

DELEGATED

Report to Statutory Licensing
Sub Committee

16 September 2026

Report of Assistant Director
Regulated Services &
Transformation

Licensing Act 20003

Application for the review of a premises licence

The Penny Black, Langthorne Grove, Stockton-On-Tees, TS18 5PU

Summary

The purpose of this report is for Members to consider an application for a review of a premises licence from Trading Standards acting as a responsible authority on the grounds of the prevention of crime and disorder and public safety.

Recommendation(s)

That Members determine the application.

Detail

1. An application for a review of premises licence in respect of above the premises has been received from Trading Standards. The application relates to the undermining of the licensing objectives of the Prevention of Crime and Disorder and the Prevention of Public Safety.
2. A copy of the application and supporting evidence is attached as Appendix 1 and Appendix 2 and references:
 - Admission of Illicit tobacco, cigarettes and vape sales at the premises by the current Designated Premises Supervisor.
 - Concerns regarding the management of the premises and in particular, the current premises licence holder being unaware of the criminal activity taking place at the premises.
3. A copy of the current premises licence showing licensable activities, licensable hours and licence conditions attached by the statutory licensing committee, following a premises licence review in November 2020 is attached at Appendix 3.
4. A map showing the location of the premises is attached at Appendix 4.

Responsible Authorities

5. A representation in support of the licence review on the grounds of the Crime and Disorder licensing objective has been received from Cleveland Police, a copy of the representation and support document are attached at Appendix 5 and 5a and references:
 - Illicit tobacco, cigarettes and vapes found at the premises.

- A lack of cooperation and engagement from the current Designated Premises Supervisor.
 - Ongoing concerns around CCTV compliance.
 - A previous premises licence review, where the licence was suspended and had additional conditions imposed.
6. A representation in support of the licence review on the grounds of the Prevention of Crime and Disorder and Public Safety objectives has been received from the Licensing Service, a copy is attached at Appendix 6 and references:
- The discovery of illicit tobacco and illegal vaping products at the premises.
 - Repeated breaches of licence conditions and failure to comply with conditions.
 - Persistent CCTV licence condition failures, not being providing when requested, lack of staff competence in operating the system, failures to retain the footage during the required time period, with Mr Cooke advising officer he “cant be arsed” with the licence condition.
 - Inadequate record keeping and staff training records.
 - Concerns regarding safeguarding and management controls.
 - A previous premises licence review, where the licence was suspended and had additional conditions imposed.
7. A representation in support of the licence review on the grounds of the Prevention of Crime and Disorder and Public Safety objectives has been received from Public Health, a copy is attached at Appendix 7 and references:
- Concerns of sales of illicit tobacco and vape products from the premises, situated in a residential area.
 - Statistics relating to scale and impact of illicit tobacco in the North East.

Interested Parties

8. A representation against the licence review and in support of the current Designated Premises Supervisor, Gary Cooke, has been received from Mr Cookes barrister Mr Duncan Craig. No additional information was provided other than the email stating Mr Craig is writing to make a representation on behalf of Mr Cooke in respect of this review application in support of him and his promotion of the licensing objectives over the course of the last ten years at the Penny Black. The email representation and further correspondence is attached as Appendix 8.

Additional Information

Premises licence holder (PLH)	Star Pubs Trading Limited, 45 Mortimer Street, London, W1W 8HJ	24/07/25 – Present
	Previously: Star Pubs & Bars Limited, 3-4 Broadway Park, South Gyle Broadway, Edinburgh, EH12 9JZ	18/11/20 – 23/07/25
Designated premises supervisor (DPS)	Mr Gary Alan Cooke, Flat, Penny Black, Langthorne Grove, Stockton-On-Tees, TS18 5PU	13/10/17 - Present

Legislation and Policy Considerations

9. Members are respectfully reminded of the need to give due consideration to Stockton Borough Councils Licensing Policy Statement and the Section 182 Guidance issued under the Licensing Act 2003 when considering an application to review a premises licence.

10. Stockton Borough Councils Licensing Policy Statement 2026 – 2031 states: At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
11. Reviews of premise licences represent a key protection for the community where problems associated with crime, disorder, public safety or disturbances are occurring which undermine any of the licensing objectives.
12. Where warnings are given requiring improvement, either orally or in writing, as part of a graduated approach have failed, the licensing authority will act under its statutory powers which may include suspension or revocation of the premises licence.
13. It is not the role of the licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why applications giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings.
14. Revised guidance issued under section 182 of the Licensing Act 2003 states: There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises including: For the sale or storage of smuggled tobacco and alcohol.
15. Copies of these documents can be found at:
[Stockton-on-Tees Borough Council Vision - Stockton-on-Tees Borough Council](#)
[Revised guidance issued under section 182 of the Licensing Act 2003 \(February 2026\) \(accessible version\) - GOV.UK](#)

Members Options

16. 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
17. Details regarding the full range of powers available to members can be found at Section 11 of the 182 Guidance issued under the Licensing Act 2003.
18. Members are advised that under the provisions of Section 51(4) The Licensing Act 2003 the authority may, at any time, reject any ground for review specified in an application under this section if it is satisfied—
 - (a) that the ground is not relevant to one or more of the licensing objectives, or
 - (b) in the case of an application made by a person other than a responsible authority, that—
 - (i) the ground is frivolous or vexatious, or

(ii) the ground is a repetition.

19. If Members are not minded to reject this application, then under the provisions of Section 52(3) of the Licensing Act 2003, The authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers for the promotion of the licensing objectives.

The steps are—

- a) to modify the conditions of the licence;
- b) to exclude a licensable activity from the scope of the licence;
- c) to remove the designated premises supervisor;
- d) to suspend the licence for a period not exceeding three months;
- e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Where the authority takes a step mentioned in subsection (4)(a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

20. The Committee also have the option to leave the licence in its existing state.

Associated Papers

The following appendices are attached for information:

- | | |
|-------------|--|
| Appendix 1 | Application for review |
| Appendix 2 | Supporting documents |
| Appendix 3 | Copy of the existing licence |
| Appendix 4 | Location Map |
| Appendix 5 | Representation from Cleveland Police |
| Appendix 5a | Supporting document from Cleveland Police |
| Appendix 6 | Representation from Licensing Service |
| Appendix 7 | Representation from Public Health |
| Appendix 8 | Representation from Mr Duncan Craig - Barrister, support Gary Cooke. |

Ward(s) and Ward Councillors:

Hartburn Ward, Stockton South
Councillor Lynn Hall
Councillor Niall Innes
Councillor Jason French

Financial Implications

None

Legal Implications

Any decision made in respect of the review application can be appealed to the magistrate's court within 21 days by: -

1. The applicant
2. The premises licence holder
3. Any other person who made relevant representations

Any decision made in respect of the review does not have effect until:

- a. the end of the period given for appealing against the decision, or
- b. if the decision is appealed against, the time the appeal is disposed of.

Environmental Implications

None

Community Safety Implications

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

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

Background Papers

- Stockton Borough Council Licensing Policy Statement and Section 182 Guidance
- Appendices

Name of Contact Officer:	Leanne Maloney-Kelly
Post Title:	Trading Standards & Licensing Service Manager
Telephone number:	01642 524802
Email address:	leanne.maloney-kelly@stockton.gov.uk



Stockton-on-Tees
BOROUGH COUNCIL

Community Safety

Big plans for keeping our communities safe

www.stockton.gov.uk

Licensing Service, Municipal Buildings, Church Road, Stockton on Tees, TS18 1LD Tel: 01642 526558

Application for the Review of a Premises Licence or Club Premises Certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Adam Harston (Trading Standards - Responsible Authority)

(Insert name of applicant)

Apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

The Penny Black
Ellerton Road
Stockton-on-Tees
TS18 5PU

Post town Stockton-on-Tees

Post code (if known) TS18 5PU

Name of premises licence holder or club holding club premises certificate (if known)

Star Pubs Trading Limited

Number of premises licence or club premises certificate (if known)

050447

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes
☐

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Trading Standards Service Adam Harston Trainee Trading Standards & Licensing Officer Stockton-on-Tees Borough Council Municipal Buildings Church Road Stockton-on-Tees TS18 1LD
Telephone number (if any) 07384 533 905
E-mail address (optional) Adam.Harston@stockton.gov.uk

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder

☒
- 2) public safety

☒
- 3) the prevention of public nuisance

☐
- 4) the protection of children from harm

☐

Please state the ground(s) for review (please read guidance note 2) As an authorised officer acting on behalf of Trading Standards at Stockton-on-Tees Borough Council, I submit this application due to activities at The Penny Black, Ellerton Road, Stockton-on-Tees; that are detrimental to the safety of consumers and contrary to the prevention of crime. The evidence obtained during Trading Standards inspections demonstrates conduct that undermines the licensing objectives of: • The Prevention of Crime and Disorder • Public Safety Star Pubs Trading Limited are the premises licence holders for the premises and have been since 30th June 2025. It is of note that Star Pubs & Bars Limited were the previous premises licence holders from 18th November 2020. Mr Gary Alan Cooke is the designated premises supervisor at the premises and has been since 11th September 2017. During a joint inspection of the premises by Trading Standards and Licensing officers on the 14th June 2026, a plastic sandwich container containing tobacco products was located in the back-office area. Upon further examination, the box was found to contain multiple packs of cigarettes. A handwritten price list was located on top of the container detailing products and monies owed, indicating that the tobacco products were being offered for sale from the premises. Further searches identified multiple sleeves of tobacco, hand rolling tobacco (HRT) and disposable vapes concealed within a filing cabinet located in the office area. Examination of the tobacco products revealed that most were not compliant with the Tobacco and Related Products Regulations 2016, the Standardised Packaging of Tobacco Products Regulations 2015 and / or the Environmental Protection (Single use Vapes) (England) Regulations 2024. The products were therefore being possessed for sale in contravention of the relevant legislation.
--

Trading Standards considers the concealment of these products, together with the presence of a price list recording customer transactions, to be clear evidence that illicit tobacco products were being stored and supplied from the premises.

Such activity undermines the licensing objective concerning the Prevention of Crime and Disorder.

Furthermore, the possession of non-compliant disposable vapes and tobacco products raises significant concerns regarding Public Safety.

Notably, paragraph 11.27 of the Section 182 Guidance issued under the Licensing Act 2003 states that certain criminal activities which may arise in connection with licensed premises should be treated particularly seriously. **These include the use of licensed premises for the sale or storage of smuggled tobacco and alcohol.**

It is of note that Mr Cooke was invited for a formal interview on the 3rd July 2026 regarding the alleged criminal offences, he did not respond to this request.

A re-visit to the premises was undertaken on the 21st July 2026 to hand deliver a further letter to Mr Cooke with additional dates to attend a voluntary interview regarding the alleged criminal offences, he also has not responded to this request.

In the opinion of Trading Standards

- the discovery of these products,
- the methods used to conceal products within the premises,
- non-engagement with the requests from officers
- non-engagement with investigation process

demonstrates poor management control and a failure to operate the business in a manner consistent with the licensing objectives, therefore a premises licence review is an appropriate course of action and in line with the guidance which accompanies the legislation.

Please provide as much information as possible to support the application (please read guidance note 3)

Further evidence including statements, exhibits, and examples of non-compliant products will be provided in due course.

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to the premises please state what they were and when you made them

None

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.



Signature

.....

Date 29/07/2026

.....

Capacity Trading Stadards - Responsible Authority

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)
--

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;
Criminal Justice Act 1967, s. 9)*

STATEMENT OF Adam Harston

Age of witness (if over 18, enter "over 18"): Over 18

This statement (consisting of 6 pages) 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.

1. I am a Trainee Trading Standards & Licensing Officer employed and authorised by Stockton-on-Tees Borough Council. I have been employed in the Council since September 2024, and my part of my duties requires me to investigate possible offences under the Trademarks Act 1994, the Tobacco and Related Products Regulations 2016, the Standardised Packaging of Tobacco Products Regulations 2015 and the Environmental Protection (Single use Vapes) (England) Regulations 2024.
2. On 12 June 2026, at approximately 14:00, a visit was carried out to The Penny Black, Langthorne Grove, Stockton-on-Tees alongside my colleague Elliott Beevers (Licensing Officer) as part of a Licensing re-visit to check whether specific licensing conditions that were previously non-complaint had been rectified.
3. We entered the premises through the front door and were met with a female worker who identified herself as Julie Currie. Subsequently, we identified ourselves as Licensing and Trading Standards Officers respectively and explained the reason for the visit. A short while after, a male appeared who identified himself as Danny Green, who I believe to be a chef at the premises.
4. Ms Currie stated that the Designated Premises Supervisor, Mr Gary Cooke, was not present that day and that he was out in Redcar.
5. Towards the end of the re-visit, my colleague Mr Beevers needed to check the premises' CCTV. Mr Green unlocked the door to the office where the CCTV was located and started to work on the computer. Mr Beevers alerted me to a sandwich container that was located on the left side of the desk. He passed this container to me, after inspection, I noted there were nine packets of Lambert & Butler Silver in non-standardised packaging. On the top of the sandwich container, there was a small note which stated a price list of "Cigs, Baccy, Tips and Papers". Furthermore, there was another slip which stated the price of some Hand Rolling Tobacco, namely; Golden Virginia and Amber Leaf. Please see an image attached as Exhibit 1 to reflect this.

6. In my opinion, the presence of tobacco products alongside handwritten price lists for cigarettes and hand-rolling tobacco was indicative of tobacco products being offered for sale from the premises. The non-standardised packaging of the Lambert & Butler Silver cigarettes also gave me cause to suspect that these products were not compliant with the legal requirements for tobacco packaging.
7. I then left the premises and returned to our work vehicle, which we had arrived in, and collected evidence bags and security seals in order to seize the non-compliant products.
8. I telephoned my colleague, Mr Tanvir Hussain, to inform him of what I had found and that I did not have the necessary documentation, including a Notice of Powers or seizure logbook, to issue a receipt for the seized items due to the intended nature of the visit. Mr Hussain advised that it was acceptable to proceed with the seizure of the products.
9. I then returned to the premises, where my colleague, Mr Beevers, remained with the container of cigarettes.
10. I asked Mr Green to re-open the office door, as I wished to make further enquiries in relation to the cigarettes.
11. Upon re-entering the office, I observed a four-drawer metal filing cabinet positioned to the left of the entrance, underneath the desk where the container of cigarettes had been located.
12. I opened the top drawer and found multiple sleeves of Lambert & Butler Silver cigarettes.
13. I then opened the second drawer and found multiple pouches of hand-rolling tobacco.
14. I opened the third drawer and found multiple disposable vaping products.
15. Mr Green then entered the room and stated that the products belonged to Mr Gary Cooke.
16. Mr Beevers and I began counting the products that had been found and placing them into evidence bags.
17. In total, the products seized comprised 239 packs of Lambert & Butler Silver cigarettes, 19 pouches of Amber Leaf rolling tobacco, 4 pouches of Golden Virginia rolling tobacco, and 35 disposable vaping products.
18. A full inventory of the products seized, together with the corresponding evidence bag seal numbers, is attached as Exhibit 2.

19. I observed several pieces of paper affixed to the office walls containing names and numbers, alongside the handwritten entries "cigs x" and "vapes x". Photographs of these items are attached as Exhibit 3, 4 and 5.
20. I also observed multiple cigarettes ends in an ashtray within the office which had a strong smell of tobacco smoke, which appeared consistent with cigarettes having been smoked in the room.
21. Once the products had been secured in evidence bags and the bags sealed, I provided the seizure receipt and inventory log to Mr Green and informed him that it should be passed to Mr Cooke upon his return.
22. We then exited the premises via the rear exit and returned to our vehicle.
23. On 21 July 2026, I, accompanied by my colleague Ms Edwards, attended The Penny Black to hand deliver a further interview letter to Mr Cooke. Since no response had been received to the interview letter previously sent by post, a further Officer visit was required to ensure that Mr Cooke was given the opportunity to attend an interview. During the visit, Mr Cooke stated that he had not received my original letter. I advised that the interview would be conducted under caution and that he was entitled to seek legal advice and be accompanied by a solicitor if he wished. Mr Cooke said he would review the letter.
24. On 23 July 2026, I submitted samples of the tobacco products to the relevant brand holders, Imperial Brands PLC and Japan Tobacco International (JTI), for examination and authentication.
25. On 29 July 2026, I, on behalf of the Trading Standards Service, applied for a review of the premises licence of The Penny Black, Langthorne Grove, Stockton-on-Tees due to concerns of the licensing objectives being undermined.
26. On 3 August 2026, I received a telephone call from Mr Cooke's partner, Miss Burr, who advised that Mr Cooke wished to attend the voluntary interview. Following this contact, a date and time for the interview was agreed.
27. On 6 August 2026, I interviewed Mr Gary Alan Cooke under caution at the Municipal Buildings, Stockton-on-Tees. The interview was audio recorded.
28. Due to an ongoing investigation, a full transcript and recording of the voluntary interview have not been included within this application. However, a summary of the matters discussed during the interview is provided below for the assistance of the Sub-Committee.
29. During the interview, Mr Cooke confirmed that he was the licensee of the premises known as The Penny Black. He stated that he had been involved with the premises for approximately ten years and attended the premises daily in a working capacity.

30. Mr Cooke confirmed that he was aware tobacco products and disposable vaping products were present at the premises.
31. Mr Cooke confirmed that he allowed the products to be stored at the premises and authorised the sale of tobacco products to members of staff.
32. Mr Cooke stated that he had purchased the cigarettes himself and that members of staff would purchase them from him.
33. Mr Cooke confirmed that no other person was selling the products without his knowledge.
34. Mr Cooke stated that he had been selling the cigarettes for approximately one to two months prior to the inspection.
35. However, Mr Cooke was shown a receipt dated 26 August 2023 bearing the wording "Cigs Winnie" and a value of £55. Mr Cooke initially stated that he had "absolutely no idea" what the receipt related to but subsequently suggested that a former employee may have purchased cigarettes from him.
36. During the interview, Mr Cooke stated that he had not sold the products to members of the public and maintained that the products were only being supplied to members of staff.
37. However, when shown a handwritten note containing the name "Guy" and a monetary value, Mr Cooke acknowledged that the note related to a sale of cigarettes and stated, "It's a packet of my cigarettes I sold to him. He lives down the road."
38. Mr Cooke confirmed that the handwritten pricing notice attached to the sandwich container had been written by Caroline Burr, whom he described as his partner and the manageress. When asked whether Miss Burr had any involvement in the tobacco products, Mr Cooke stated that she was "overlooking it".
39. Mr Cooke stated that the cigarettes had been acquired through an individual connected to another public house. He was unable to provide the individual's name, contact details, or any documentation relating to the purchase of the products.
40. Mr Cooke confirmed that he was aware the cigarettes were not standardised in appearance but stated that he believed them to be duty-free products. Mr Cooke further acknowledged that he had purchased the cigarettes for approximately £7 per packet and sold them for £8 per packet.
41. On 10 August 2026, I received a report from Imperial Brands PLC. A witness statement from the director of Attest UK Authentication Services, Mr Loscalzo.
42. Mr Loscalzo confirmed that evidence bag N15588565 (Golden Virginia hand rolling tobacco) were genuine however are not a UK duty paid product.

