



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

Section 2 - Responsible Authority

Licensing

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>	<p>Prevention of Crime and Disorder Prevention of Public Nuisance</p>
<p>Please Select: I support the review application.</p>	

<p>The grounds of the representation is based on the following: (Please continue on a separate sheet if necessary)</p>
<p>Stockton-On-Tees Licensing Service are working towards an effective and robust licensing regime and the promotion of the four licensing objectives. The Licensing Service has a primary role in the administration and compliance of the Licensing Act 2003.</p> <p>Mr Gary Cooke is the Premise Licence Holder (PLH) and Designated Premise Supervisor (DPS) at the Penny Black. Members of public have contacted the Licensing Service independently detailing concerns about incidents at the premises and the behaviour of Mr Cooke. All the residents involved have asked to remain anonymous and will not make representations in person for fear of repercussions for themselves or their families. They all live in very close proximity to the premise and some have had negative experiences including intimidation when raising issues directly with Mr Cooke or other staff at the premise.</p>

The licensing authority have no reason to believe any of the information provided by residents is frivolous or vexatious. All the residents are in support of the Polices application to review the premise licence and have asked that I include their information in this representation.

I attach copies of emails which have been anonymised as LMK1, LMK2 and LMK3.

In addition to emails, phone calls have been received by an anonymous resident who lives very close to the premises, I will refer to as resident 4.

On the 03 August 2020 notes taken at the time of the call detail:

Kids dancing on tables and plying loud music till 1:30 in the morning on weekends, this has been going on since premises could reopen.

Phoned security centre was told close at 10:00pm to call the Police, called the Police was told no officers available or could not do anything till kicking out time.

Called the premises and asked for the music to be turned down only lasted about 20 minutes then came back on.

Also laughing gas canisters on premises, and they are posing videos/photos on social media of being at the premises at 1:30 in the morning.

They are 19 – 20-year old's in cars on the car park and in front of the premises.

Anon resident called me again on 14 August 2020 notes taken at the time of the call detail:

Drug taking and dealing taking place at the premises, landlord lives on the premises and he is having "stoppy backs" until 7am, there is fighting on the premises and outside the premises spilling over onto residential properties with males from the premises ending up in residents gardens and leaving bottles / pint glasses on walls.

Again, anon resident 1 called me on 23 September 2020 notes from the call detail:

Nothing has changed at the premises even though they are under review, Mr Cooke is advising his customers that his solicitor has told him there is nothing to worry about, there is still drug taking and dealing taking place on the premises, with people entering the premises round the back from the car park for "stoppy backs" so they cannot be seen in the front bar.

After receiving an email from a resident on the 13 August 2020 I checked www.tripadvisor.co.uk and searched for Penny Black Stockton, the premise is featured on the website and I attach recent reviews of the premises as LMK4.

On the 20 August 2020 I received a screen shot photograph of a Instagram message allegedly from the Chef at the Penny Black advising his Instagram followers measures were being put in place at the premises to keep Police and licensing "sweet", and that "normal service will resume soon" I attach a copy of this photograph as LMK5.

On the 3 September 2020 a complaint was sent to Matthew Vickers MP from a resident, I attach a copy of this complaint as LMK6

On the 28 September 2020 I had a phone call with resident 5 notes taken at the time of the call from detail:

We have lived close to the premise for 27 years and never had problems like this, smashed glasses and bottles and silver laughing gas cannisters in the road, its dangerous when walking dogs, we know we live near to a pub and to expect some noise especially at Christmas but what is happening now is "out of order, not right".

In each case I replied to the residents and the above information was shared with the Police who

confirmed they were looking into the complaints and trying to engage with Mr Cooke and trying to view CCTV at the premises. In response to the complaints Licensing Officers visited the premises and statements detailing this are attached.

The Licensing Service received the application to review the premises licence from Cleveland Police on 4 September 2020, Officers put the review notices up at the premises on the 4 September 2020 and spoke to PLH / DPS Gary Cooke explaining the process and the possible options open to the Licensing Committee. This representation shows the same residents, contacting the Licensing Service before and after Mr Cooke received notification of review.

As PLH / DPS Mr Cooke holds full responsibility for the premises, allowing this behaviour on the premises and by those leaving the premises suggests a serious failure to understand the management of the premises, and as such his behaviour undermines the prevention of Crime And Disorder Objective and Public Nuisance Objective. To compound matters previous warnings, visits and advice given to Mr Cooke by the Licensing Service and Police have failed to address and prevent a repetition of the behaviour.

