



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

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**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)	The Penny Black, Hartburn
Premises Name and Address	Langthorne Grove, Stockton-On-Tees TS18 5PU

Section 2 - Responsible Authority

- Public Health

Section 3 – Representation Grounds

<p>The representation is relevant to one or more of the following licensing objectives: Please tick relevant box(es)</p>	<ul style="list-style-type: none"> • Prevention of Crime and Disorder • Public Safety • Prevention of public Nuisance • Protecting children from harm
<p>Please Select: I support the review application</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)

The Public Health team have reviewed the evidence and statements provided by residents, licensing and police colleagues, in respect of The Penny Black in Hartburn.

After considering the information provided, Public Health is in full support of the review application submitted by the Police and would like to comment further on the following – which we feel significantly undermine the licensing objectives of Public Safety, Crime and Disorder and Public Nuisance:

1. The use of Nitrous Oxide (referenced by silver cannisters) in young people, including potentially in combination with other drugs and alcohol by patrons visiting the premises.
2. The lack of implementation of Covid-19 secure measures, and compliance with government guidance to ensure safety of staff, visitors, customers and local residents.

Nitrous Oxide, sometimes known as NOS or laughing gas, is a drug that dentists sometimes use as an anaesthetic. People also use it for cooking, which is why it's easily available. Although there is no penalty for owning nitrous oxide and you can buy it legally for use in cooking and other products, selling nitrous oxide for the purposes of inhaling it is illegal. People also take nitrous oxide as a recreational drug.

The effects of nitrous oxide start very quickly after you've taken it, and they go away very quickly. However, taking nitrous oxide can cause side effects and has other risks associated with it as detailed below.

- Side effects can include:
 - Dizziness, feeling sick and headaches
 - Losing control of your body movements

- Accidents caused by you feeling dizzy
- It is best not to drink alcohol while using nitrous oxide – both drugs are depressants and using them together increases the risk of ill effects and accidents.
- Taking nitrous oxide alongside other drugs, is likely to increase risk of unconsciousness.
- Risk of overdose will also increase the more nitrous oxide that is consumed in a given time, starving the body of oxygen
- Other potential health harms

Due to the potential side effects of taking nitrous oxide, it can have a dangerous impact on a person’s ability to drive and it is therefore recommended that you do not drive while under the influence of nitrous oxide. Due to the reports from residents of young people gathering in cars, alongside drug use and dealing on the premises in full view/knowledge of premise staff, the likelihood of nitrous oxide being used alongside such drugs (and alcohol) is a cause for concern, and poses a risk to the health and safety of individuals – therefore undermining the licensing objective for Public Safety.


Mass littering of the nitrous oxide cannisters is also a common issue for local residents when used by groups of people over a prolonged period, and has been referred to in this case in the statements provided as a cause for Public Nuisance. This is alongside other issues such as glass being taken off the premises, anti-social behaviour, fighting, loud music being played till early hours of the morning and/or out of open fire exit doors.

Public Health are also concerned about the premise’s consistent failure to comply with Covid-19 advice and guidance since lockdown measures were implemented in March 2020. Given that positive cases are currently increasing locally, regionally and nationally at the time of writing – failure to implement social distancing and other covid-19 secure measures is a contravention of such guidance and a direct threat to the health and safety of staff, visitors, customers and local residents.

This activity does not support the Stockton-on-Tees Covid-19 Control Plan and combined efforts to keep the rate of transmission low in our area, going against the best interests of the health of our population. Considering the provision of alcohol alongside other activities at the premise such as allowing substance misuse in young people, and the lack of the premise’s adherence to government guidance, raises significant concerns about the management’s ability to be a responsible license holder and uphold licensing law.

As detailed in the statement provided by licensing, continual warnings, advice and visits given to Mr.Cooke by colleagues has failed to result in this behaviour being addressed or prevented. Clearly, the premise is not taking their responsibility to operate safely and protect their staff and customers during this time seriously, and will continue to provide cause for concern as guidance, measures and regulations may change in response to the pandemic over the coming months.

In context of the considerable evidence above, Public Health feels that the operating of the premise currently undermines the licensing objectives of Public Safety, Crime and Disorder and Public Nuisance and fully support the review application submitted by Police in order to prevent the further undermining of the objectives and risk to Public Health.

Signed: 	Position: Director of Public Health	Dated: 02/10/2020
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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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