43. Mr Loscalzo confirmed that evidence bag N15588563 (L&B Silver) are counterfeit and are not produced by Imperial Tobacco Ltd.
44. On 26 August 2026, I received a report from JTI UK. A witness statement from the seizure and analysis manager, Kathryn Sweeney.
45. Ms Sweeney confirmed that evidence bag N15588564 (Amber leaf hand rolling tobacco) was counterfeit and was not manufactured by JT international SA or Gallaher Limited.
46. Please see evidence bags attached as Exhibit 6,7 and 8.
47. In Summary, the review has been brought because Trading Standards have serious concerns that the Prevention of Crime and Disorder and Public Safety Licensing Objectives are being undermined at The Penny Black. A substantial quantity of illicit tobacco and vaping products were discovered, stored within the premises, alongside pricing lists and records indicative of sales activity. Subsequent examination confirmed that products seized included counterfeit tobacco and non-UK duty paid tobacco.
48. This was not an isolated incident. Prior to the seizure in June 2026, Licensing intelligence, dated 21 June 2023, recorded that a significant quantity of disposable vaping products had been observed in the CCTV room at The Penny Black, including numerous boxes believed to contain Elux vaping devices.
49. Whilst this intelligence pre-dates the current investigation, it indicates that substantial quantities of vaping products had also been stored at the premises for a considerable period. This adds to Trading Standards' concerns regarding the management and control of regulated products at the premises and further undermines confidence in the promotion of the Prevention of Crime and Disorder Licensing Objective.
50. Trading Standards has significant concerns regarding the management of the premises. During interview, Mr Cooke admitted that he purchased the cigarettes, allowed them to be stored at the premises and authorised their sale. The evidence further suggests wider management awareness, including pricing notices prepared by the premises manageress and sales records located within the office. Accordingly, the concerns extend beyond the actions of the DPS alone and relate to the overall management and control of the premises. Given the deliberate nature of the offending and Mr Cooke's admissions, Trading Standards has no confidence that the Premises Licence Holder, DPS or management team can be relied upon to uphold and promote the licensing objectives.
51. Furthermore, Trading Standards has concerns regarding the extent to which the Premises Licence Holder (PLH) has exercised effective control and oversight of the premises. The role of a Premises Licence Holder carries ultimate responsibility for the lawful operation of the business and for ensuring that the licensing objectives are consistently promoted. Similarly, the Designated Premises Supervisor (DPS) has day-

to-day responsibility for the authorisation and supervision of the sale of alcohol and is expected to actively manage the premises and prevent criminal activity.

52. In this case, the evidence suggests that criminal activity involving the storage and supply of counterfeit and non-duty paid tobacco products was taking place from within the premises over a period of time. If the Premises Licence Holder has delegated responsibility to the DPS at arm's length without maintaining adequate oversight, this raises serious concerns about their ability to fulfil the responsibilities attached to the premises licence.
53. Equally, if the DPS has been permitted to operate without effective supervision, this has created an environment in which criminal activity could be conducted from the premises, further undermining the Prevention of Crime and Disorder licensing objective and demonstrating a failure of management control at the highest level.

Signed: A. Harston

Date: 27/08/2026

(To be completed if applicable: being unable to read the above statement I,of, read it to him/her before he/she signed it.

Signed: **Date:**)

Exhibit 1

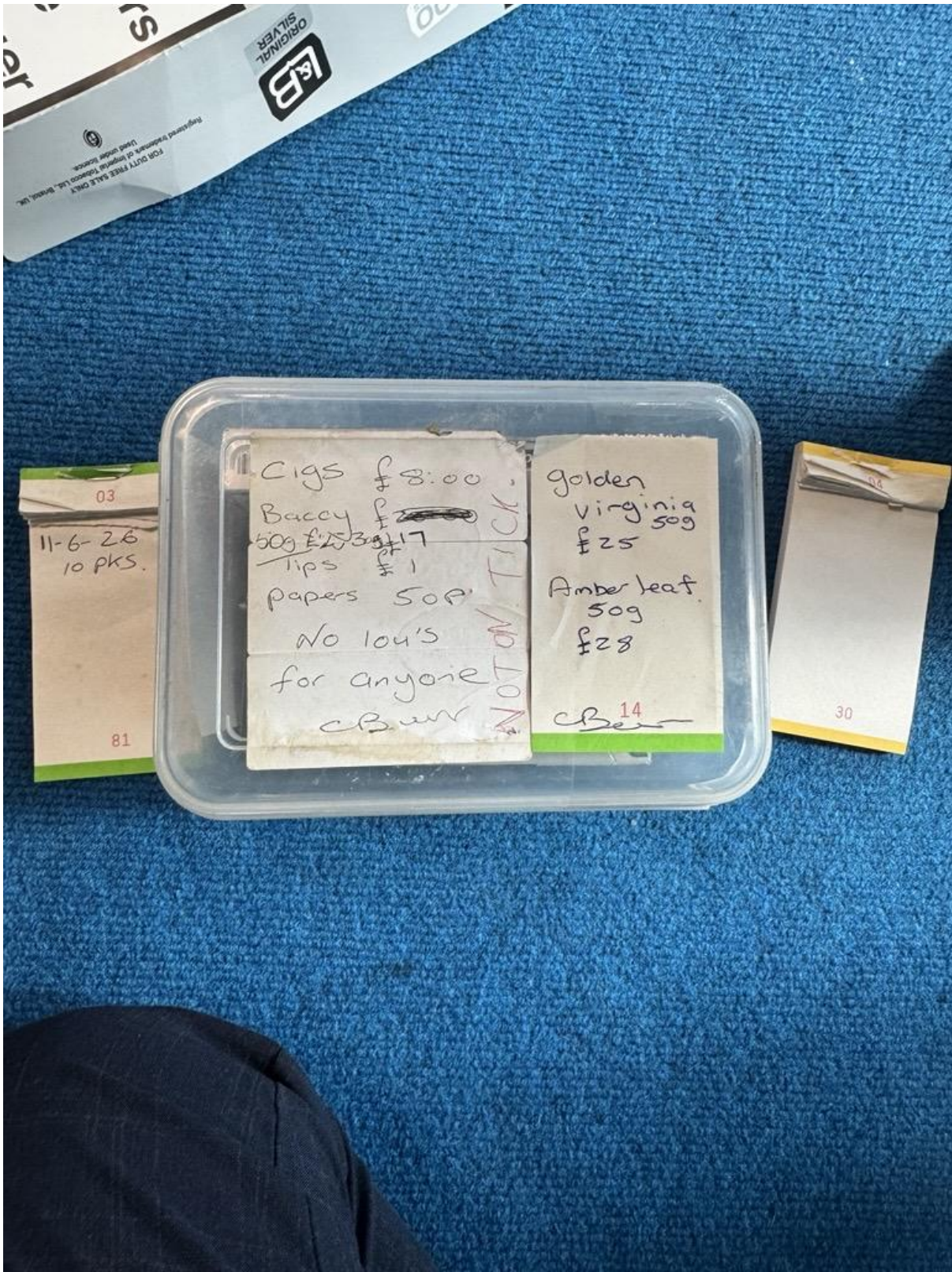
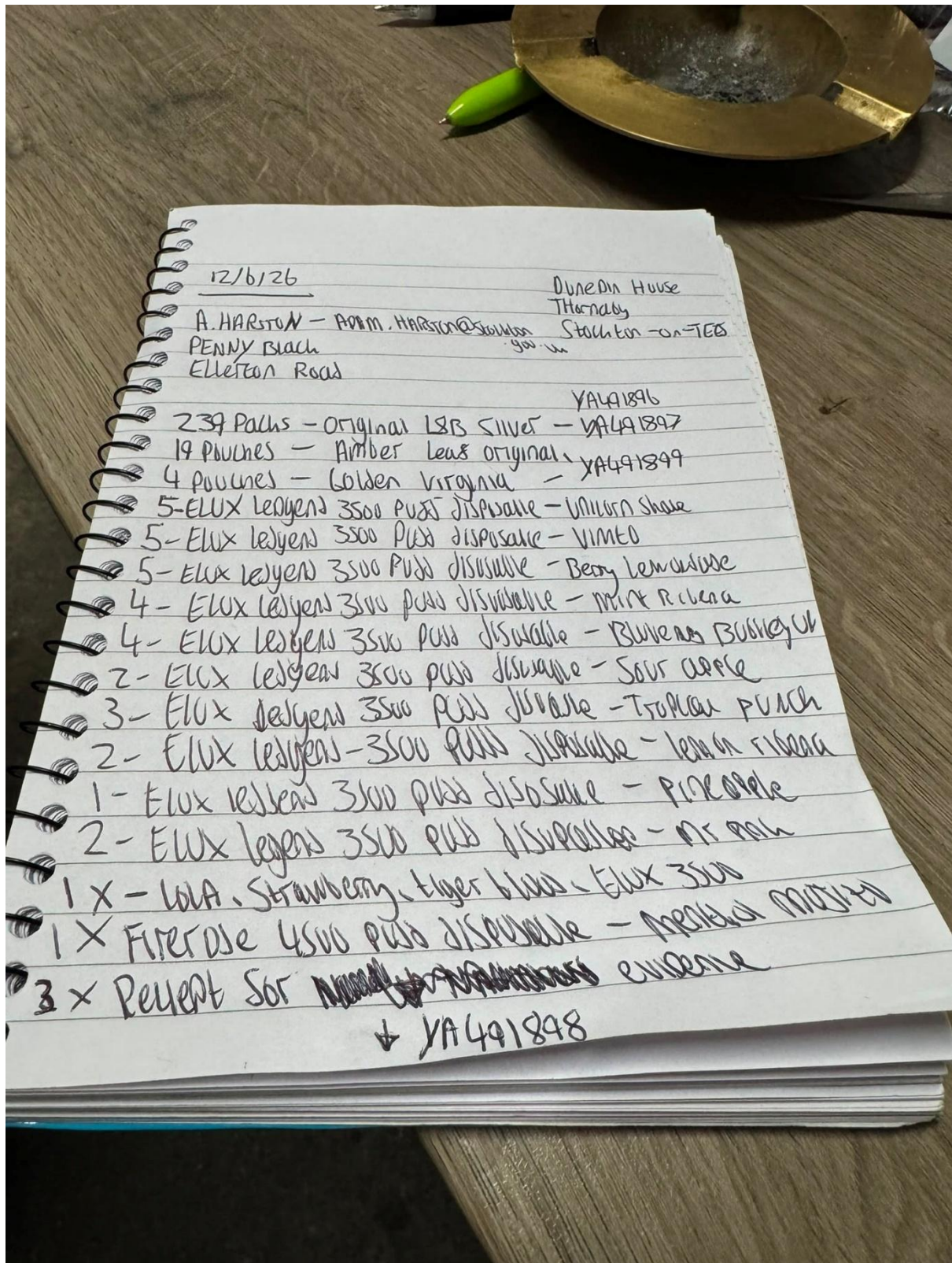