The Licensing Authority must have regard to the licensing objectives outlined, the legislation supports protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises. The recent complaints and concerns raised by residents are relevant to this review. This representation is, therefore, submitted on behalf of the Licensing Authority with responsibility for the administration of, and compliance with, The Licensing Act 2003 and in support of the Polices application to review the Penny Black premise licence.

Signed:		Position: Licensing Team Leader	Dated: 29 September 2020
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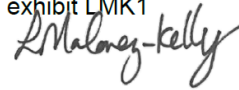
When complete this form should be returned to the address above or e-mailed to licensing.administration@stockton.gov.uk

For Office Use Only

Date Received		Checked By	
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This document was classified as: OFFICIAL

This is my exhibit referred to in my statement as exhibit LMK1



Resident 2 Emails

Penny Black

[Redacted]

To Leanne Maloney-Kelly



Thu 24/09

Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Hi Leanne,

I am finally getting round to giving you a bulletin for weekend commencing 18th September.

Friday very quiet, Saturday vocal arguments in the road after 2am, this need not have been from the Penny of course but more than likely was. He closed pub at a reasonable time I believe, but then let people in by back door!!!!. What time everyone left is left to the imagination.

This weekend should be fun with the new guidelines, he has put his opening times on the pubs facebook page with his social distancing rules. I will be surprised if these are carried out, he a group called Striking Back playing from 7pm Saturday night!!!!.

I thing social distancing has never been carried out or limited numbers, it was packed out last Saturday night.

Regards

From: [Redacted]

Sent: 15 September 2020 16:16

To: Leanne Maloney-Kelly <Leanne.Maloney-Kelly@stockton.gov.uk>

Subject: Penny Black update

Hi Leanne,

I am pleased to say we had a quiet weekend (September 11,12, 13th).

I believe the manager is being stricter, he says he has to as he is being hounded by police and licencing department!!!!.

No doubt after a few weeks he will revert to his usual self.

I have been asked to submit the following by [Redacted] they do not have access to a computer

Glasses and bottles are being left on house walls in the road meaning they must be drinking in the roads.

Smashed glass is being left all over footpaths and road and as we are a dog walker it is dangerous.

Lot of noise and fighting along Ellerton Road late at night and into the early hours of the morning at weekends.

Regards

From: [REDACTED]
Sent: 07 September 2020 09:47
To: Leanne Maloney-Kelly <Leanne.Maloney-Kelly@stockton.gov.uk>
Subject: Re: Penny Black

Morning Leanne,

Just a report on this weekend at the Penny Black.

We had no noise problems, one noisy group after midnight Friday evening but we live on a road with a pub so obviously there is going to be some activity.

The worry we have is that one resident of the road was in the Penny on Friday evening and was offered drugs by 3 different people.

He rang the police with details of the sellers and then notified the manager.

The manager was not interested apparently, he is taking a cut of the money.

I assume the same thing happens in the Dubliners.

The man is dangerous!!!!,

Regards

From: [REDACTED]
Sent: 02 September 2020 07:49
To: Leanne Maloney-Kelly <Leanne.Maloney-Kelly@stockton.gov.uk>
Subject: Penny Black

Morning Leanne,

Just an update on the Penny Black over the bank holiday weekend.

As you will see from my previous emails the management of the place leaves nothing to be desired.

The Friday and Saturday were pretty good, not a lot of noise but the Sunday was a different matter.

I believe the Manager was away but had let it known to the younger people that this was the case.

At approx 8pm on the Sunday evening staff had to close the pub because of lots of young people causing problems.

This resulted in them going to the Dubliners another pub managed by Gary, horrific problems broke out there resulting in one person being glassed and hospitalised.


I believe he has also put in to manage a pub in Billingham and Darlington!!!!.

Kind Regards

Stay safe

Re: Penny Black



 You forwarded this message on 14/08/2020 10:58.



14/08/2020

I have just spoken to one resident who lives about 100 yards from Penny, who said they are being served drinks in the pub then sitting in cars drinking with music blaring.

Last night was really loud with girls shouting and screaming she said.

I can ask if it is ok to give you her contact details if you wish.

Regards

From: [Redacted]
Sent: 07 August 2020 11:41
To: Leanne Maloney-Kelly <Leanne.Maloney-Kelly@stockton.gov.uk>
Subject: Penny Black

Hi Leanne

Following our email on Monday regarding the Penny Black in Hartburn are you allowed to give details of the police visit regarding the licence.

The reason I ask this is I was amazed that the licencing hours in a residential area are so late. I would have expected 11pm last orders and premises vacated by 11-30pm.

We have lived on Ellerton Road approx 200yards from Penny Black for 56 years and never had the noise we are having since lockdown was lifted.

