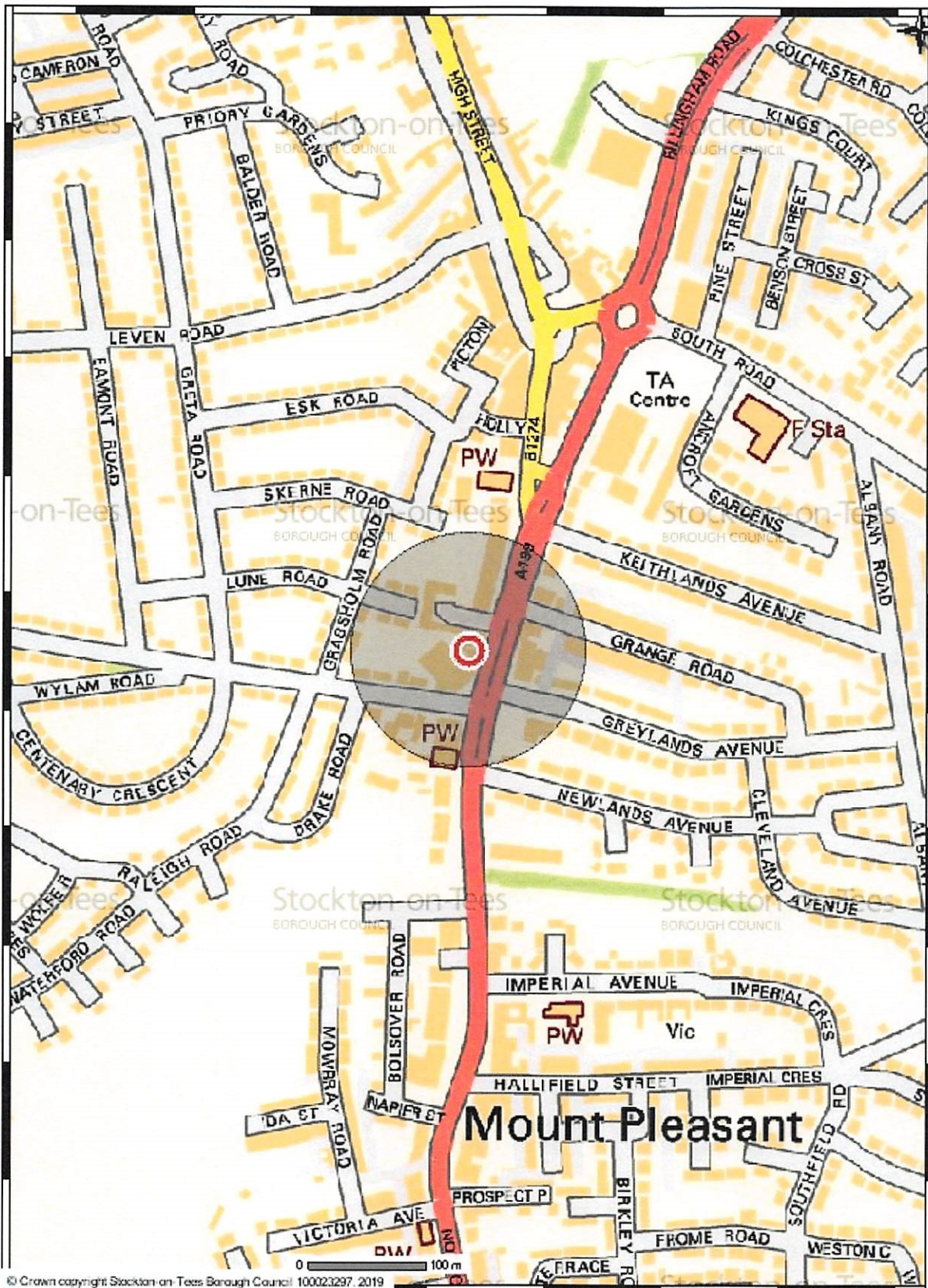
Regards

Ray

Items Schedule

Plan No:- 19/05783/OALRG

1. Require existing layouts and plans.
2. Confirm the ground and first floor are in separate ownership. Or is it a different operator.
3. Provide details of fire resistance between the ground and first floor.
4. Detail what services penetrate the separating floor and what provisions have been afforded for fire stopping.
5. Require internal fire exit from the first floor. External route unacceptable as the only route out of the first floor property.
6. Provide details of escape lighting.
7. Details of fire signage.
8. Details of ventilation.



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