Exhibit 2



12/6/26

Dunedin House

Thornaby

A. HARSTON - Ann M. Harston
PENNY Black
Elletton Road

Stoughton - on - TEE
you in

YA491896

239 Pouches - Original LBS Silver - YA491897

19 Pouches - Amber Leaf Original - YA491899

4 Pouches - Golden Virginia - YA491899

5-ELUX Legend 3500 Puff Disposable - Unicorn Shale

5-ELUX Legend 3500 Puff Disposable - VIMED

5-ELUX Legend 3500 Puff Disposable - Berry Lemonade

4-ELUX Legend 3500 Puff Disposable - Mint Richa

4-ELUX Legend 3500 Puff Disposable - Blueberry Bushy

2-ELUX Legend 3500 Puff Disposable - Sour Apple

3-ELUX Legend 3500 Puff Disposable - Tropical Punch

2-ELUX Legend 3500 Puff Disposable - Lemon Richest

1-ELUX Legend 3500 Puff Disposable - Pineapple

2-ELUX Legend 3500 Puff Disposable - Mr. Rain

1 X - WLA. Strawberry, Tiger Blue - ELUX 3500

1 X FIREOSE 4500 Puff Disposable - MENTHOL MINT

3 X REPERT Sor ~~MENTHOL MINT~~ EVIDENCE

↓ YA491898

Exhibit 3

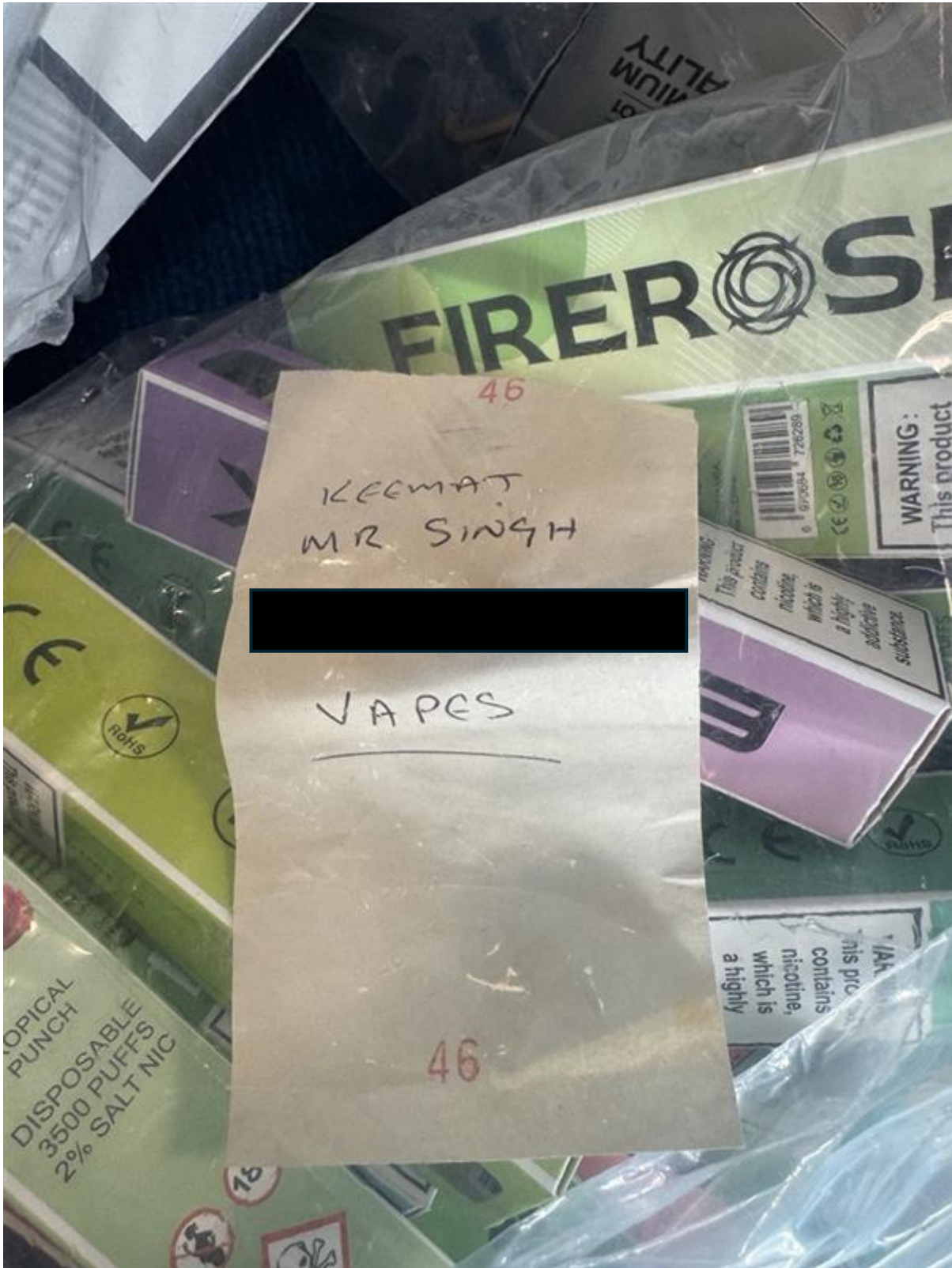


Exhibit 4

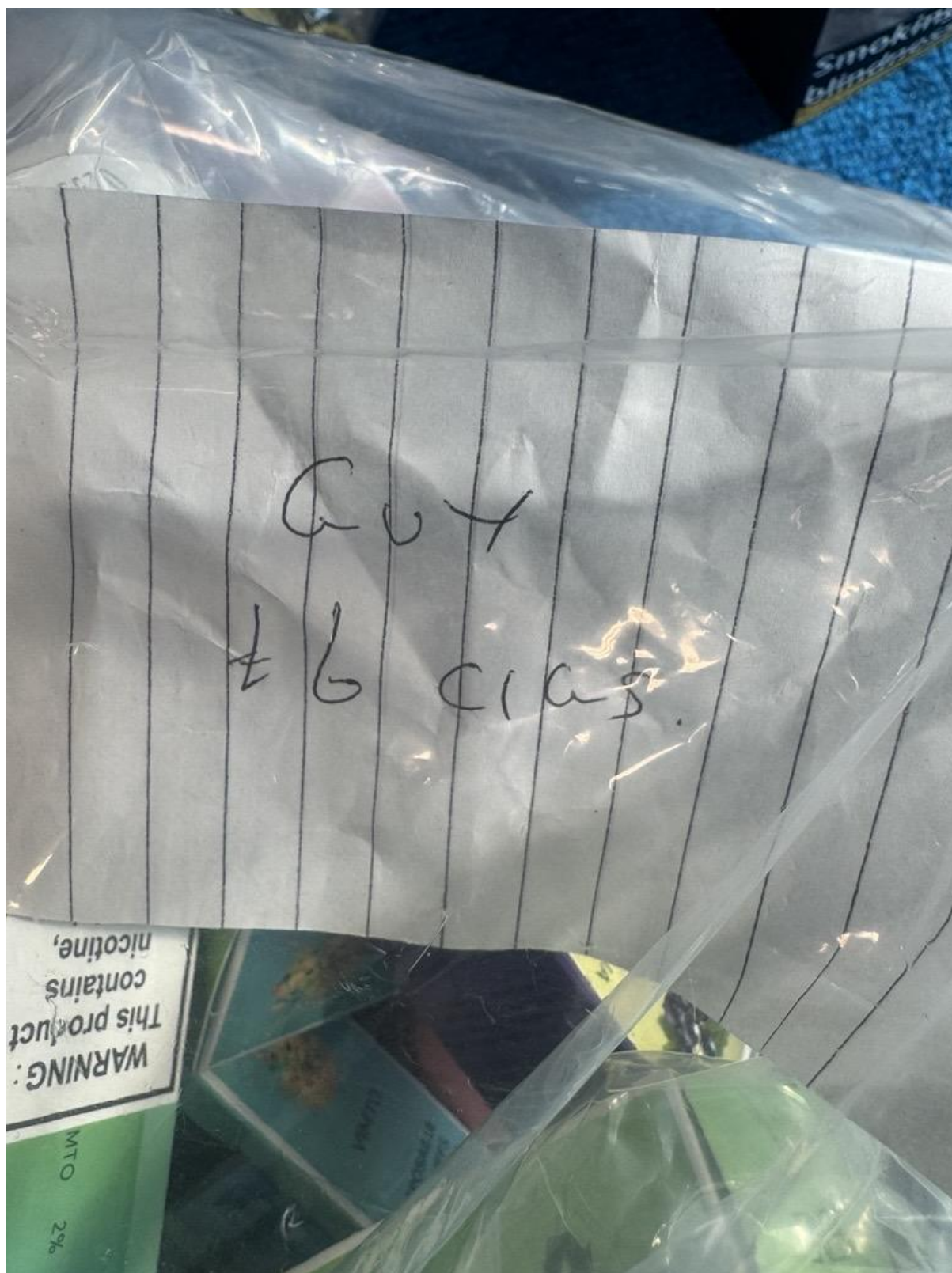


Exhibit 5



Exhibit 6

DOWN FIRST FOR YOUR RECORD - REVERSE SIDE

KeepSafe Security Bags

Barcode: N15588664

EVIDENCE BAG

PLEASE ENSURE THAT ALL BOXES IN BOLD ARE COMPLETED AT THE SCENE OF THE EXHIBIT RECOVERY

Organisation: STOCKTON - CN-115, RAYON, LAMMA		Name/Rank/No. (Block Letters)	
Exhibit No: X10003		(Continuity)	(Continuity)
Case Ref No: 52307		Name/Rank/No. (Block Letters)	Signed
Property Ref No:		Date	Date
Description of Exhibit:		Name/Rank/No. (Block Letters)	Signed
2 x Amber Half Original Pouches			

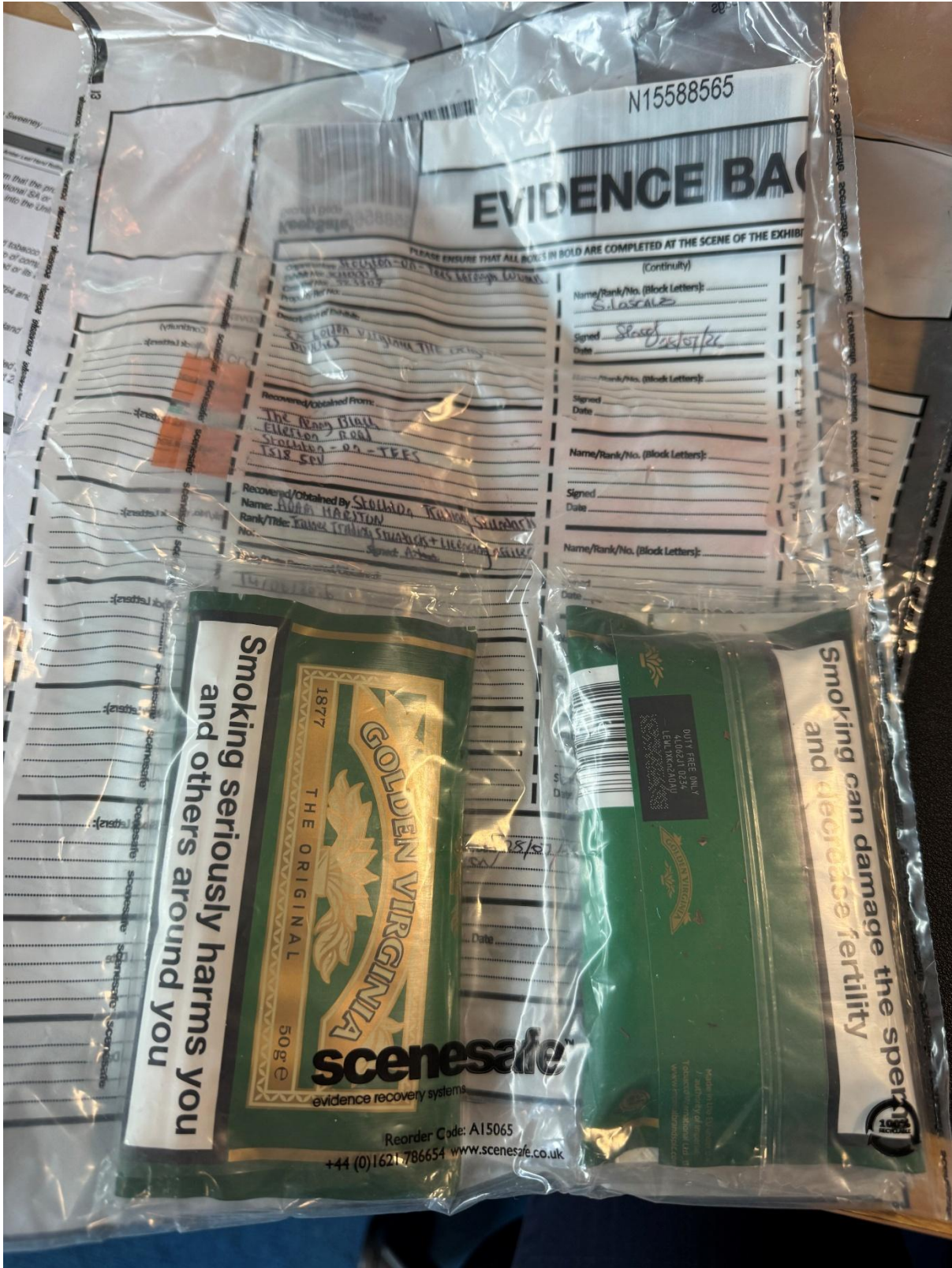
scenesafe™ evidence recovery systems

Reorder Code: A15065
+44 (0)1621 786654 www.scenesafe.co.uk

100% Recycled

Smoking causes blindness

Exhibit 8



LICENSING ACT 2003

PREMISES LICENCE (PART B)

PREMISES LICENCE NUMBER: 050447

PART 1

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

The Penny Black
Langthorne Grove, Stockton-On-Tees, TS18 5PU

01642 644030

WHERE THE LICENCE IS TIME LIMITED THE DATES

N/A

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

INDOOR SPORTING EVENTS
LIVE MUSIC
RECORDED MUSIC
PERFORMANCES OF DANCE
ACTIVITIES LIKE MUSIC/DANCE
LATE NIGHT REFRESHMENTS
SUPPLY OF ALCOHOL



.....
Marc Stephenson
Assistant Director
Community Safety and Regulated Services

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

INDOOR SPORTING EVENTS

MONDAY:	19.00 until 23.00
TUESDAY:	19.00 until 23.00
WEDNESDAY:	19.00 until 23.00
THURSDAY:	19.00 until 23.00
FRIDAY:	19.00 until 23.00
SATURDAY:	19.00 until 23.00
SUNDAY:	19.00 until 22.30

LIVE MUSIC

MONDAY:	19.00 until 23.00
TUESDAY:	19.00 until 23.00
WEDNESDAY:	19.00 until 23.00
THURSDAY:	19.00 until 23.00
FRIDAY:	19.00 until 23.00
SATURDAY:	19.00 until 23.00
SUNDAY:	19.00 until 22.30

RECORDED MUSIC

MONDAY:	19.00 until 23.00
TUESDAY:	19.00 until 23.00
WEDNESDAY:	19.00 until 23.00
THURSDAY:	19.00 until 23.00
FRIDAY:	19.00 until 23.00
SATURDAY:	19.00 until 23.00
SUNDAY:	19.00 until 22.30

PERFORMANCES OF DANCE

MONDAY:	19.00 until 23.00
TUESDAY:	19.00 until 23.00
WEDNESDAY:	19.00 until 23.00
THURSDAY:	19.00 until 23.00
FRIDAY:	19.00 until 23.00
SATURDAY:	19.00 until 23.00
SUNDAY:	19.00 until 22.30

ACTIVITIES LIKE MUSIC OR DANCING

MONDAY:	19.00 until 23.00
TUESDAY:	19.00 until 23.00
WEDNESDAY:	19.00 until 23.00
THURSDAY:	19.00 until 23.00
FRIDAY:	19.00 until 23.00
SATURDAY:	19.00 until 23.00
SUNDAY:	19.00 until 22.30

LATE NIGHT REFRESHMENTS

MONDAY:	23.00 until 23.30
TUESDAY:	23.00 until 23.30
WEDNESDAY:	23.00 until 23.30
THURSDAY:	23.00 until 23.30
FRIDAY:	23.00 until 23.30
SATURDAY:	23.00 until 23.30
SUNDAY:	N/A

SUPPLY OF ALCOHOL FOR CONSUMPTION ON THE PREMISES

MONDAY:	11.00 until 23.30
TUESDAY:	11.00 until 23.30
WEDNESDAY:	11.00 until 23.30
THURSDAY:	11.00 until 23.30
FRIDAY:	11.00 until 24.00
SATURDAY:	11.00 until 24.00
SUNDAY:	12.00 until 24.00

11.00 until 24.00 on Mondays to Thursdays that form part of any Bank or Public Holidays.

11.00 (12.00pm Sunday) until 02.00 Christmas Eve and New Year's Day

SUPPLY OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES

MONDAY:	11.00 until 23.30
TUESDAY:	11.00 until 23.30
WEDNESDAY:	11.00 until 23.30
THURSDAY:	11.00 until 23.30
FRIDAY:	11.00 until 24.00
SATURDAY:	11.00 until 24.00
SUNDAY:	12.00 until 24.00

11.00 until 24.00 on Mondays to Thursdays that form part of any Bank or Public Holidays.

11.00 (12.00pm Sunday) until 02.00 Christmas Eve and New Year's Day

THE OPENING HOURS OF THE PREMISES

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 01.00
SATURDAY:	11.00 until 01.00
SUNDAY:	12.00 until 00.30

11.00 until 24.00 on Mondays to Thursdays that form part of any Bank or Public Holidays.

11.00 (12.00pm Sunday) until 02.00 Christmas Eve and New Year's Day

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, TELEPHONE NUMBER AND E-MAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Star Pubs Trading Limited
45 Mortimer Street, London, W1W 8HJ

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

03512363

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

Mr Gary Alan Cooke

STATE WHETHER ACCESS TO PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

ANNEX 1

MANDATORY CONDITIONS

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.**

ANNEX 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

PREVENTION OF CRIME & DISORDER

- No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery.
- Ensure sight of evidence of age from any person appearing to those engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol.
- There shall be no irresponsible promotions of alcoholic drinks.

PREVENTION OF PUBLIC NUISANCE

- No regulated entertainment of any type shall take place outside the premises in any areas which are within the licence holders control after 22.00 save for any special event seven days' notice of which has been given to the Licensing Authority.

ANNEX 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

PREVENTION OF CRIME & DISORDER

- An incident book will be kept on the premises at all times. The book will detail in brief, incidents of injury/ejection/refusals/drug misuse/seizure/age challenge. Such matters will be timed, dated and signed by the author and produced to Police and other Responsible Authorities immediately upon request.
- The DPS and all other members of staff must ensure that no open vessels are taken by customers out of the licensable area, save for the external, seated, smoking area next to the front entrance (as shown on the submitted plan).
- The external, seated, smoking area next to the front entrance (as shown on the submitted plan) shall have a terminal hour for its use by customers of 22:00 hours and staff must ensure that this area is cleared of all customers by this time.
- All staff must be fully trained and retrained on a 3 monthly basis in relation to the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18's (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated "Challenge 25" policy. Training must also be given to all staff on any legal requirements relating to the operation of licensed premises during the Covid-19 pandemic and each time the regulations relating to licensed premises are amended. Staff must receive refresher training at least every 3 months.
- The business will maintain a refusals book, to be kept on the premises at all times, which will record all instances where the sale of alcohol has been refused. This shall include the date and time of the attempted sale, together with a description of the incident. The Designated Premise Supervisor/Premises Manager/Business Owner will check and sign each page and the refusals book will be made available to the Licensing Authority and/or Responsible Authorities upon request.
- Training records, to be kept on the premises at all times, must be signed by both the staff member and the Designated Premise Supervisor/Premises Manager/Business Owner will be retained for future reference and shall be updated at least every 3 months. All staff training records must be made available to the Licensing Authority and/or Responsible Authorities upon request.
- 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.

- **A digital Closed Circuit Television system (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.**
The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with data protection legislation.
CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition.
Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs.
There will be a minimum of 30 days recording.
The system will record for 24 hours a day.
The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.
The digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images.
There will be at all times a member of staff on duty 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.
- **All persons under the age of 18 must be escorted by an appropriate adult or legal guardian and must be entering the premises for food and soft drinks only and will have vacated the premises by 21.00 hours.**
- **Patrons must not be allowed to congregate in the car park after leaving the premise and must be encouraged to leave the area as soon as possible.**
- **A "Challenge 25" policy will be implemented with all staff insisting on evidence of age from any person appearing to be under 25 years of age and who is attempting to buy alcohol. There shall be notices displayed at all points of sale and at all entrances and exits to inform customers and remind staff that the premises is operating a "Challenge 25" policy.**
- **Only valid passports, UK "photo card style" driving licence, PASS approved proof-of-age cards or Ministry of Defence "Form 90" identification cards shall be accepted as proof of age.**
- **There will be a minimum of two notices displayed on the premises indicating that the sale of alcohol to persons under the age of 18 is illegal and that adults who buy alcohol for immediate disposal to persons under the age of 18 are committing an offence.**
- **There must be a minimum of two notices displayed in the premise, with one being easily visible on the way out of the premise, asking customers to leave the premise quietly and respect the nearby residents.**
- **Notices stating that CCTV is installed and in operation must be displayed throughout the premise, in the external seating area and in the car park.**
- **A written drugs policy must be prepared and maintained at the premises which shall include a zero-tolerance policy towards drugs which must be enforced at all times. Notices informing customers that the premise operates "zero tolerance" on drugs must be displayed in the premises including the toilets.**

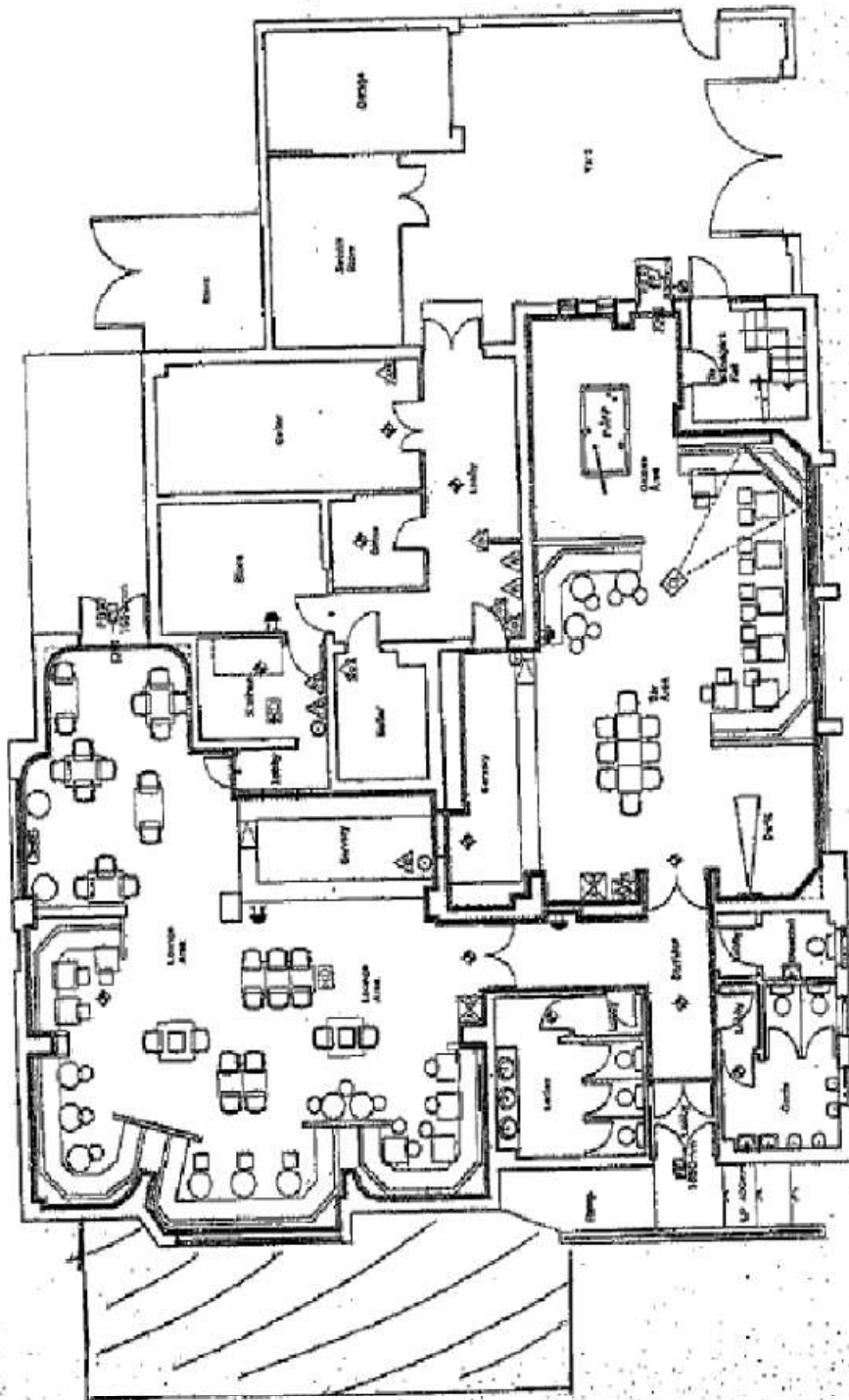
- All staff must be provided with suitable training in respect of their responsibilities under the premise drugs policy, Staff will receive refresher training at least every 3 months.
- There must be a minimum of two notices displayed outside the premise, with one being easily visible in the external seating area and one being easily visible on the way out of the carpark, asking customers to leave the premise quietly and respect the nearby residents.