Last night 6th August admittedly within his hours we had a very noisy , foul language group at 12-25pm, they left pub just after 12(we could hear them coming) and it took 20 minutes to do 200yards!!!

From what a neighbour has just said there was a fight Saturday evening, ambulance needed. We do not expect this in this area, I believe they are coming from Billingham and Eastbourne.

Hoping we can get this sorted soon

Kind Regards

From: [REDACTED]
Sent: 03 August 2020 15:02
To: Licensing Admin (ES) <licensing.administration@stockton.gov.uk>; Services, Environmental Health <Environmental.Health@stockton.gov.uk>
Subject: Penny Black

Good afternoon,

I wonder if you can give me the licensing hours for the Penny Black public house in Hartburn please.

We are experiencing lots of noise, broken glass laughing gas canisters etc from customers walking along Ellerton Road particularly on Friday, Saturdays or should I say 2-30am Saturday & Sunday mornings.

As it is in a residential area I would expect last orders to be about 11-30 at the latest, he is certainly serving much later than that.

I also believe he is not keeping to the Government guidelines for Covid 19 on these nights as the place is packed to the rafters,

I rang Cleveland police today and they did say to ring the council for opening hours and then speak to them again..

When residents ring the pub to complain he just hangs up on them.

He was raided during lockdown for opening !!

Hoping you can give me the required information.

Kind Regards

This document was classified as: OFFICIAL

This is my exhibit referred to
in my statement as
exhibit LMK2



Resident 3 Email

From: [REDACTED]
Sent: 13 August 2020 22:34
To: Services, Environmental Health <Environmental.Health@stockton.gov.uk>
Subject: Public House Complaint

Hello,

I live three streets away from 'The Penny Black' in Hartburn and since the re-opening of pubs on 5th July there has been shouting and screeching till 1am from there every Friday and Saturday night. On top of this there is smashed glass all the way down Ellerton Road with pint glasses just left on the roadside. There is also silver gas cannisters littered around. With having a young family myself, this is dangerous and extremely concerning addressing now before anyone, or even dogs in fact, hurt themselves. Cars are racing in and out of the car park, speeding round the corners and down the road. These seem to be driven by young males. Again, very worrying as a resident in the area with young children.

I've seen videos of violence within the pub and have seen crowds of youths congregating inside and outside. This pub never attracted such young people before lockdown which would make me question what is going on in there and how many are actually of legal drinking age. You can see people playing pool and on the gambling machines which is not allowed. The lack of social distancing is extremely worrying and I feel very aggrieved this is allowed to happen when the majority of us have, and still are continuing to act sensibly and safely, but having this on our doorstep could pose a huge risk to us and our families. Throughout lockdown the pub seemed to create their own rules in regards to who they had in, despite the Government stating they could not open.

Interestingly, recent TripAdvisor reviews support what we have witnessed too. I don't feel safe in my home area due to the anti-social behaviour and major lack of social distancing. This needs investigating by the council ASAP and would appreciate a response to this complaint.

Regards,

This document was classified as: OFFICIAL

This is my exhibit referred to
in my statement as
exhibit LMK3



Emails re the Penny Black from Resident 3

From: [REDACTED]
Sent: 12 September 2020 11:57
To: Leanne Maloney-Kelly <Leanne.Maloney-Kelly@stockton.gov.uk>
Subject: PennyBlack, Hartburn

Hi Leanne,

Hope your ok. Just to let you know someone opened the pubs fire exit door last night around 22:40hrs last night Friday and the music was blasting I could hear a singer also then there was a load of loud jeering/shouting. I don't know if they did it on purpose but I was in bed and I heard it from there. I looked out to see the fire door open. I contacted the police ref CVP [REDACTED] as I thought it may go on but someone shut the door at 23:05hrs so it went quieter. So he's not bothered about his license. Hopefully he's quiet tonight Saturday.

Many thanks

[REDACTED]
Sent from mv iPhone

From: [REDACTED]
Sent: 09 September 2020 19:33
To: Leanne Maloney-Kelly <Leanne.Maloney-Kelly@stockton.gov.uk>
Subject: Re: Early Resolution – 1697/2021

Dear Leanne,

I am writing to let you know that I would like to see the licence taken away from the PennyBlack public house in Hartburn along with its Entertainment license because for many years we have suffered from very loud music from the live bands playing and the rear doors being open so it feels as though the band are in our front room. I would also like to mention that numerous times we have phoned the pub to tell them to turn the music down and stop the youngsters(teenagers, early20s) youths causing havoc to no avail.