PREVENTION OF PUBLIC NUISANCE

- All sound systems shall pass through the noise limiting device which at all times shall operate at the decibel level set by the Environmental Health Unit and shall be maintained in good working order.
- The relay system to the fire door(s) shall be maintained in good working order.
- 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.

ANNEX 4

PLANS (NOT TO SCALE)



GROUND FLOOR PLAN

Ariel location



Street View



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

Section 1 – Licence Application Details

Applicant Name (If Known)	Trading Standards
Premises Name and Address	Stockton On Tees Borough Council Municipal Buildings Stockton On Tees TS18 1LD

Section 2 - Responsible Authority

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

Section 3 – Representation Grounds

The representation is relevant to one or more of the following licensing objectives: Please tick relevant box(es)	X Prevention of Crime and Disorder ☐ Prevention of Public Nuisance ☐ Protection of Children from Harm ☐ Public Safety
---	--

The grounds of the representation is based on the following: (Please continue on a separate sheet if necessary) Cleveland Police make an application to support the Premise Licence Review brought by Trading Standards, against the On Licensed Premise The Penny Black, Ellerton Road, Stockton-On-Tees. The Penny Black is an On Licensed Premises in a heavily populated residential area. As such it is paramount that it the premise runs not just within the boundaries of licensing legislation but with the best interest of the surrounding community in mind.
--

After Trading Standards significant find of illicit tobacco, cigarettes and vapes which appear to be offered for sale at the premise, and the lack of engagement from the current Designated Premise Supervisor (DPS) Gary Cooke, Cleveland Police find themselves in a position where we are unable to ignore these transgressions.

The trade in illicit tobacco is inextricably linked in many cases to international crime groups who have the ability to both manufacture the product and the packaging. The police view the supply of illicit tobacco/cigarettes/vapes so seriously that anyone who engages in this type of criminal activity cannot be viewed as sufficiently responsible to manage a licensed premise or be actively upholding the four licensing objectives particularly the objective of Prevention of Crime and Disorder. It is for this reason that Cleveland Police wholly support the application by Trading Standards and strongly believe that the Crime and Disorder objective is being undermined. This paired with the DPS apparent lack of co-operation which makes working with the premises to combat any issues, nigh on impossible.

This is not the first time the Premise Licence for this public house has been reviewed. An application for review was made on 21st August 2020, with a hearing on 22nd October 2020, resulting in the licence for the premises being suspended for two months, conditions were added to the premise licence and the pub company Star Pubs Trading Ltd were made the Premise Licence Holder (PLH) to give them better control of the licence.

One of the main issues has been around CCTV with Council Officers being unable to view or obtain the footage regardless of a specific CCTV condition being added as a result of this last hearing.

The other main issue is the co-operation of the DPS and his failure to manage the premise adequately a point which was raised at the last hearing, and when the Committee at the time generously agreed to give Mr Cooke a chance to prove he was willing and able to run the premise correctly, and he confirmed that he had “taken on board all of the concerns which had been raised and appreciated that his management at the time was sadly lacking and he would ensure he would not repeat this in the future”. Unfortunately, this does not appear to be the case.

Cleveland Police find that they have no other option but to support Trading Standards request for a Review of the Premise Licence for The Penny Black.”

Signed:
PC894 Andrew Thorpe

Position: Police Alcohol Licensing
Officer

Dated: 07/08/2026

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	
---------------	--	------------	--

RESTRICTED (when complete)**CLEVELAND POLICE****WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

URN	17			
-----	----	--	--	--

Statement of **Andrew THORPE**Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Police Constable**

This statement (consisting of **4** page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature **A.Thorpe**Date: **01/09/2026**Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Constable in Cleveland Police presently stationed at Middlesbrough Police station in the Licensing Support Unit.

I have performed this role for over 10 years and during that time I have successfully completed the BIIAB level 2 National Certificate for Licensing Practitioners, the BIIAB level 2 course in the Assessment of Licensed Premises, and a Level 4 Police Alcohol Licensing Officer (PALO) accredited qualification.

Licensing relies heavily on partnership work, not just with the local authority and responsible authorities but with the Premises Licence Holders (PLH), Designated Premises Supervisors (DPS). We will always try to work with Licensed Premises when there are issues at the premises, but this is a two-way street and requires the co-operation of all sides.

This statement is in support of Stockton Borough Councils Trading Standards department in their review of the premises licence of The Penny Black Public House, Langthorne Grove,

Signature _____ Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **2**Continuation of Statement of **Andrew THORPE**

Stockton On Tees, the premises is an on licensed premises which is permitted to carry out licensed activity including but not exclusively, supply of alcohol, late night refreshment, and Live Music.

The Penny Black is situated in a heavily populated residential area. As such it is paramount that the premises runs not just within the boundaries of licensing legislation but with the best interest of the surrounding community in mind.

After Trading Standards significant find of illicit tobacco, cigarettes and vapes which appear to be offered for sale at the premises, and the lack of engagement from the current Designated Premises Supervisor (DPS) Gary Cooke, Cleveland Police are unable to ignore these transgressions and have no other option than to support Trading Standards in their application for a review of the premises licence.

The trade in illicit tobacco is inextricably linked in many cases to international crime groups who have the ability to both manufacture the product and the packaging. The police view the supply of illicit tobacco/cigarettes/vapes so seriously that anyone who engages in this type of criminal activity cannot be viewed as sufficiently responsible to manage a licensed premises or be actively upholding the four licensing objectives particularly the objective of Prevention of Crime and Disorder. It is for this reason that Cleveland Police wholly support the application by Trading Standards and strongly believe that the Crime and Disorder objective is being

Signature _____ Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **3**Continuation of Statement of **Andrew THORPE**

undermined. This paired with the DPS apparent lack of co-operation which makes working with the premises to combat any issues, nigh on impossible.

This is not the first time the Premises Licence for this public house has been reviewed. An application for review was made on 21st August 2020, with a hearing on 22nd October 2020, resulting in the licence for the premises being suspended for two months, conditions were added to the premises licence and the pub company Star Pubs Trading Ltd were made the Premises Licence Holder (PLH) to give them better control of the licence but this does not seem to have had the desired effect and Star Pubs appear to have proven that they have little or no control of the premises with issues like this going on at the premises for a what appears to be a sustained period of time with little or no oversight.

One of the main issues has been around CCTV with Council Officers being unable to view or obtain the footage regardless of a specific CCTV condition being added as a result of this last hearing. Despite the strengthening of the conditions with a specific and very detailed CCTCV condition which also requires there to be someone on site 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, bee able to produce the footage within a reasonable time...". This has not been followed regardless of the fact that this condition was added via Annex 3 of the Premises Licence to alleviate the issues that resulted in that hearing.

Signature _____ Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **4**Continuation of Statement of **Andrew THORPE**

The other main issue is the co-operation of the DPS and his failure to manage the premises adequately a point which was raised at the last hearing, and when the Committee at the time generously agreed to give Mr Cooke a chance to prove he was willing and able to run the premises correctly, and he confirmed that he had "taken on board all of the concerns which had been raised and appreciated that his management at the time was sadly lacking and he would ensure he would not repeat this in the future". Unfortunately, this does not appear to be the case and his attitude towards the officers of Responsible Authorities has not improved regardless of promises made at the last hearing.

We will always try to work with licensed premises and view the review process as a last resort when dealing with any licensed premises. Unfortunately, due to the numerous issues at the premises and offences being committed at the premises, this is something that cannot be ignored and requires immediate action. Coupled with the fact that this premises under the same supervision and overseen by the same pub chain is once again facing similar issues to those raised in the last review hearing leaves it impossible to ignore and forces Cleveland Police to have no other choice than to support the review of the premises licence. We do not have any faith in the current Designated Premises Licence holder or the Premises Licence Holders and cannot see a way forward other than a revocation of the premises licence if this is left to the status quo. The final decision is with the Licensing Sub-Committee, and we would urge them to take a serious look at the evidence presented and make their decision with the Licensing Objectives and the residents living in the immediate vicinity of the premises in the front of their minds.

Signature _____ Signature Witnessed by _____

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

Section 1 – Licence Application Details

Applicant Name (If Known)	Adam Harston (Trading Standards)
Premises Name and Address	The Penny Black Langthorne Grove Stockton-On-Tees TS18 5PU

Section 2 - Responsible Authority

☒ Licensing

Section 3 – 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

The grounds of the representation is based on the following:

(Please continue on a separate sheet if necessary)

The Licensing Authority, as a Responsible Authority, submit this representation in support of Trading Standards in their application to review the premises licence namely, The Penny Black, Langthorne Grove, Stockton-On-Tees, TS18 5PU.

The PLH (Premises Licence Holder) is currently Star Pubs Trading Limited since 24th July 2026. Previously Star Pubs & Bars Limited since 20th October 2020.

The DPS (Designated Premises Supervisor) is Mr Gary Alan Cooke since 2nd October 2017.

The sale and supply of illicit tobacco products undermines the licensing objective for the Prevention of Crime and Disorder. The illicit tobacco trade is a criminal activity that facilitates tax evasion, provides an unfair commercial advantage over legitimate businesses, and contributes to wider criminal networks.

Illicit tobacco products are often not compliant with regulations designed to protect consumers, therefore the sale of these products may undermine the licensing objective for Public Safety.

Further to this, the Licensing Authority have additional information to add relating to concerns regarding the premises, and further undermining of the licensing objectives.

The premises was subject to a review of its Premises Licence on 22nd October 2020 relating to the undermining of the Licensing Objectives:

Prevention of Crime and Disorder,
Prevention of Public Nuisance and
Public Safety, which was applied for by Cleveland Police.

This related to several complaints and breaches of COVID-19 restrictions. Cleveland Police and Stockton Council Licensing attempted to investigate these reports. However, the DPS, Mr Gary Cooke, was unable to provide CCTV on a number of occasions. Environmental Health had also received several noise complaints.

The outcome of this review was that the PLH would be transferred from Mr Cooke to Star Pubs and Bars Limited so they could exercise a greater degree of control over the premises, the licence would be suspended for 2 months additional conditions were added to the premises licence. The Decision Notice from that Hearing is exhibited as EB1.

In June 2023 complaints were received regarding live music being played until 23:30 at the premises.

CCTV was requested to be viewed, the footage was unable to be checked covering the inside of the premises, however the outside CCTV showed the singer leaving at 22:44. The area manager at the time, Mr Lance Green, advised Officers he would send Mr Cooke a strongly worded warning regarding his responsibilities as DPS and that he need to provide CCTV and comply with all the licence conditions.

On the third visit to the premises CCTV from inside was finally provided, which showed people drinking after hours until just after 01:00am and a lady smoking at 01:00am and 01:15am. Training records were also not completed at this time.

Three letters were sent in relation to this complaint, on different dates, which relate to a warning regarding the noise issues which is exhibited as EB2, a letter regarding condition compliance which is exhibited as EB3 and a warning letter regarding condition compliance which is exhibited as EB4.

During this visit what appeared to be a stock of vapes were seen in the CCTV room which was referred to Trading Standards who visited the premises. Trading Standards found 8 ELUX 3500 vapes which Mr Cooke said were for his own personal use.

The next interaction Licensing Team had with the premises was for an inspection of the Premises Licence conditions which took place on 23rd October 2025. During this inspection there were breaches of licence conditions to be actioned which were:–

- Part A of the Premises Licence was not available.
- Training records, to be kept on the premises at all times, must be signed by both the staff member and the Designated Premise Supervisor/Premises Manager/Business Owner will be retained for future reference and shall be updated at least every 3 months. All staff training records must be made available to the Licensing Authority and/or Responsible Authorities upon request.

- 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.

Mr Cooke was given until 20th November 2025 to rectify these breaches and ensure compliance with the conditions.

On 20th November 2025 an email was received from Caroline Burr with photos confirming the conditions were now compliant.

On 11th April 2026 a complaint was submitted to Stockton Council Licensing from the parent of an alleged victim regarding a report of serious sexual assault/rape to have occurred at the premises on 10th April 2026. The complainant stated that the matter was not appropriately escalated by staff, having been dealt with by bar staff and not referred to management and was not recorded resulting in alleged safeguarding failures.

Officers have spoken with the complainant, who stated comments were made to the victim after the incident occurred, along the lines of 'he is a nice lad but he takes drugs' relating to the suspect.

Concerns were raised regarding the premises' handling of the incident, staff training, incident reporting procedures, retention of CCTV and records, and compliance with the licensing objectives, particularly the prevention of crime and disorder and public safety.

The complainant requested that the Licensing Authority investigate the matter and consider whether a review of the premises licence was appropriate.

Licensing Officers investigated the alleged concerns regarding licence conditions and concerns of management of the premises, first ensuring any Licensing action would not impact the Police investigation.

I visited the Penny Black on 22nd April 2026 and carried out a full inspection of the Premises Licence with Mr Cooke. There was a number of licence conditions which were again non compliant -

- An incident book will be kept on the premises at all times. The book will detail in brief, incidents of injury/ejection/refusals/drug misuse/seizure/age challenge. Such matters will be timed, dated and signed by the author and produced to Police and other Responsible Authorities immediately upon request.
- All staff must be fully trained and retrained on a 3 monthly basis in relation to the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18's (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated "Challenge 25" policy. Training must also be given to all staff on any legal requirements relating to the operation of licensed premises during the Covid-19 pandemic and each time the regulations relating to licensed premises are amended. Staff must receive refresher training at least every 3 months.
- Training records, to be kept on the premises at all times, must be signed by both the staff member and the Designated Premise Supervisor/Premises Manager/Business Owner will be retained for future reference and shall be updated at least every 3 months. All staff training

records must be made available to the Licensing Authority and/or Responsible Authorities upon request.

- 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.
- A digital Closed Circuit Television system (CCTV) will be installed and maintained in good working order and be correctly time and date stamped. The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with data protection legislation. CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition. Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs. There will be a minimum of 30 days recording. The system will record for 24 hours a day. The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer. The digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images. There will be at all times a member of staff on duty 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.
- "Challenge 25" policy will be implemented with all staff insisting on evidence of age from any person appearing to be under 25 years of age and who is attempting to buy alcohol. There shall be notices displayed at all points of sale and at all entrances and exits to inform customers and remind staff that the premises is operating a "Challenge 25" policy.
- All staff must be provided with suitable training in respect of their responsibilities under the premise drugs policy, Staff will receive refresher training at least every 3 months.
- There must be a minimum of two notices displayed outside the premise, with one being easily visible in the external seating area and one being easily visible on the way out of the carpark, asking customers to leave the premise quietly and respect the nearby residents.

During this inspection, Mr Cooke advised that he had experienced ill health over the previous six months, primarily related to diabetes. He was unable to confirm details relating to several licence conditions, including the location of training records, the operation of the CCTV system, and the whereabouts of the incident book.

Mr Cooke stated that both the training records and the incident book were likely kept in the bag of Caroline, the Bar Manager. This is of particular concern given that one of the issues raised in the complaint was that the incident was not recorded properly.

Further to this, even though there was a refusals book onsite labelled "refusals book" it was not being used a refusals book and appeared to have some number calculations in it with Mr Cooke advising they don't get many or any refusals.

In relation to the CCTV system, Mr Cooke accompanied Officers to the CCTV room but appeared

unsure how to operate the equipment when asked to do so. He requested that Officers use the system, at which point he was advised that a member of staff on duty who is trained in the use of the equipment must be on duty at all times. Mr Cooke then returned to the bar, stating that Officers should record that he “can’t be arsed” in terms of that condition.

He was reminded again of the requirement for a suitably trained staff member to be available. Mr Cooke then advised that a staff member outside was able to operate the system. However, when the CCTV system was accessed, it was found to be non-compliant, as it was not retaining footage for the required period of 30 days and had approximately six days of missing footage, including the time of the alleged sexual assault/rape.

The staff member advised that the hard drive had failed on the dates of the incident, although Police Technicians were able to recover the footage. The system settings were amended so that the CCTV should retain footage for the full 30-day period.

A meeting was then held between Matt Simpson (Star Pubs), Zoe Bull (Flint Bishop Solicitors), Cleveland Police Licensing Unit PC Andrew Thorpe (Cleveland Police Licensing Unit), Niall Watson (Stockton Council Licensing) and Myself, on 7th May 2026.

During this meeting, Officers spoke about the complaint and the ongoing issues that appear to be going on with the premises. Specifically, Officers raised concerns over Mr Cooke’s ability to manage the premises.

Matt Simpson said he had spoken with Mr Cooke about the alleged sexual assault/rape as he was not previously aware of this, which was concerning given that Mr Simpson is representative of the Premises Licence Holder Star Pubs. Mr Simpson said he was going to the premises on Monday 11th May 2026 to check compliance with the conditions of the Premises Licence.

Regarding staff training Mr Simpson advised that Mr Cooke has access to tenancy training, and he will be advised to go through this. This is believed to be in house training that is accessible for pub managers / tenants.

PC Thorpe and I advised that it would be good for Mr Cooke and his staff to look at other training as well such as Ask Angela or similar training.

Concerns were also raised regarding Mr Cooke’s “can’t be arsed” attitude towards the CCTV licence condition, and him not being able to use the CCTV. Ms Bull agreed that someone who is trained in the use of the equipment needs to be on duty and Mr Cooke should know how to use it.

On 18th May 2026 I received a call from Mr Simpson from Star Pubs who advised me he has been in to the premises and gone through the conditions of the Premises Licence, which were non-compliant, with Mr Cooke. He said all the notices were fine, Mr Cooke had done the training, there is a new CCTV hard drive and Mr Cooke can now use the system. However, Mr Simpson said he had not checked the training records in detail and had taken Mr Cooke’s word for it regarding him being able to use the CCTV.