The landlord at present was fine when he first took over which was a great relief, then the last few years it's been getting rough I've complained to the police as anon complaining and to the council enforcement team. Then during the COVID times the landlord has been letting the youths run the pub it's been manic i have even witnessed cars pulling up outside young males coming out of the pub approaching the car we've heard the drivers say "how many ounces do you want" money going through the passengers window and the lads getting a package then going back into the pub, I've seen the pub jam packed with teens/early 20s dancing on the tables until 01:00hrs in the morning. The 13th August loud music youths shouting until 00:30hrs. This is during COVID. On the 14th of August 2020 at 17:30hrs the youths had a bouncy castle at the rear side of the pub and large speakers outside and blasting music out it was very loud it went on until 20:30hrs youths dancing around shouting going inside and coming out with trays of alcohol. Even having their car doors open and blasting music whilst using these silver containers whatever is in them, Then you could still hear the youths in the pub from Edgley road which is towards birkdale rd. Then on 29th August 19:30hrs saw band gear going into pub, doors open during practice then band blasting until 23:30hrs pub packed thought band was in our home, youths shouting.

This is a residential area and we've had nothing but trouble since the council gave them an entertainment license and no one checking the pub as drinking goes on until 02:00hrs some nights with quite a few people in this pub. This is ruining our lives we hate Thursday's, Friday's and Saturday's as we know our lives, peace is going to be disrupted. We have a right to enjoy our home and not worry about what might happen because this pub is getting to do what it wants bringing drugs into our home area. This pub is out of control and it needs to stop. We've had too many years of this and enough is enough. I hope this makes some sense as to be honest I'm not in good health and I'm on a lot of medication. That's another reason why I need some peace and quiet. Please take these licenses away from this pub let the brewery get someone who can run the pub as a residential one as it was when we moved here when it was a family peaceful pub with no problems.

Sent from my iPhone

Re: Early Resolution – [REDACTED]

[REDACTED]
To Leanne Maloney-Kelly



03/09/2020

You replied to this message on 03/09/2020 17:29.
If there are problems with how this message is displayed, [click here to view it in a web browser.](#)
[Click here to download pictures.](#) To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Dear Leanne,

Thank you for your quick response it's much appreciated. I am very happy to see that this public house will be brought to task, it is ruining our home life the landlord seems to think he can do what he wants and get away with it. Hopefully something does happen as everyone knows this pub is a place to come for drugs etc, I have seen the dealers myself pull up and lads come out get the drugs and go back into the pub, but now the landlord lets them use them inside. From a local attending the pub the landlord has said to these youths he will taxi them to his other pub the Dubliners in Thornaby where they can carry on in peace with no neighbours to worry about. I can go on but thanks for this info I do appreciate it and hopefully we can get back to a peaceful life.

Many thanks,

[REDACTED]

Sent from my iPhone

FORM SUBMISSION

Form Results

Title

Mr

Forename

[REDACTED]

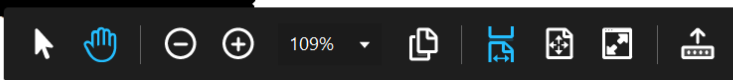
Surname

[REDACTED]

Preferred telephone number

[REDACTED]

Email



[REDACTED]

Address

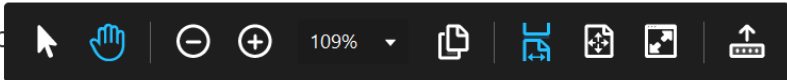
[REDACTED]

Postcode

[REDACTED]

Details

I have made a few complaints to your licencing department and your enforcement team about the Penny Black public house on Ellerton rd Hartburn. The landlord has been having wild parties in the pub and loud music along with large groups of unruly youths. The landlord has been letting these youths have their car doors open with music blasting and every time I've contacted these departments nothing happens. Our lives are none existent we get no peace nearly every weekend. One of your licencing officers visited the pub and witnessed this behaviour including drug dealing taking place on site yet still nothing happens. I would like this premises to have their entertainment licence took off them and shut down. Music has even went on the street and been used as a place to be used as a drugs race party place and your staff seem to be



letting it happen. Yes I have phoned the police if you can call them police and our local councillors.

Desired outcome

I want peace and quiet I want this pub to be put in its place as this is a residential area and not in Ibiza I want the council to act and make the landlord abide by the conditions of the licence or to be honest shut down. We have lived here for over 20years and we have only had trouble since you as a council granted them a public entertainment licence.

Submitting on behalf of someone else?

No

www.tripadvisor.co.uk search on Penny Black, Stockton LMK4

Penny Black Pub Claimed

232 reviews | #63 of 156 Restaurants in Stockton-on-Tees | \$\$ - \$\$\$, Bar, British, Pub

Ellerton Road Hartburn, Stockton-on-Tees England | +44 1642 588122 | Website | Open now: 12:00 PM - 11:30 PM



helen8419
Stockton-on-Tees,
United Kingdom

3 5

Reviewed 12 August 2020

Covid and youths

Went to visit the pub last weekend and decided not to when going in as through the window you could see it was packed with no social distancing in place. Within the outside area there were lots of youths who were potentially on drugs (canisters around area and streets). Visit at your own risk!! The management seriously need to get a grip of this pub and hope the council, police take a visit.

Show less

Date of visit: August 2020

Service

See all 3 reviews by helen8419 for Stockton-on-Tees

Ask helen8419 about Penny Black Pub

5 Thank helen8419

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC



W4569GEIauram

1 5

Reviewed 11 August 2020

Drug den/youth club

Visited a week ago the place is horrific and like a night club/youth club. Absolutely full and couldn't move, no social distance measures in place or track and trace. Empty silver canisters all over car park also empty drug packets and drug deals going on in the car park clearly in front on the management who just turned a blind eye. Such a shame as it used to be such a nice local pub and it's being run to the ground, due to the current landlord. Total agree with another comment if you want drugs, covid or a fight this is the place to visit. As when we visited, we had heard the night before there was fights and the place was smashed up.

Show less

Date of visit: August 2020



debig145
1 review

●○○○○○ Reviewed 17 July 2020

Shocking

This used to be a great pub until the new landlord took over now its turned into place to go if you want coke, covid or a fight.

Date of visit: July 2020

Helpful? 5



jackiecook120
 4 2

●○○○○○ Reviewed 8 March 2020

Glasses dirty bar staff useless an effort to be served.

Went here with friends for a drink glasses were dirty,larger was flat and horrible, staff did change drinks but they were no better had to wait to be served while staff outside smoking or too busy talking was an effort to be served off staff.

Staff all look like they want a good hair wash to busy gossiping or smoking to serve customers first and last time coming here.

Show less

Date of visit: February 2020

Ask jackiecook120 about Penny Black Pub

2 Thank jackiecook120

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC



●●○○○○ Reviewed 23 February 2020 via mobile

Unfortunately disappointing this time

Don't know what is happening at this place they always went out of way to oblige you if

RE: MP Enquiry reference: 1696/2021



Leanne Maloney-Kelly

To Margaret Waggott

From: Matt Vickers MP <matt.vickers.mp@parliament.uk>
Sent: 01 September 2020 20:57
To: FOI and Complaints <foiandcomplaints@stockton.gov.uk>
Subject: Enquiry from Matt Vickers MP - (Case Ref: MV3396)

Dear Information & Governance Team,

Matt has been contacted by [REDACTED] regarding what [REDACTED] see's as the continual disregarding of COVID regulations and nuisance that comes from the Penny Black Pub.

[REDACTED] has been in contact with Matt previously regarding these concerns and Matt has raised these with Cleveland Police. Unfortunately, the situation has not improved, and [REDACTED] has noted that matters are 'getting worse'. [REDACTED] has stated to Matt that there has been continual playing of loud and live music, vast crowds of people in the gardens, and anti-social behaviour and drug use in the car park.

Matt is very concerned to hear that these issues are continuing to disrupt local residents, and is concerned that the Penny Black is potentially ignoring the COVID regulations in place to keep us safe.

Matt would appreciate if [REDACTED] concerns could be looked into with a degree of urgency and action taken to resolve his concerns.

I look forward to hearing from you.

Kind Regards,
Niall.

Niall Innes
Chief of Staff to Matt Vickers MP - Member of Parliament for Stockton South

House of Commons | Westminster | London SW1A 0AA

This is my exhibit referred to
in my statement as
exhibit LMK6

Reply Reply All Forward ...

Thu 03/09/2020 16:29

STOCKTON-ON-TEES BOROUGH COUNCIL STATEMENT OF WITNESS

(CJ Act 1967 S9; MC Act 1980 S4S5A(3)(a) & 5B; MC Rules 1981 r70)

STATEMENT OF: **John Harley WYNN**

AGE (If over 18 enter "over 18") **OVER 18**

OCCUPATION: **Licensing Officer**

ADDRESS: **SEE OVER**

This statement (consisting of 4 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.



Dated the 29th day of September 2020 Signed_____

_____ being unable to read the above statement, I

_____ of _____

read it to him before he signed it.


Dated the ___ day of ___ Signed_____

I am employed by Stockton-on-Tees Borough Council as a Licensing Officer, based within the Licensing Unit located at in Municipal Buildings, Church Road, Stockton on Tees. I am responsible for the administration and enforcement of the Councils miscellaneous licensing functions.