On 12th June 2026 I revisited the premises accompanied by my colleague Adam Harston (Trainee Trading Standards and Licensing Officer). I checked the non-compliant conditions with Julie Currie (a member of staff) and Danny Green (a member of staff). Some of the licence conditions were still non-complaint, despite assurances from Mr Simpson.

On checking these conditions members of staff were not sure on them so called Caroline Burr who is

the Bar Manager. I asked Caroline about the incident book which she said they had tried to order this several times, but they have not got one yet. She then directed us towards a folder which contained training records and materials.

These training materials were photographed during the inspection and are exhibited as EB5.

The training records were not compliant with the licence conditions as they were completed in June 2025 then October 2025 (which is a 4 month gap) and May 2026 (which is a 7 month gap) which is not within 3 months of each other as per the condition.

A member of staff, Diane, is named on all of the records but has not signed at any date to say she has been trained. Further to this Ms Currie who we spoke to during the inspection had signed the records in October 2025 but had not signed the records in May 2026 showing she has no training records for 10 months to date.

It appeared 2 members of staff had undertaken some Ask Angela and sexual offences / sexual assault training, dated May 2026, but not all staff members signatures were present.

There was a Challenge 25 notice, at the point of sale, but none at the entrance or exit which is also a breach of a condition.

There was also only one notice outside the premises requesting customers to leave quietly when the condition states there should be two.

It appeared 2 members of staff had undertaken some Ask Angela and sexual offences / sexual assault training, dated May 2026, but not all staff members signatures were present.

I also checked the CCTV which Mr Green could use and showed us. It recorded for 43 days which was compliant.

When checking this I noticed a sandwich style box which contained cigarettes. I notified my colleague Mr Harston. Further enquires were made by my colleague, which resulted in the seizure of illicit tobacco and disposable vapes, as detailed in the review application.

There also appeared to be a used ash tray within the office which suggest that smoking has occurred within the premises which is something that has previously been viewed in another location within the pub.

I took photos to refer to Trading Standards colleagues which are exhibited as evidence as EB6.

In relation to this complaint a written warning was sent to the PLH Star Pubs Trading Limited on 22nd June 2026 which is exhibited EB7.

The Licensing Authority has no confidence in the management of this premises by either the DPS or the PLH.

These concerns arise from:

- The previous review of the premises licence in 2020;
- Repeated and ongoing breaches of licence conditions;
- Persistent failures relating to staff training and record keeping;
- Repeated issues regarding the operation and availability of CCTV;
- Failures to maintain incident reporting procedures;
- The DPS's dismissive attitude towards specific conditions;

- The failure of the PLH to exercise effective oversight despite assuming control following the 2020 review;
- The discovery of illicit tobacco and vaping products at the premises.
- The most serious concern relates to the failures surrounding CCTV management. These failings were identified in 2020, arose again during investigations in 2023 and remained evident in 2026 when the premises became the focus of the serious sexual assault/rape incident.

CCTV is one of the most important safeguards available to responsible authorities investigating serious criminal offences. The Licensing Authority considers it unacceptable that, at the time of such a serious allegation, CCTV systems were not being properly maintained and that the DPS could not competently operate the equipment or demonstrate compliance with the licence condition.

Also of concern is that during the meeting on 7th May 2026 with the premises representees they stated the DPS is on a tenancy contract which means as the PLH they do not have as much involvement with the day to day running compared to other contracts. Following the 2020 review where the PLH was changed to Star Pubs this shows that control does not appear to have been passed fully to Star Pubs and remained in control of Mr Cooke.

Taken individually, each of these matters raises concern. Viewed collectively, they demonstrate a persistent pattern of poor management, inadequate control and repeated failure to comply with licence conditions over a prolonged period.

The Licensing Authority considers that the licensing objectives of the Prevention of Crime and Disorder and Public Safety have been seriously and repeatedly undermined. Despite a previous review, additional conditions and ongoing advice and intervention from responsible authorities, the same fundamental failings continue to occur.

Accordingly, the Licensing Authority supports Trading Standards' application for review of the premises licence.

Signed: 	Position: Licensing Officer	Dated: 13/08/26
---	-----------------------------	-----------------

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

STOCKTON-ON-TEES BOROUGH COUNCIL

STATUTORY LICENSING COMMITTEE DECISION NOTICE (THE LICENSING ACT 2003)

PREMISES	The Penny Black, Langthorne Grove, Stockton-On-Tees, TS18 5PU
PREMISES LICENCE HOLDER	Gary Cooke, represented by his legal representative (Duncan Craig, Barrister)
DESIGNATED PREMISES SUPERVISOR	Gary Cooke, represented by his legal representative (Duncan Craig, Barrister)
INTERESTED PARTY	Star Pubs and Bars – Lance Green (Area Manager) represented by their legal representative Andrew Cochrane, Solicitor
APPLICANT’S NAME	Cleveland Police Acting Sergeant Thorpe & PC Westmoreland represented by their legal representative (Joan Smith, Barrister)
PUBLIC HEALTH	Nathan Duff, Public Health Practitioner
ENVIRONMENTAL HEALTH	Stephen Donaghy, Environmental Health Manager and Stephanie Landles, Environmental Health Officer
LICENSING	Leanne Maloney-Kelly, Licensing Team Leader, John Wynn and Polly Edwards, Licensing Officers
APPLICATION TYPE	Application for Review of a Premises Licence
PANEL MEMBERS	Councillor Kirton (Chairman) Councillor Cunningham Councillor Dixon
OFFICERS	Jonathan Nertney, Solicitor (Legal Adviser to the Committee) Sarah Whaley, Democratic Services Officer Michael Henderson, Democratic Services Officer Kirsty Wannop, Licensing Officer
DATE OF MEETING	22 nd October 2020

Preliminary

The Chair introduced all persons who were present and explained the procedure to be followed during the hearing. It was noted that all attendees were in remote attendance via Microsoft Teams video conferencing facility.

Report to Committee

Members of the Licensing Sub Committee of the Council's Statutory Licensing Committee considered the above application, full details of which appeared before the Members in their agenda and the background papers. The Members noted that this review of the premises licence was made at the request of Cleveland Police. Representations had been received from other responsible authorities including Licensing, Environmental Health and Public Health. Representation had also been made by Councillor Lynn Hall, the Ward Councillor.

A copy of the report and supporting documents had been provided to all persons present and to members of the Committee.

Applicants Submission

Miss Smith, Barrister, addressed the Committee on behalf of Cleveland Police.

Miss Smith noted that the members of the Committee had read the background papers to the review which detailed the grounds for seeking the review and the evidence presented in support.

The most concerning incident was in May 2020 when persons were found on the premise drinking alcohol, which at the time was prohibited under Covid 19 regulations .

Called evidence from AS Thorpe and PC Westmoreland.

It was acknowledged that the premise had only been of concern to the Police over the last 7 months. Prior to that time there had been few if any matters which had come to the attention of Cleveland Police. It was quite clear that something had gone seriously wrong at the premise over the last 7 months. In the view of Cleveland Police, the introduction of regulations following lockdown in March had led to the start of the issues. The Police started to receive complaints about the premise and visits were undertaken. There are a considerable lack of conditions on this licence. One of the issues has been a distinct lack of CCTV including a time when Mr Cooke reported a burglary at the premise. Police would expect a responsible licensee to have CCTV at his premise. Mr Cooke was advised that CCTV could be of great benefit to him as it could potentially demonstrate that there was no substance to complaints that customers were drinking on the premise in breach of Covid regulations.

On 15th May the Police received a further report of customers drinking on the premise. AS Thorpe and PC Westmoreland visited the premise and found customers drinking alcohol in breach of Covid19 regulations. PC Westmoreland's bodyworn camera footage was played to the Committee. PC Westmoreland informed the Committee that she had been deeply shocked when she had entered the premise and it was operating as if Covid 19 was not an issue. Following this incident and because of the serious breach on 19th May 2020 a Prohibition Notice was served on Mr Cooke by Environmental Health.

AS Thorpe stated that when he has spoken to Mr Cooke he appears to take the issues on board but does not then take any proactive steps to take action and address them.

The Committee were also informed that nitrous oxide cannisters were found in the vicinity of the premise and complaints were received that customers were using these. AS Thorpe informed the Committee of the Polices concerns over their use.

Miss Smith noted that she had received some proposed conditions from Mr Cooke's legal representative. These were welcomed but the Polices view remained that the premise licence should be revoked.

The Members of the Committee and all parties were invited to ask questions.

Councillor Hall

Councillor Hall addressed the Committee and stated that the Penny Black had operated in that location for approximately 50 years. The premise is surrounded by bungalows and is in a residential location. Councillor Hall confirmed that she had received a number of complaints from residents. Councillor Hall stated that in her view the Committee are only receiving a snapshot of the problems which have been associated with the premise.

The Members of the Committee and all parties were invited to ask questions.

Licensing

Mrs Maloney-Kelly informed the Committee that the proposed condition circulated by Mr Craig did address some of the issues which had led to licensing submitting a representation. Mrs Maloney-Kelly stated that she had also discussed possible conditions with other responsible authorities and she had e-mailed Mr Craig with some additional suggested conditions. During the hearing Mr Craig was given an opportunity to take instructions from his client and he confirmed that he had no objection to the additional proposed conditions.

The Members of the Committee and all parties were invited to ask questions.

Environmental Health

Stephen Donaghy addressed the Committee on behalf of Environmental Health.

The Members of the Committee and all parties were invited to ask questions.

Public Health

Mr Duff attended the Committee on behalf of Public Health and the Committee noted the representation.

The Members of the Committee and all parties were invited to ask questions.

Star Pubs and Bars Limited

Andrew Cochrane, Solicitor, stated that they are an interested party in this review as they are the freehold owner of the premise. Star Pubs are extremely sorry that the premise had caused issues for the local residents.

Mr Cochrane stated that they are mindful that Mr Cooke has operated the premise for two and a half years without incident and in their view a final warning would be the appropriate means to deal with this review. Star Pubs would agree that the proposed conditions should be attached to the licence. Star Pubs are happy to have the premise licence transferred into their name so that they can exercise a degree of control over the premise.

Premise Licence Holders Submission

Mr Craig, Barrister, addressed the Committee and noted that Mr Cooke acknowledged that his management of the premise was unacceptable. Mr Cooke had taken the review process extremely seriously and had retained legal representation. Mr Cooke had already taken proactive steps to implement change at the premise and ensure that the issues of concern were addressed. Mr Craig stated that Mr Cooke is an experienced licensee and is of good character.

Mr Craig provided an explanation on behalf of Mr Cooke in relation to the incident which is at the heart of this review when customers were found to be drinking alcohol on the premises in breach of Covid19 regulations. Mr Cooke had come downstairs and had found people drinking, he had then sat down at the bar while he decided how to deal with the issue and at that point the Police entered. It was fully accepted that this did not look good and reflected very badly on Mr Cooke.

Mr Cooke addressed the Committee and apologised that his management had led to the review process being commenced. Mr Cooke gave his personal assurance to the Committee that he would continue to fulfil the promises that had been made on his behalf and ensure the premise operated in a responsible manner in the future.

Mr Craig informed the Committee that the review could be dealt with by imposing a suspension of the licence. The Committee were also invited to amend the premise licence and attach the following conditions:-

1. An incident book will be kept on the premises at all times. The book will detail in brief, incidents of injury/ejection/refusals/drug misuse/seizure/age challenge. Such matters will be timed, dated and signed by the author and produced to Police and other Responsible Authorities immediately upon request.
2. The DPS and all other members of staff will ensure that no open vessels are taken out of the licensable area and outside seated area (as shown on the plan) by customers.
3. All staff will be fully trained and retrained on a 3 monthly basis in relation to the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18's (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 3 months.
4. The business will maintain a refusals book, to record all instances where the sale of alcohol has been refused. This shall include the date and time of the attempted sale, together with a description of the incident. The Designated Premise Supervisor/Premises Manager/Business Owner will check and sign each page and the refusals book will be made available to the Licensing Authority and/or Responsible Authorities upon request.

5. Training records, will be signed by both the staff member and the Designated Premise Supervisor/Premises Manager/Business Owner will be retained for future reference and shall be updated at least every 3 months. All staff training records will be made available to the Licensing Authority and/or Responsible Authorities upon request.
6. 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.
7. 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 the Data Protection legislation. CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition. Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs. There will be a minimum of 30 days recording. The system will record for 24 hours a day. The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer. The digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images. There will be at all times a member of staff on duty 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 immediately if urgently required for investigation of serious crime.
8. All persons under the age of 18 must be escorted by an appropriate adult or legal guardian and must be entering the premises for food and soft drinks only and will have vacated the premises by 21.00 hours.
9. Patrons will not be allowed to congregate in the car park after leaving the premise and will be encouraged to leave the area as soon as possible.
10. A "Challenge 25" policy will be implemented with all staff insisting on evidence of age from any person appearing to be under 25 years of age and who is attempting to buy alcohol. There shall be notices displayed at all points of sale and at all entrances and exits to inform customers and remind staff that the premises is operating a "Challenge 25" policy.
11. Only valid passports, UK "photo card style" driving licence, PASS approved proof-of-age cards or Ministry of Defence "Form 90" identification cards shall be accepted as proof of age.
12. 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.

13. There will be a minimum of two notices displayed in the premise, with one being easily visible on the way out of the premise, asking customers to leave the premise quietly and respect the nearby residents.

The Members of the Committee and all parties were invited to ask questions.

Summing Up

All parties present were given an opportunity to sum up their case with the premises licence holders representative given the opportunity to make the final submission.

Decision & Reasons

Members had regard to the Committee papers, evidence and submissions, which had been circulated prior to the hearing and presented to them, in addition to the oral submissions made by those present at the meeting. The Committee decided the matter based on its merits and considered the evidence on the balance of probabilities.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), the Guidance Issued under Section 182 of the Licensing Act 2003 (as amended) and the Council's Licensing Policy.

The Committee considered the evidence on the balance of probabilities and noted the following:-

- Mr Cooke's management of the premise which resulted in this review process was unacceptable. The Committee were very concerned that such management failings had occurred at a period of national crisis during the Covid 19 pandemic. The Committee felt that the serious incident when customers were drinking alcohol in the premise, in breach of the Covid regulations, would have been justification to revoke the premises licence;
- The Committee noted that a large number of complaints had been received by the Police, the licensing section of the Council and Councillor Hall, the Ward Councillor. The residents had lived in close proximity to the premise for many years and had never experienced a period of such mismanagement at the premise;
- It appeared that the client base of the premise had changed recently and there were a larger number of younger persons frequenting the premise which had led to an increase in the number of incidents and complaints being received. Mr Cooke had failed to properly manage the premise and his customers and the responsibility for this failure rested solely on Mr Cooke;
- Mr Cooke had failed to act and take action despite the early intervention of the Police, licensing and environmental health. Mr Cooke had been given the opportunity to address the failings at his premise but had not heeded that advice. On the contrary the situation had got worse which culminated in the visit to the premise by Cleveland Police officers when customers were found on the premise in clear breach of Covid 19 regulations. Following that incident a formal direction had been served on Mr Cooke.
- The explanation put forward by Mr Cooke for failing to prevent his customers from drinking in breach of the Covid 19 regulations was fanciful and the Committee rejected this. Mr Cooke could be seen on the Police Officers body worn CCTV camera sitting at the bar with a

full pint in front of him while customers were present. There were also members of staff behind the bar and it was accepted that alcoholic drinks had been served to customers.

The Committee when considering what action to take in relation to this review had regard to the following points which were deemed to be mitigating factors:-

- The Committee noted that Mr Cooke had been a licensee for many years and had run successful venues including nightclubs and public houses. This was the first time that Mr Cooke had appeared before Stockton Councils Licensing Committee. It was accepted by the responsible authorities that prior to the matters that led to this review Mr Cooke had not been a cause for concern;
- The Committee took into consideration the fact that Mr Cooke had addressed them and given an apology and his assurance that if he were permitted to retain his licence he would ensure that there were no further similar failings in the future. Mr Cooke explained to the Committee that he had taken on board all of the concerns which had been raised and appreciated that his management at the time was sadly lacking and he would ensure he would not repeat this in the future.
- Mr Cooke had taken proactive steps to address some of the issues which were of concern to the responsible authorities. It was noted that the premise licence did not currently have a CCTV condition. Mr Cooke had recently invested a large sum of money in the installation of an up to date CCTV system which covered the interior and exterior of the premise.
- The Committee noted the undertaking given by Mr Cochrane, Solicitor, who represented the freehold owner of the premise Star Pub and Bars Limited. Mr Cochrane informed the Committee that the company were willing to transfer the premise licence into their name. This would allow them to exercise a further degree of control over Mr Cooke and also act as a new point of contact for the responsible authorities, Ward Councillor and local residents.

The Committee gave consideration to revoking the premise licence and felt on balance that they could take a step back from this ultimate sanction. The Committee took into consideration that if they were to revoke the premise licence then the current Covid 19 pandemic poses a particularly difficult time for the pub and leisure industry. There was the distinct possibility that if the premise licence was revoked then the premise could be boarded up and potentially would then become a magnet for anti social behaviour or vandalism. The Committee were mindful that the local residents, who had lived as neighbours to the premise for many years, wanted a well run establishment which did not cause nuisance. This was something which the Committee also wanted and they considered what steps would be appropriate to achieve this. The Committee took a step back from revoking the premise licence and considered what steps would be required to ensure Mr Cooke could live up to the assurances he had given to the Committee. The Committee did not feel it appropriate at this time to remove Mr Cooke as the Designated Premise Supervisor. If Mr Cooke was to live up to the commitments he had given to the Committee then he should remain as the DPS in order to do so. Mr Cooke should be in no doubt that if he was to exhibit similar management failings in the future then firmer action is likely to be considered which could include the Committee removing him as DPS or the revocation of the premises licence. It was noted that Star Pubs and Bars Limited have also stated that they will also take a dim view should further complaints be received concerning the management of the premise.

The Committee confirmed that they were in agreement that the premise licence should be transferred from Mr Cooke to Star Pubs and Bars Limited. The Committee wished to thank Mr Cochrane for his help in agreeing to facilitate that step and noted that he would do so forthwith.