Due to Covid 19 Pandemic businesses were ordered to close. In order to ensure compliance, the licensing team were asked to monitor licensed premises by carrying out external observations during this lock down period.

On Saturday 11th April 2020, I worked the evening in order to check compliance with Government regulations. At 20:35 I parked outside the Penny Black in Fairfield, Stockton-On-Tees. I could see clearly into the front bar of the premise. The lights were on at the premise and the blinds were open and I could see 3 males and 1 female inside. They appeared to be social distancing and I could not see any drink being consumed. I returned to the premise at 22:25 and I could again see clearly into the front bar of the premise. There were now 4 males and 1 female inside and I could

DATED THE _____ DAY OF _____ 20_____
TAKEN BETWEEN _____ AM/PM AND _____ AM/PM
Signature _____

Signed_  _

STOCKTON-ON-TEES BOROUGH COUNCIL
STATEMENT OF WITNESS
(CJ Act 1967 S9; MC Act 1980 SS5A(3)(a) & 5B; MC Rules 1981 r70)

CONTINUATION OF STATEMENT OF: John Harley WYNN

see that the television was on. I did see 1 of the males take a drink from a pint glass but I could not identify the contents of the glass.

At 20:40 on 25th April 2020. I again went to the Penny Black and I parked outside facing the front bar. I could see that the lights were on, but the blinds were closed. I noticed a sign on the left-hand side of the entrance which was advertising take-away food from 12 – 7.

At 21:10 on 9th May 2020, I returned to the Penny Black and again parked outside. The lights were on and the blinds open and I could clearly see 4 males in the front bar of the premise. I also noticed that take-away food hours had been increased from 12 – 9. This information was shared with Police and Environmental Health Service and a prohibition notice was issued by Environmental Health on 19th May 2020.

At 17:10 on 5th July 2020, I went to the Penny Black accompanied by my colleague Kirsty WANNOP. I observed that customers were sat outside the premise on benches and inside the premise. At that time everyone was social distancing and it was quiet.

At 21:35 On 31st July 2020, I again attended the Penny Black accompanied by my colleague Polly EDWARDS. As I drove into the car park, I could hear very loud music being played from vehicles parked in the car park. There were approximately 40-50 people in the beer garden and car park, and they were not social distancing. I looked into the front bar which was packed with mainly young people none of whom were social distancing and were dancing and mixing in large groups

At 20:55 on 15th August 2020, I attended the Penny Black accompanied by Kirsty WANNOP. There was no loud music this time however in the car park and beer garden there was approximately 30 people none of whom were social distancing and were talking and shouting. Again, the front bar was packed with young people and no social distancing was taking place. I witnessed what appeared to be a drug deal taking place in front of me. A customer who had been standing outside the premise

Signed__



STOCKTON-ON-TEES BOROUGH COUNCIL
STATEMENT OF WITNESS
(CJ Act 1967 S9; MC Act 1980 SS5A(3)(a) & 5B; MC Rules 1981 r70)

CONTINUATION OF STATEMENT OF: John Harley WYNN

approached a VW Golf which had just driven into the car park. An exchange took place between him and the driver. The customer handed the driver a single £20 note and in return he received a small clear packet. They shook hands and the VW Golf left. I reported the vehicle details to Cleveland Police.

On 17th August 2020, I contacted Flint Bishop LLP who act for the brewery who rent the Penny Black to the premise licence holder Mr Gary COOKE. The was aware Police were speaking to Mr Cooke and that Police were having problems contacting someone from the brewery and I wished to give the details of my observations the previous Saturday night and hopefully prevent a reoccurrence. I submitted my concerns regarding the premise on the brewery on-line portal. I stated that I had witnessed a total lack of social distancing at the premise and the generally disorderly conduct going on. I also mentioned the drug deal that I had witnessed. I pointed out that residents' lives were being affected. Later that day I received an e-mail from Mr Gui CHIPCHASE who is the Licensing Manager for Flint Bishop LLP.

He stated that as Mr Gary COOKE is a tenant at The Penny Black, we should speak to him he also stated that he had forwarded my e-mail to the district manager for the brewery along with the latest government guidance. I replied and stated that I would await the possible premise licence review by Cleveland Police. I received an acknowledgement from him a short time later. I attach a copy of these emails as JW1.

Since the 4th July 2020, I have spoken to several residents who contacted the licensing service and who live in the area of the premise. They have all reported the anti-social behaviour and noise of customers on mainly Friday and Saturday nights. They all wished to remain anonymous due to fear of reprisals.