After considering all of the evidence the Committee resolved to:-

- Suspend the premise licence for a period of two months. This period of time must be used by Mr Cooke to ensure that all conditions are properly introduced and implemented. Given the background to this review the Committee felt it particularly important that staff are properly trained in ensuring they comply with any regulations relating to Covid 19;
- The Committee attached the following conditions to the premise licence. These conditions include those proposed by Mr Craig and the conditions suggested by Mrs Maloney-Kelly. The Committee also made some minor amendments to the proposed conditions which they felt were appropriate and addressed issues relevant to their findings:-
 1. An incident book must be kept on the premises at all times. The book will detail in brief, incidents of injury/ejection/refusals/drug misuse/seizure/age challenge. Such matters will be timed, dated and signed by the author and produced to Police and other Responsible Authorities immediately upon request.
 2. The DPS and all other members of staff must ensure that no open vessels are taken by customers out of the licensable area, save for the external, seated, smoking area next to the front entrance (as shown on the submitted plan).
 3. The external, seated, smoking area next to the front entrance (as shown on the submitted plan) shall have a terminal hour for its use by customers of 22:00 hours and staff must ensure that this area is cleared of all customers by this time.
 4. All staff must be fully trained and retrained on a 3 monthly basis in relation to the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18's (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated "Challenge 25" policy. Training must also be given to all staff on any legal requirements relating to the operation of licensed premises during the Covid-19 pandemic and each time the regulations relating to licensed premises are amended. Staff must receive refresher training at least every 3 months.
 5. The business will maintain a refusals book, to be kept on the premises at all times, which will record all instances where the sale of alcohol has been refused. This shall include the date and time of the attempted sale, together with a description of the incident. The Designated Premise Supervisor/Premises Manager/Business Owner will check and sign each page and the refusals book will be made available to the Licensing Authority and/or Responsible Authorities upon request.

6. Training records, to be kept on the premises at all times, must be signed by both the staff member and the Designated Premise Supervisor/Premises Manager/Business Owner will be retained for future reference and shall be updated at least every 3 months. All staff training records must be made available to the Licensing Authority and/or Responsible Authorities upon request.
7. The business must 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 must check and sign each page and the incident book must be made available to the Licensing Authority and/or Responsible Authorities upon request.
8. A digital Closed Circuit Television System (CCTV) must 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 the 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 must be a minimum of 30 days recording. The system must record for 24 hours a day. The system must 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 must be at all times a member of staff on duty 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 immediately if urgently required for investigation of serious crime.
9. All persons under the age of 18 must be escorted by an appropriate adult or legal guardian and must be entering the premises for food and soft drinks only and will have vacated the premises by 21.00 hours.
10. Patrons must not be allowed to congregate in the car park after leaving the premise and must be encouraged to leave the area as soon as possible.
11. A "Challenge 25" policy must be implemented with all staff insisting on evidence of age from any person appearing to be under 25 years of age and who is attempting to buy alcohol. There shall be notices displayed at all points of sale and at all entrances and exits to inform customers and remind staff that the premises is operating a "Challenge 25" policy.
12. Only valid passports, UK "photo card style" driving licence, PASS approved proof-of-age cards or Ministry of Defence "Form 90" identification cards shall be accepted as proof of age.

13. There must 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 the age of 18 are committing an offence.
14. There must be a minimum of two notices displayed in the premise, with one being easily visible on the way out of the premise, asking customers to leave the premise quietly and respect the nearby residents.
15. Notices stating that CCTV is installed and in operation must be displayed throughout the premise, in the external seating area and in the car park.
16. A written drugs policy must be prepared and maintained at the premises which shall include a zero-tolerance policy towards drugs which must be enforced at all times. Notices informing customers that the premise operates "zero tolerance" on drugs must be displayed in the premises including the toilets.
17. All staff must be provided with suitable training in respect of their responsibilities under the premise drugs policy, Staff will receive refresher training at least every 3 months.
18. There must be a minimum of two notices displayed outside the premise, with one being easily visible in the external seating area and one being easily visible on the way out of the carpark, asking customers to leave the premise quietly and respect the nearby residents.

Right of Appeal

Any person aggrieved by this decision may appeal to the Magistrates Court within 21 days of receipt of this Notice. Anyone considering whether to submit an appeal is advised to seek their own independent legal advice as the Magistrates Court has the power to award costs against unsuccessful appellants. A copy of this decision Notice should be taken to the Magistrates Court should an aggrieved person wish to submit an appeal.

Issued by and on behalf of the Licensing Sub Committee

Dated: 29th October 2020



My Ref: 050447
Your Ref: 149148

Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD

SAT NAV code: TS19 1UE

Tel: 07796 493661

Email: elliott.beevers@stockton.gov.uk

23rd June 2023

Dear Mr Cooke,

LICENSING ACT 2003

PLH: Star Pubs & Bars Limited - 20th October 2020

DPS: Gary Alan Cooke – 2nd October 2017

RE: Non-compliance with Premises Licence conditions

This office received complaint that there was excessive noise coming from the premises on 16th July 2023 due to the windows and doors being left open during a live singer. It was also alleged that this live music was played until 23:30.

This was reported to the Enforcement team on 16th June 2023 at 23:23 however, due to demand, no officers were able to attend.

I visited the premises and spoke with yourself on 20th June 2023. You advised me at first that your CCTV hard drive was not working when I asked to view the footage. I looked at the system and we determined that one system was not working while the other was. On viewing this footage, I noted the rear door was not open throughout the performance and the singer left at around 22:44.

I advised you the CCTV must go back 30 days, and someone must be on site who can use it. The condition from your licence is as follows –

- A digital Closed Circuit Television system (CCTV) will be installed and maintained in good working order and be correctly time and date stamped. The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with data protection legislation. CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition. Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs. There will be a minimum of 30 days recording. The system will record for 24 hours a day. The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer. The digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images. There will be at all times a member of staff on duty 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.

Gary Alan Cooke
Flat, Penny Black
Langthorne Grove
Stockton-On-Tees
TS18 5PU



After I viewed the CCTV we went into the room where the singer was playing and I asked if the windows were open. You said the ones behind the singer were, but the others were all closed. I advised your condition states all doors and windows must be kept shut while regulated entertainment is taking place. This condition is as follows –

- *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.*

I would like you to be compliant with the above conditions by 21st July 2023, when I will be revisiting. If you have any issues meeting this time scale, please get in touch with me on the above details.

During this visit I also supplied a copy of the 22nd October 2020 committee hearing decision notice.

Yours Sincerely

A handwritten signature in black ink that reads "E.F. Beevers".

Elliott Beevers
Assistant Licensing Officer



My Ref: 050447
Your Ref: 149148

Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD

SAT NAV code: TS19 1UE
Tel: 07384 797297

Email: kirsty.wannop@stockton.gov.uk

14th July 2023

Dear Mr Cooke,

LICENSING ACT 2003

PLH: Star Pubs & Bars Limited - 20th October 2020

DPS: Gary Alan Cooke – 2nd October 2017

RE: Non-compliance with Premises Licence conditions

Further to my visit on 11th July 2023 with environmental health following a complaint regarding noise from the premises on 8th July 2023. During my visit Mr Cooke explained that it was his 60th birthday and a member of staff's partner's 40th birthday. You stated that you had a singer playing from around 2pm till around 10.30pm.

We requested to view the CCTV which we did but Mr Cooke couldn't operate the system. It was also apparent that 1 of the systems was not working which showed the function room area where the signers was playing. My colleague visited on 20th June 2023 and issued a warning letter with regards to being compliant with your CCTV condition by 21st July. You were confident that this had been fixed now and you were going to attempt to get access to the CCTV. You need to ensure that there is someone on site at all times that can operate the CCTV as per the below condition:

A digital Closed Circuit Television system (CCTV) will be installed and maintained in good working order and be correctly time and date stamped. The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with data protection legislation. CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition. Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs. There will be a minimum of 30 days recording. The system will record for 24 hours a day. The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer. The digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images. There will be at all times a member of staff on duty 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.

Gary Alan Cooke
Flat, Penny Black
Langthorne Grove
Stockton-On-Tees
TS18 5PU

CC: Star Pubs and Bars LTD, 3-4 Broadway Park, South Gyle Broadway, Edinburgh, EH12 9JZ

Whilst discussing the conditions attached to the licence with regards Prevention of Public Nuisance, of the 4 conditions as details below you were non-compliant on all, it was also evident through out discussions that you were unaware of the licence conditions that you needed to comply with which gave no confidence that you are promoting the licensing objectives.

All sound systems shall pass through the noise limiting device which at all times shall operate at the decibel level set by the Environmental Health Unit and shall be maintained in good working order.

The relay system to the fire door(s) shall be maintained in good working order.

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.

Also at the visit from the CCTV it appeared customers were using the outside area to the rear of the premises where the marquee was erected and a BBQ was taking place to consume alcohol. The below condition added at the review hearing in October 2020 states:

The DPS and all other members of staff must ensure that no open vessels are taken by customers out of the licensable area, save for the external, seated, smoking area next to the front entrance (as shown on the submitted plan).

I also requested to see the training records which should be on the premises at all times as per the below conditions so I was unable to determine if staff had received the relevant training:

All staff must be fully trained and retrained on a 3 monthly basis in relation to the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18's (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated "Challenge 25" policy. Training must also be given to all staff on any legal requirements relating to the operation of licensed premises during the Covid-19 pandemic and each time the regulations relating to licensed premises are amended. Staff must receive refresher training at least every 3 months.

Training records, to be kept on the premises at all times, must be signed by both the staff member and the Designated Premise Supervisor/Premises Manager/Business Owner will be retained for future reference and shall be updated at least every 3 months. All staff training records must be made available to the Licensing Authority and/or Responsible Authorities upon request.

I advised Mr Cooke that whilst these measures aren't in place that no live music or regulated entertainment should take place until we can ensure compliance.



At the time of the visit we requested the CCTV from 8th July from 14:00 until 23:00 of the rear area where marquee is, rear area showing fire door to function room and the main bar area showing fire door near to the pool table. We are now changing this request to cover the hours of 11:00 - 2:00. Please can this be provided by **12:00noon Monday 17th July 2023** to Licensing.

We will revisit the premises on 14th August 2023 at 2pm to ensure compliance with conditions.

Yours sincerely

A handwritten signature in black ink, appearing to read "K. Wannop".

Kirsty Wannop
Licensing Officer



My Ref: 050447

Your Ref:

Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD

SAT NAV code: TS19 1UE

Tel: 07796 493661

Email: elliott.beevers@stockton.gov.uk21st August 2023

Dear Mr Cooke,

LICENSING ACT 2003**PLH: Star Pubs & Bars Limited - 20th October 2020****DPS: Gary Alan Cooke – 2nd October 2017****RE: Noise complaints and non-compliance with licence conditions**

This office received complaint that there was excessive noise coming from The Penny Black on 16th June 2023 due to the windows and doors being left open during a live singer. It was also alleged that this live music was played until 23:30.

Officers conducted enquires at the premises in relation to this complaint and found non-compliance in relation to your premises licence, mainly in relation to the CCTV system. Mr Cooke advised that he could not use the system and that the system covering the room where the singer plays was not working. However, the outside camera showed the singer leaving at 22:44. You were advised that doors and windows must be kept shut while regulated entertainment is taking place and that the CCTV system needs to be fixed by 21st July 2023.

A further complaint was then received in relation to a complaint regarding noise in relation to 8th July 2023 which was advertised as Mr Cooke's 60th birthday party and a staff members 40th birthday.

Licensing Officers visited the premises alongside a colleague in Environmental Health to discuss the further complaint. Officers requested to view the CCTV which we did but Mr Cooke couldn't operate the system. It was also apparent that 1 of the systems was not working which showed the function room area where the signers where playing. Officers requested a copy of the CCTV by 17th July 2023. There was also a number of conditions that were non-compliant which can be found in the previous letter.

On 19th July 2023 contact was made with Star Pubs and Bars where the non-compliance of conditions was discussed and why the CCTV had not been provided. On 20th June 2023 a call was made to George Domleo from Flint Bishop after this was requested by him. Officers advised him of the non-compliance and how the CCTV had not been provided. He advised he will send out a warning letter and recommended a meeting to discuss these matters. A meeting was arranged for 14th August 2023.

Gary Alan Cooke
Flat, Penny Black
Langthorne Grove
Stockton-On-Tees
TS18 5PU

The CCTV footage that was requested was collected by officers on 25th July 2023. This did not appear to show any out of hours sales however it did show people taking drinks off the premises into a Marquee which is a breach of licence condition.

It also showed a lady smoking inside the premises at around 1am which not prohibited inside of a workplace.

During the meeting on the 14th August 2023 with Environmental Health, Licensing, Flint Bishop Solicitors, Gary Cooke (DPS) and Lance Green (Representing Star Pubs and Bars) a number of matters were discussed. This included the noise complaints, breach of licence conditions and other advice. In relation to the noise complaints advice was given that all Prevention of Public Nuisance conditions should be complied with. Mr Domleo did correctly point out that the Live Music Act 2012 does mean these conditions do not have to be complied with inside the hours of 8:00 and 23:00. Licensing would encourage that these are complied with to avoid further noise complaints and avoid a potential review if a noise nuisance is evidenced. The issue with the lady smoking was addressed by Environmental Health and the appropriate advice was given that this should not be occurring within a workplace. Gary agreed to put a notice on the fire door that people cannot take drinks out of the back exit and must go out of the front if they wish to take their drink out to smoke. Gary also advised he does not have any entertainment on for the rest of August. Finally, compliance with the non-compliant licence conditions were inspected. One CCTV system held data for 75 days and another held for 29 days and around 15 hours, advice was given to get a new hard drive for the system holding 29 days which was occurring the same day. Another condition that was not compliant was the training records in relation to challenge 25. Gary advised this would be done over the weekend of 18th to 20th.

You must make sure you are compliant with the conditions of your premises licence at all times.

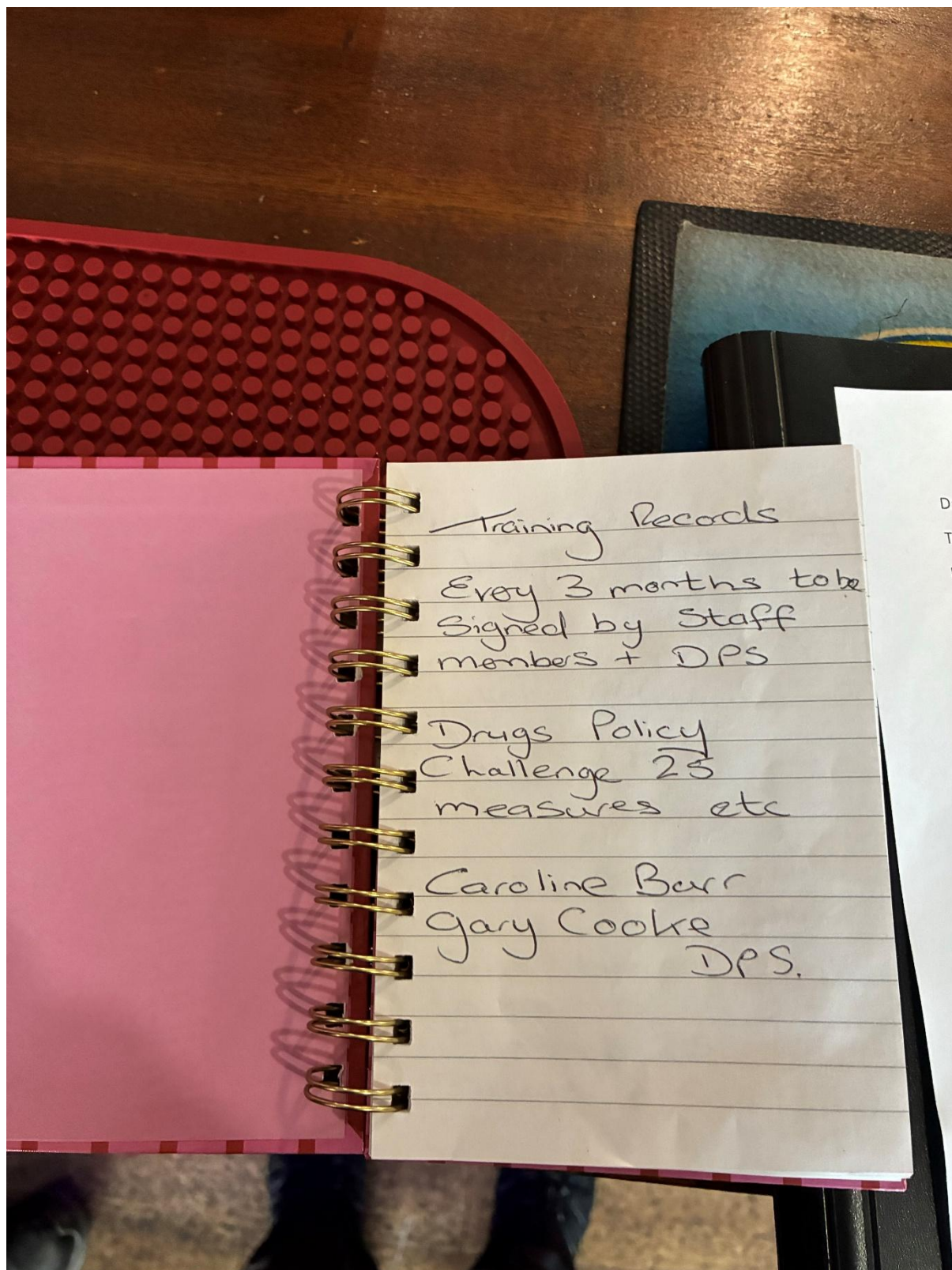
This letter will remain on file and if you wish to make any comments regarding the content of the letter then please do so, in writing, with 7 days. Any comments will be held on file.