At 18:05 on 4th September 2020, I attended the Penny Black accompanied by my colleague Polly EDWARDS. The reason for the visit was to display the blue notices which gave details of the premise licence review submitted by Cleveland Police. I

Signed__



**STOCKTON-ON-TEES BOROUGH COUNCIL
STATEMENT OF WITNESS**

(CJ Act 1967 S9; MC Act 1980 SS5A(3)(a) & 5B; MC Rules 1981 r70)

CONTINUATION OF STATEMENT OF: John Harley WYNN

was introduced to Mr COOKE. This was the first time I had met him, and I explained the reason for our visit. One notice was displayed on the front door of the premise and one on the lamp post outside. We were unable to display the other notice in the front bar window as there was customers sitting and eating in the area so Mr Cooke said he would put it up once the customers had gone. I went back to the premise on Wednesday 9th September 2020 and all 3 notices were displayed.

Signed__

A handwritten signature in black ink, appearing to read 'J. H. Wynn', with a large, stylized flourish at the end.

Sandra Percival

From: Gui Chipchase <Gui.Chipchase@flintbishop.co.uk>
Sent: 17 August 2020 15:32
To: John Wynn
Subject: RE: Penny Black, Stockton-on-tees

Hi John,

No problem, thanks for you quick reply.

Much appreciated
Gui

Gui Chipchase
Licensing Manager

DD 01332 226 463 ext: 659
F 01332 207 601
DX 729320 DERBY 24

Flint Bishop LLP St. Michael's Court, St. Michael's Lane, Derby, DE1 3HQ



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From: John Wynn <John.Wynn@stockton.gov.uk>
Sent: 17 August 2020 15:15
To: Gui Chipchase <Gui.Chipchase@flintbishop.co.uk>
Subject: RE: Penny Black, Stockton-on-tees

This document was classified as: OFFICIAL

Hello Gui

Thank you for your swift reply. Apologies but I was under the impression that it was a managed site rather than tenanted although I do note that the premise licence is in Mr Cookes name. I will await the possible premise licence review application by Cleveland Police and go from there.

Best Regards

John Wynn

Licensing Officer

Stockton-on-Tees Borough Council

Telephone: 01642 526568 | Email: john.wynn@stockton.gov.uk | Web: www.stockton.gov.uk

From: Gui Chipchase <Gui.Chipchase@flintbishop.co.uk>

Sent: 17 August 2020 15:06

To: John Wynn <John.Wynn@stockton.gov.uk>

Cc: licensing.adminstration@stockton.gov.uk

Subject: Penny Black, Stockton-on-tees

Dear Mr Wyn,

I have tried to call but unfortunately due to the current COVID situation I understand that your department is working from home.

We have received an e-mail from you regarding the abovenamed premises which has been forwarded to us by our marketing department.

I have passed the details of your e-mail to the site's BDM along with the latest government Guidance for the hospitality sector in order that he can investigate also, however it should be noted that this is a tenanted site not a managed site and equally the premises licence is in the name of the Tenant not our client, so in the initial instances we would direct you to the tenant of the premises which we understand to be a Mr Gary Cooke.

I will register a notification of interest with the licensing authority in any case, but we would appreciate it if you could let us know the progress of your investigations as they continue.

Should I receive any further information in reply from our client's BDM I will of course forward that onto you, however if you would like to discuss the matter further then please let us know and we will endeavour to arrange a meeting or conference call between our client, their tenant and yourselves at a time convenient to all.

Many Thanks
Gui

Gui Chipchase

Licensing Manager

DD 01332 226 463 ext: 659

F 01332 207 601

DX 729320 DERBY 24

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**STOCKTON-ON-TEES BOROUGH COUNCIL
STATEMENT OF WITNESS**

(CJ Act 1967 S9; MC Act 1980 S4S5A(3)(a) & 5B; MC Rules 1981 r70)


STATEMENT OF: **Polly Edwards**

AGE (If over 18 enter "over 18") **OVER 18**

OCCUPATION: **Licensing Officer**

ADDRESS: **SEE OVER**

This statement (consisting of **4** pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 29 day of September 2020 Signed 

_____ being unable to read the above statement, I

_____ of _____

read it to him before he signed it. Dated the ___ day of ___ Signed _____

I am employed by Stockton-on-Tees Borough Council as a Licensing Officer, based within the Licensing Unit located at in Municipal Buildings, Church Road, Stockton on Tees. I have held this role for over 13 years. I am responsible for the Administration and Enforcement of the Councils Miscellaneous Licensing Functions.

Due to the Covid 19 Pandemic businesses including Licensed Premises were ordered to close. In order to ensure compliance, we were asked to monitor premises throughout the Borough by carrying out external observations during this lock down period.

On Saturday 4 April 2020 I attended the Penny Black, Langthorne Grove, Hartburn at around 19:45. I could see 2-3 people inside. One I could identify as Mr Gary Cooke the Premise Licence Holder (PLH) and DPS, I also saw another two people.

Signed  _____

STOCKTON-ON-TEES BOROUGH COUNCIL
STATEMENT OF WITNESS
(CJ Act 1967 S9; MC Act 1980 SS5A(3)(a) & 5B; MC Rules 1981 r70)

CONTINUATION OF STATEMENT OF: Polly Edwards

I returned that same night around 22:10 in order to further ensure compliance. I parked away from the premises and observed for a few minutes. I could see 4 people, it appeared to be 3 males and 1 female. The blinds were open and those inside were playing pool. The TV was on. I fed this information back to my superiors and Police Licensing as part of my update, as I know the Police were keen to ascertain any breaches with the Covid regulations.

Saturday 2 May 2020, I attended the Penny Black, Langthorne Grove, Hartburn at around 19:50. I again saw a couple of people inside but was unable to identify them. There was a sign outside saying open for take away, but I could not see anyone else inside. I fed this information back to my superiors and Police Licensing as part of my update.

Saturday 4 July 2020, I worked with my colleague Mrs Sandra Percival as the restrictions on the hospitality industry relaxed. At around 18:30, we checked the Penny Black and there was a lot of people outside, socially distanced, sitting at tables around the beer garden and car park. We did not stay or speak with anyone, we observed and left. Mr Gary Cooke, PLH and DPS did come out of the premises, as we were leaving, so he was aware that we had been to observe, I saw him speaking with customers and heard 'Was that Licensing'.

Friday 31 July 2020, myself and my colleague Mr John Wynn attended the Penny Black at approximately 21.35. We stayed in our vehicles and observed. There were a lot of patrons, mainly younger people. I observed no social distancing inside or outside of the building, dancing inside and loud music could be heard outside. The beer garden / decking area people were close together, less than 2 metres. I fed this information back to my superiors and Police Licensing as part of my update.

Friday 21 August 2020, I attended the premises with my colleague Mr Michael Fearman, Environmental Health Officer, at approximately 20.10. We walked past the front of the premises on the main road, there were about 10 young males in the car

Signed  _____

STOCKTON-ON-TEES BOROUGH COUNCIL
STATEMENT OF WITNESS
(CJ Act 1967 S9; MC Act 1980 SS5A(3)(a) & 5B; MC Rules 1981 r70)

CONTINUATION OF STATEMENT OF: Polly Edwards

park chatting, loud but not excessive. We then walked up the road and turned around and walked back past, the males had gone. There were other males in the far edge of the car park, I could not hear talking or music. The premise was quiet. The TV was on hardly any people inside. We then walked away and came back at around 20.30 again the premise was quiet. I fed this information back to my superiors and Police Licensing as part of my update.

That same evening at around 21.25 I drove passed the premises, I observed two people inside, plus the licensee. The TV was still on. No noise could be heard.

I kept feeding this information into updates which were shared with Police Licensing who I knew were in contact with Mr Cooke and they had advised they were submitting an application to review the premise licence.

On Friday 4 September 2020, John Wynn and I attended the premises to erect the notices for the review. We arrived around 18:30. We went into the premises and spoke with a female with dark hair, I believe to be Mr Cooke's partner. I asked if he was available. I had called earlier to advise we would be attending so he was expecting us. She confirmed he would be down shortly.

We met with Mr Gary Cooke, the licensee, in the dining / lounge area of the premises. I explained why we were there, then we had a conversation about the premises and how Mr Cooke has been handling lockdown etc. I asked Mr Cooke how things were since reopening and how was he managing Social Distancing and he said, 'Yes, fine.'

There were a few people in the dining / music side of the premises, seated. The bar area was reasonably busy, not excessive, however there did not seem to be much social distancing with the customers. When John and I were speaking with Mr Cooke, at the front entrance while placing a notice on the main front door, one of the customers came along, shook hands with Mr Cooke and went inside.


Signed  _____

**STOCKTON-ON-TEES BOROUGH COUNCIL
STATEMENT OF WITNESS**

(CJ Act 1967 S9; MC Act 1980 SS5A(3)(a) & 5B; MC Rules 1981 r70)

CONTINUATION OF STATEMENT OF: Polly Edwards

There were people at the tables outside seated and smoking, none appeared to be actively keeping an acceptable social distance during our time there.

Signed  _____