Yours Sincerely



Elliott Beevers
Assistant Licensing Officer

EB5 – Training Records

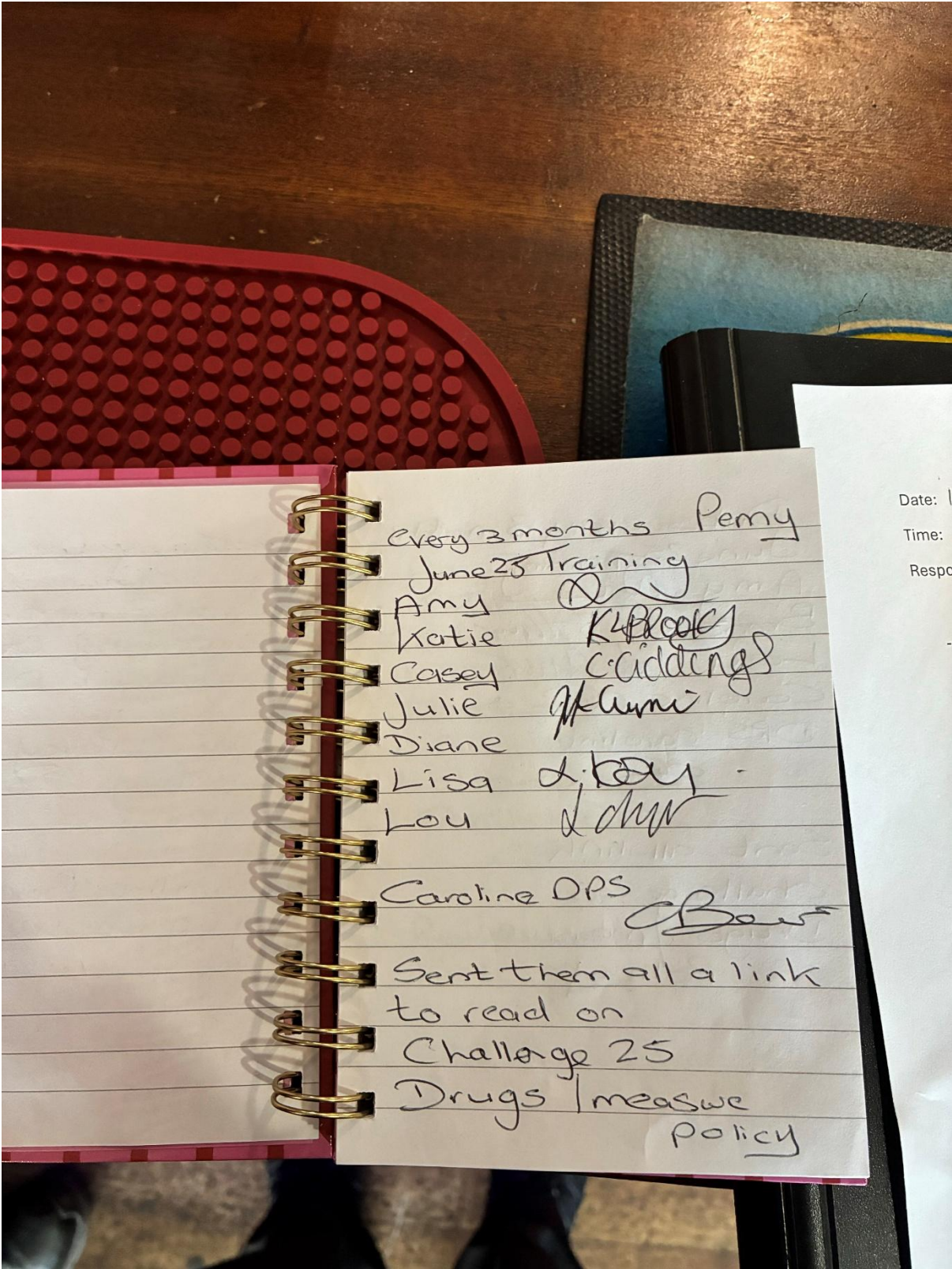


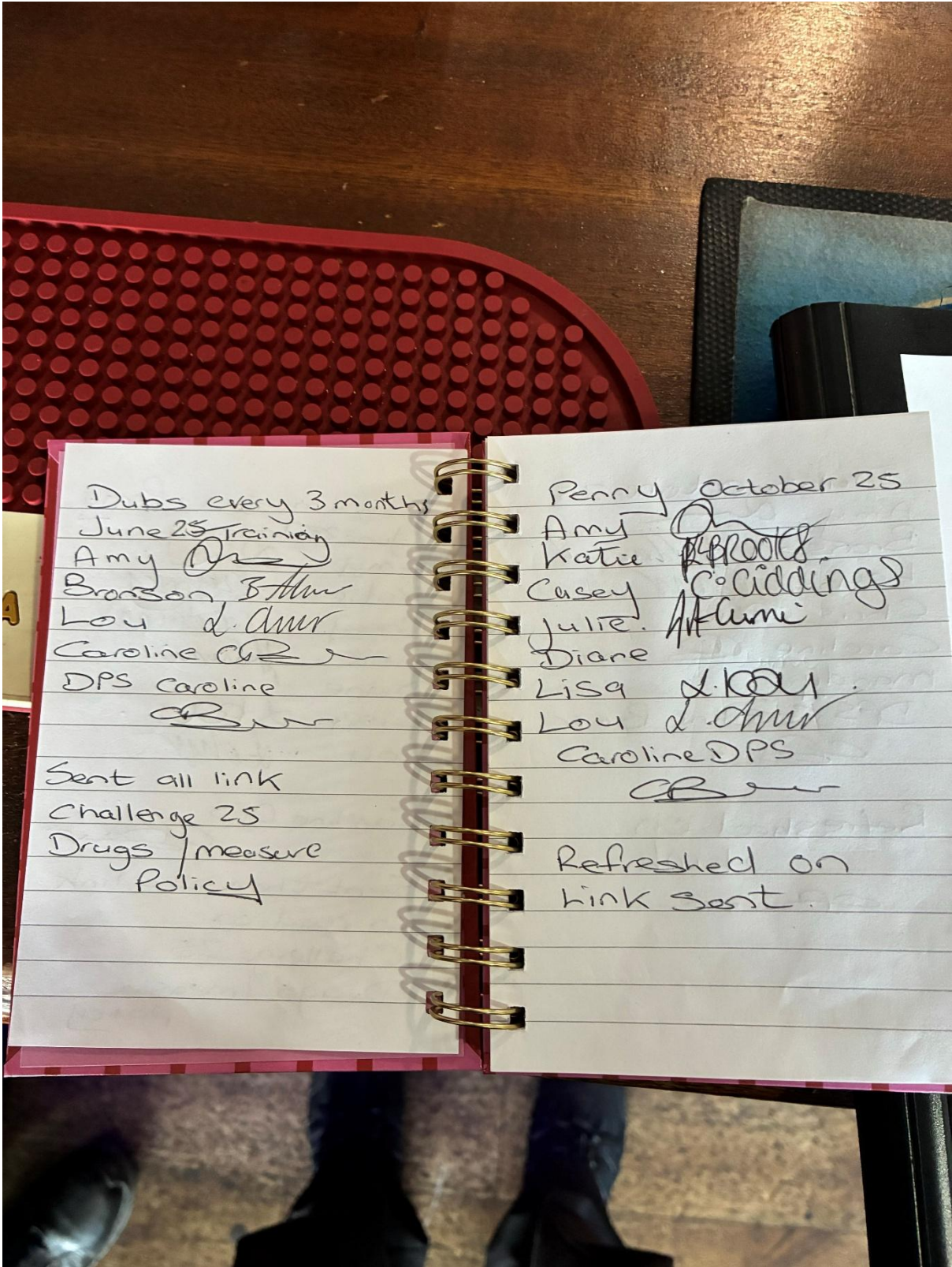
Training Records

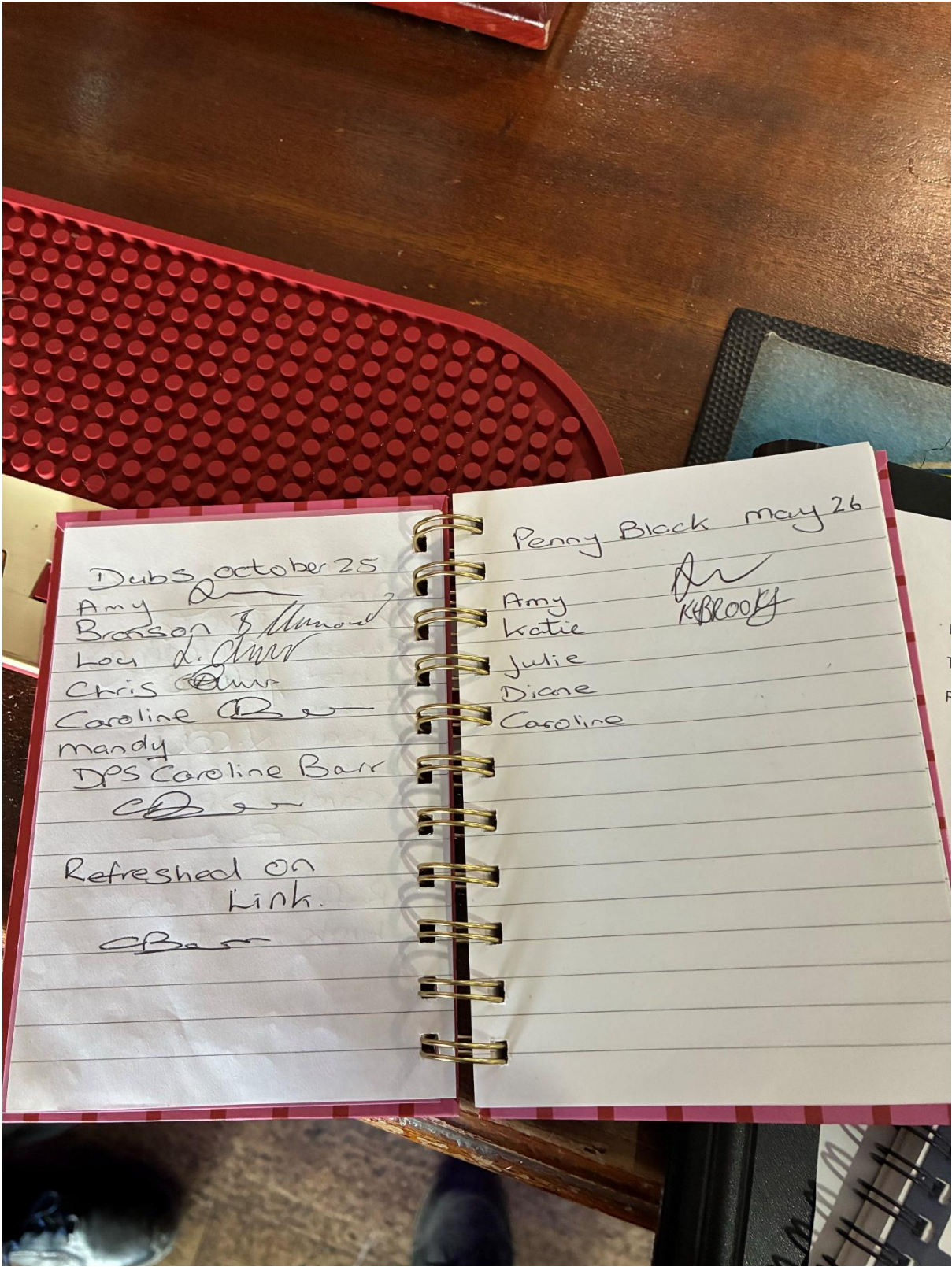
Every 3 months to be
Signed by Staff
members + DPS

Drugs Policy
Challenge 25
measures etc

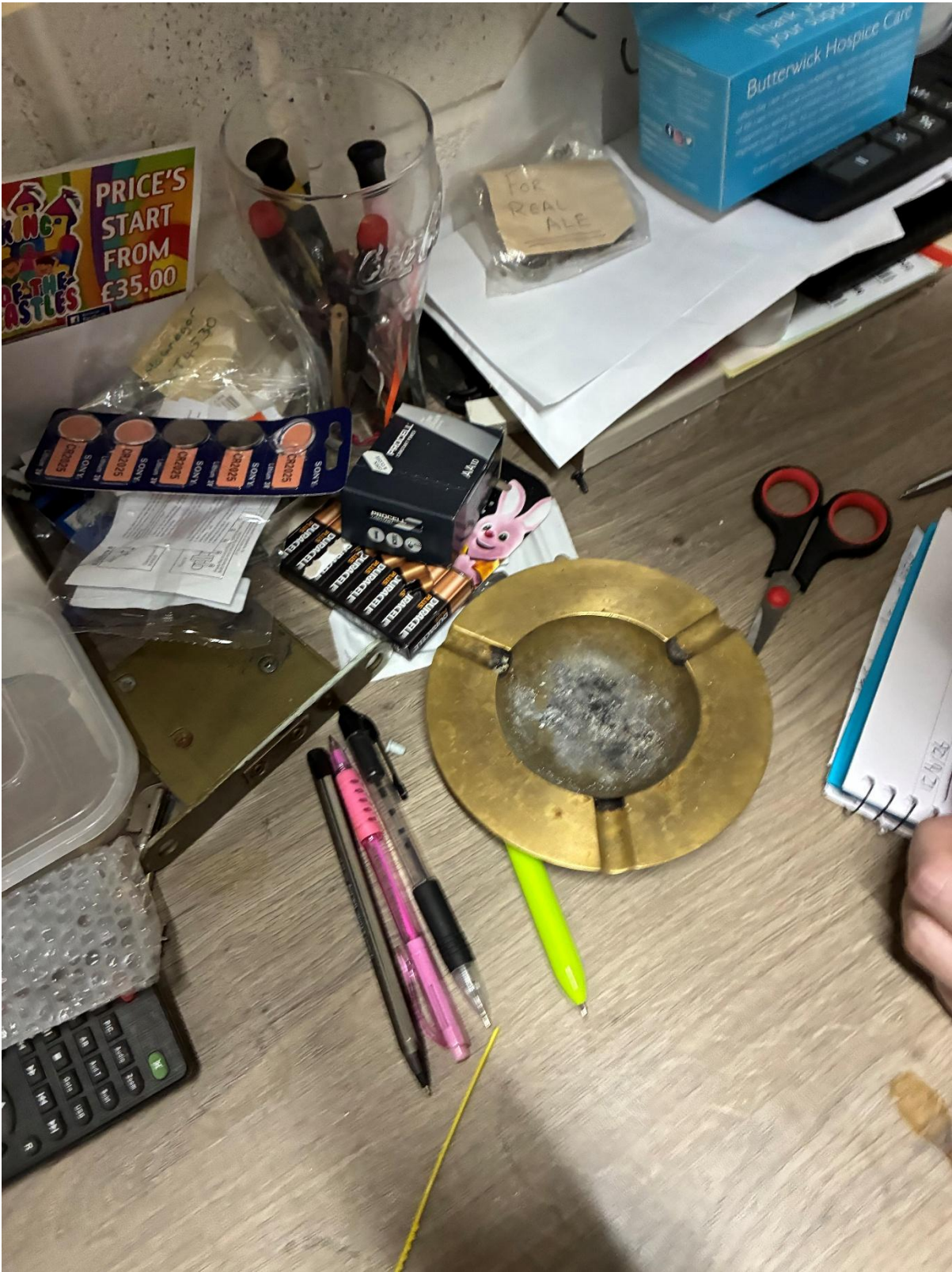
Caroline Burr
Gary Cooke
DPS.



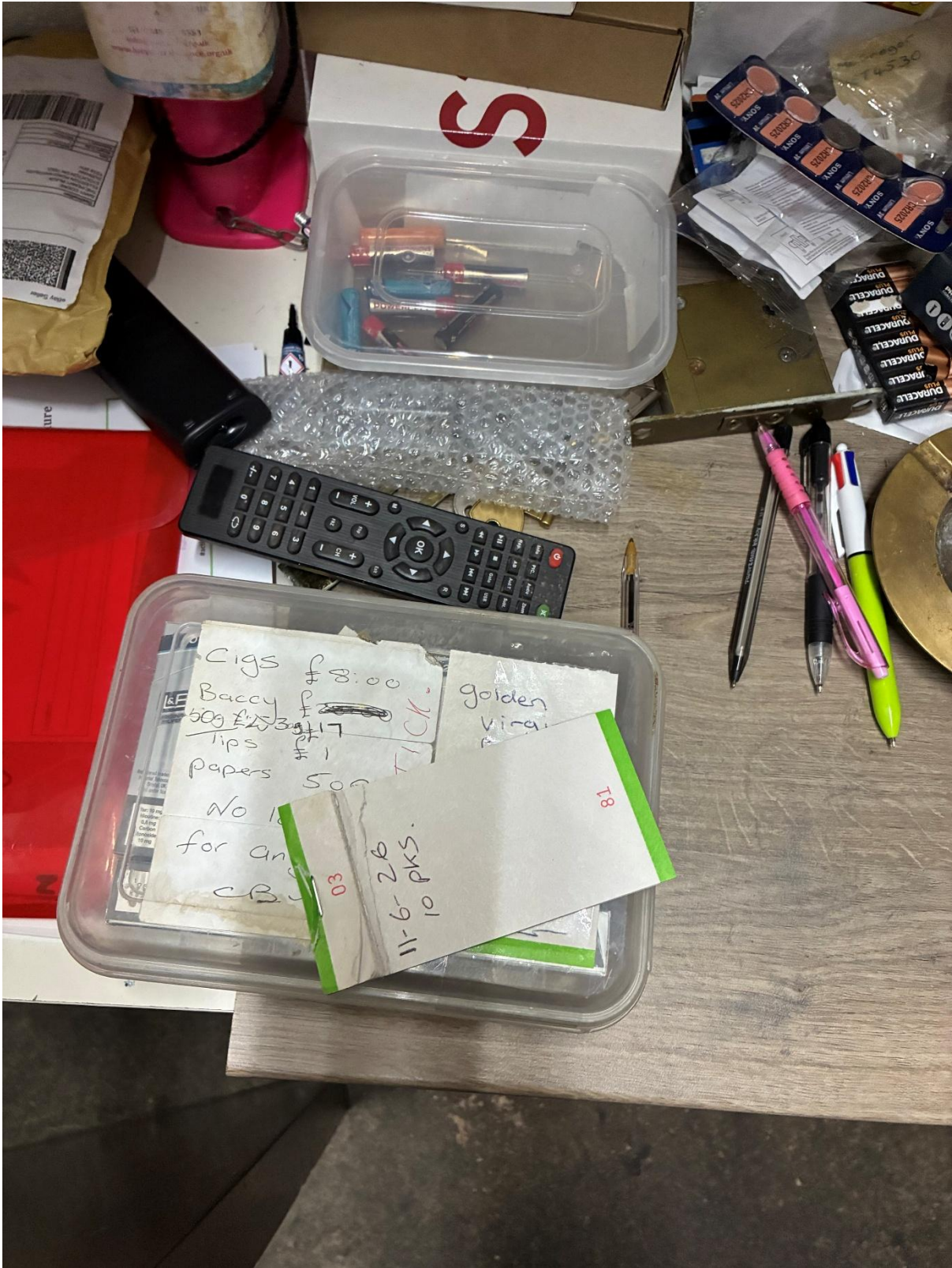


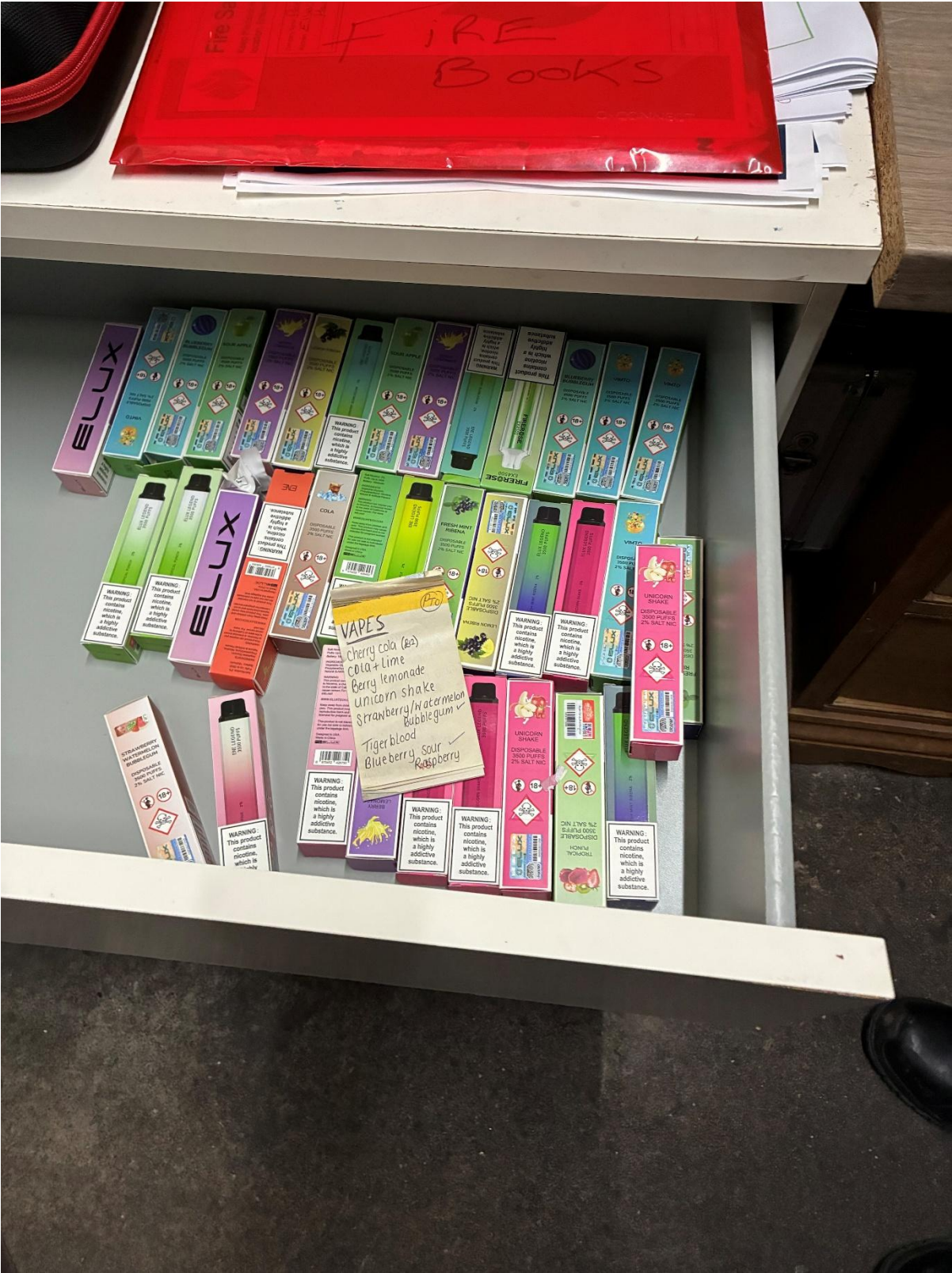


EB6 - Photos











My ref: J94241
Your ref: J94241

Dunedin House
Columbia Drive
Thornaby
Stockton-on-Tees
TS17 6BJ

Phone: 07796 493661
Email: elliott.beevers@stockton.gov.uk

22nd June 2026

Star Pubs Trading Limited
45 Mortimer Street
London
W1W 8HJ

Dear Sir or Madam,

Licensing Act 2003

Re: The Penny Black - Langthorne Grove, Stockton-On-Tees, TS18 5PU

PLH: Star Pubs & Bars Limited – 20th October 2020

DPS: Mr Gary Alan Cooke – 2nd October 2017

RE: Alleged sexual offence within the pub / non-compliance with Premises Licence conditions.

Further to a complaint received in this office on 13th April 2026 regarding a serious incident which reportedly took place at the above named premises. The incident was an alleged sexual offence. It was detailed within the complaint there was alleged failings of management and staff at the premises when responding to the incident, such as the issue not being escalated to management, questions if staff have been adequately trained and if CCTV is being kept properly on the premises.

Following this report enquires were carried out with colleagues within the Police to ensure it was permissible for us to carry out an inspection and that it would not jeopardise any ongoing police investigation. .

An unannounced visit was carried out on 22nd April 2026 where a full inspection was carried out with the DPS Mr Gary Cooke. A number of non-compliant conditions were noted which were:

- *An incident book will be kept on the premises at all times. The book will detail in brief, incidents of injury/ejection/refusals/drug misuse/seizure/age challenge. Such matters will be timed, dated and signed by the author and produced to Police and other Responsible Authorities immediately upon request.*
- *All staff must be fully trained and retrained on a 3 monthly basis in relation to the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18's (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated "Challenge 25" policy. Training must also be given to all staff on any legal requirements relating to the operation of licensed premises during the Covid-19 pandemic and each time the regulations relating to licensed premises are amended. Staff must receive refresher training at least every 3 months.*

- *Training records, to be kept on the premises at all times, must be signed by both the staff member and the Designated Premise Supervisor/Premises Manager/Business Owner will be retained for future reference and shall be updated at least every 3 months. All staff training records must be made available to the Licensing Authority and/or Responsible Authorities upon request.*
- *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.*
- *A digital Closed Circuit Television system (CCTV) will be installed and maintained in good working order and be correctly time and date stamped. The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with data protection legislation. CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition. Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs. There will be a minimum of 30 days recording. The system will record for 24 hours a day. The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer. The digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images. There will be at all times a member of staff on duty 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.*
- *"Challenge 25" policy will be implemented with all staff insisting on evidence of age from any person appearing to be under 25 years of age and who is attempting to buy alcohol. There shall be notices displayed at all points of sale and at all entrances and exits to inform customers and remind staff that the premises is operating a "Challenge 25" policy.*
- *All staff must be provided with suitable training in respect of their responsibilities under the premise drugs policy, Staff will receive refresher training at least every 3 months.*
- *There must be a minimum of two notices displayed outside the premise, with one being easily visible in the external seating area and one being easily visible on the way out of the carpark, asking customers to leave the premise quietly and respect the nearby residents.*
- *The relay system to the fire door(s) shall be maintained in good working order.*

During this inspection, Mr Cooke advised that he had experienced ill health over the previous six months, primarily related to diabetes. He was unable to confirm details relating to several licence conditions, including the location of training records, the operation of the CCTV system, and the whereabouts of the incident book. Mr Cooke stated that both the training records and the incident book were likely kept in the bag of Caroline, the Bar Manager. This is of particular concern given that one of the issues raised in the complaint was that the incident was not recorded properly.

Further to this, despite a refusals book on site, labelled "refusals book" it was not being used as a refusals book and appeared to have some number calculations in it, with Mr Cooke advising they don't get many or any refusals.

In relation to the CCTV system, Mr Cooke accompanied officers to the CCTV room but appeared unsure how to operate the equipment when asked to do so. He requested that officers use the system, at which point he was advised that a member of staff on duty who is trained in the use of the equipment must be on duty at all times. Mr Cooke then returned to the bar, stating that officers should record that he "can't be arsed" in terms of that condition.

He was reminded again of the requirement for a suitably trained staff member to be available. Mr Cooke then advised that a staff member outside was able to operate the system, which was confirmed. However, the CCTV system was found to be non-compliant, as it was not retaining footage for the required period of 30 days and had approximately six days of missing footage, including the time of the incident.

The staff member advised that the hard drive had failed on the dates of the incident, although police technicians were able to recover the footage. The system settings were amended so that, going forward, the CCTV should retain footage for the full 30-day period.

When officers spoke again with the complainant, they have stated comments were made to the victim after the incident occurred along the lines of 'he is a nice lad but he takes drugs' relating to the suspect This is very concerning.

On 7th May 2026 a meeting was held with officers from Stockton Council Licensing, Police Licensing, Star Pubs (represented by Mr Matt Simpson) and Flint Bishop (represented by Ms Zoe Bull). The issues were discussed within this meeting which Mr Simpson said he had spoken to Mr Cooke who said the first he heard of the incident was when the Police got involved. He added Mr Cooke had been seriously ill for around 6 months but said he is now getting better.

Mr Simpson said going forward he will encourage Mr Cooke to go through training with his staff on how to deal with matters such as this better. Officers said this would be a good step for the premises to take.

It was agreed that Mr Simpson would visit the premises to check compliance with the conditions and speak with Mr Cooke before Licensing Officers revisited.

On 12th June 2026 at approximately 14:05 officers revisited the premises and spoke to Ms Julie Currie and Mr Danny Green who were on site. They advised Mr Cooke was in Redcar visiting his mother. Officers advised they would go ahead and check condition compliance.

Ms Currie cibtacted Caroline, the Bar Manager / Mr Cooke's partner and she advised officers to look in a purple folder. Within this was a staff training book including training on Ask Angela and Sexual Offences and a small notebook including staff training record. Some staff had signed this however it still appeared to be incomplete with a staff member named Diane who had not signed in June 2025, October 2025 or May 2026. There were only two signatures of staff trained in May 2026 who were Amy and Katie. Another example was Ms Julie Currie who was present at the time of the visit did not appear to have been trained since October 2025.

Caroline was asked about the incident book which she said Gary (Mr Cooke) has tried to order this on a number of occasions however it has not come yet.

Notices were also checked which there was still no Challenge 25 notice at the entrance / exit and another notice for customers to leave quietly had not been put up outside the premises.

Finally, Mr Danny Green showed officers to the CCTV room in the rear of the premises. The CCTV was compliant and was recording for 43 days. However, while in this room officers noted a plastic box which appeared to contain cigarettes. Upon further inspection there was a price list on this box noting –

- Cigs £8.00
- Baccy – which had a number of prices on.
- Lips £1
- Papers 50p
- Other notes were also on the box.
- On top of this box was a waiter order pad with 11-6-26, 10pcks written on.

Upon a further search from a Trading Standards colleague in total 239 packs of Lambert and Bulter Duty Free cigarettes were found, alongside 23 pouches of Hand-Rolling Tobacco and 35 disposable vapes. Within the vapes draw there was also a list of flavours showing a price of £12. Trading Standards seized these items.

This letter serves as a warning going forward that all staff must be trained to deal with incidents within the premises.

Regarding the tobacco and vapes Trading Standards are going to take over the investigation which may result in action being taken against the Premises Licence.

This letter will remain on file for the duration of your licence. If you wish to make any comments regarding the content of the letter then please do so, in writing, with 7 days. Any comments will be held on file.

Yours Sincerely



Elliott Beevers
Licensing Officer

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

Section 1 – Licence Application Details

Applicant Name (If Known)	Trading Standards
Premises Name and Address	The Penny Black, Langthorne Grove, Stockton-on-Tees, TS18 5PU

Section 2 - Responsible Authority

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

Section 3 – 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
--	--

The grounds of the representation is based on the following: (Please continue on a separate sheet if necessary)
The Public Health Team, as a Responsible Authority, submits this representation in support of the Premises Licence Review brought by Trading Standards against The Penny Black. The Penny Black is situated in a residential area in Hartburn. The discovery by Trading Standards of illicit tobacco, cigarettes and vapes at the premises is concerning, as it suggests that illicit tobacco and vape products are being sold from the premises. This undermines the licensing objectives of the Prevention of Crime and Disorder and Public Safety, due to the well-established links between illicit tobacco, organised crime and the health risks associated with unregulated products. The Section 182 Guidance issued under the Licensing Act 2003 states that certain criminal activities arising in connection with licensed premises should

be treated particularly seriously. These include the use of licensed premises for the sale or storage of smuggled tobacco and alcohol.

Of particular concern is that there have been previous issues identified at these premises, including problems relating to CCTV, people drinking after hours and incomplete training records. The same Designated Premises Supervisor (DPS) was in post at the time these matters were identified.

The lack of engagement from the current DPS regarding the issues identified by Trading Standards calls into question whether the premises is being managed responsibly and whether the licensing objectives are being upheld. When considered alongside the previous concerns, this suggests an ongoing pattern of poor management and regulatory non-compliance.

The scale and impact of illicit tobacco in the North East demonstrate why this issue is of significant concern:

- 10% of tobacco smoked in the North East is estimated to be illicit.
- 21% of smokers in the North East purchase illicit tobacco.
- Illicit tobacco accounts for 41% of the tobacco consumed by illicit tobacco purchasers.
- The equivalent of 97 million illicit cigarettes are smoked each year, resulting in an estimated £60 million of lost duty.
- 58% of illicit tobacco purchasers are on low incomes and have less financial security.
- 82% of illicit tobacco purchasers report that access to illicit tobacco helps them continue smoking.
- 67% of young smokers have been offered illicit tobacco.
- 50% of young smokers purchase illicit tobacco.
-

Tobacco use leads to the death of up to two-thirds of long-term smokers and can cause life-limiting conditions such as cancer, COPD, heart disease and stroke. It disproportionately affects the most deprived communities, where smoking prevalence remains highest. In England, tobacco use is responsible for approximately 64,000 premature deaths each year.

Addressing illicit tobacco is a key component of tobacco control. One of the mechanisms for tackling this issue is the Illicit Tobacco Programme Strategic Framework, which includes enforcement activity and engagement with retailers and other businesses. In addition, UK Government policy focuses on reducing demand for illicit tobacco and disrupting the organised criminal networks involved in its supply.

Illicit tobacco undermines tobacco control measures, particularly taxation and age-of-sale legislation. It is often sold cheaply, is readily accessible and may be supplied without regard for age restrictions. Beyond the direct health impacts of smoking, illicit tobacco contributes to crime and disorder. The illegal trade generates income for organised criminal groups and is associated with wider criminal activity, including violence, the use of weapons, child exploitation and human trafficking. Vulnerable individuals may also be coerced into selling illicit tobacco on behalf of criminal networks.

Illicit tobacco remains a high-priority issue and is a key focus of the local Smoke Free Alliance. A strategic framework is in place to guide local action, supported by the regional Illicit Tobacco Partnership led by Fresh. Tackling illicit tobacco is an essential part of a comprehensive approach to reducing smoking prevalence and protecting communities from harm.

Given the current findings, the previous concerns relating to the management of the premises, and the seriousness of activity that undermines the licensing objectives, Public Health fully supports Trading Standards' application for a review of the premises licence.

Signed: T. Hyman

Position: Public Health
Practitioner, SBC Public Health

Dated: 19/08/2026

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	
---------------	--	------------	--



RE: The Penny Black, Ellerton Road, Stockton-on-Tees, TS18 5PU - Premises Licence Review

From Licensing Admin (ES) <Licensing@stockton.gov.uk>

Date Tue 2026-08-25 15:27

To Duncan Craig <dcraig@st-philips.com>

Cc Polly Edwards <Polly.Edwards@stockton.gov.uk>

This document was classified as: OFFICIAL

Good afternoon Duncan,

Thank you for your email.

We acknowledge receipt of your representation on behalf of Mr Cooke in relation to the review of the premises licence for The Penny Black.

The hearing bundle and supporting documentation will be circulated to all parties ahead of the hearing.

Should you require anything further, please let us know. I have included Polly Edwards, the Licensing Officer leading the review, in this email.

Kind regards,
Amy

From: Duncan Craig <dcraig@st-philips.com>

Sent: 25 August 2026 13:32

To: Licensing Admin (ES) <Licensing@stockton.gov.uk>

Subject: The Penny Black, Ellerton Road, Stockton-on-Tees, TS18 5PU - Premises Licence Review

You don't often get email from dcraig@st-philips.com. [Learn why this is important](#)

Dear Licensing

I have been instructed to represent Gary Cooke, the designated premises supervisor at The Penny Black, Ellerton Road, Stockton-on-Tees, TS18 5PU, the premises licence for which is held by Star Pubs Trading Limited, who are aware of my instruction. The Premises licence is currently subject to a review application by Stockton on Tees Borough Council's Trading Standards.

I am writing to make a representation on behalf of Mr Cooke in respect of this review application in support of him and his promotion of the licensing objectives over the course of the last ten years at the Penny Black.

I am aware that the review hearing has been scheduled for 16th September for which I am available and will be attending.

Please can you forward me any review documents as appropriate.

Please can you confirm receipt of this representation.



st-philips.com

Duncan Craig Barrister

dcraig@st-philips.com

St Philips Chambers, 55 Temple Row, Birmingham, B2 5LS

0121 246 7005

[07544987300](tel:07544987300)

Barristers regulated by the Bar Standards Board.



Disclaimer: This email and any attachments are intended solely for the named recipient(s). If you have received this e-mail in error, please notify the sender and support@st-philips.com and delete the e-mail and all attachments immediately. This e-mail (including any attachments) may contain confidential and/or privileged information. If you are not the intended recipient, any reliance on, retention, use, disclosure, dissemination, distribution or copying of the whole or any part of this e-mail or attachments is strictly prohibited, and if you do so, it may lead to legal action.

Any personal data contained in this email is processed in accordance with applicable data protection laws, including the UK GDPR. St Philips Chambers will only use your information for the purposes for which it was provided. For further details, please see our Privacy Notice available here <https://st-philips.com/privacy-policy>.

All emails are scanned for viruses and malware. While reasonable precautions have been taken, St Philips Chambers accepts no liability for any damage caused by transmitted email or attachments. Recipients should carry out their own virus checks before opening. Any views or opinions expressed in this email are those of the author and do not necessarily represent those of St Philips Chambers.

Registered name: St. Philips Chambers Ltd. Registered in England & Wales, number 3647591. Registered office: 55 Temple Row, Birmingham, B2 5LS.

My workday may be different to yours. Please do not feel obliged to respond out of your normal working hours.

As a sustainable business, we try to minimise paper use so please use email where possible.