



North Tyneside Council

Licensing Sub-Committee

30 November 2018

Monday 10 December 2018 in Room 0.01, Ground Floor, Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY **commencing at 10.00am.**

Agenda Item	Page
1. Appointment of Chair	
The Sub-Committee to appoint a Chair for this meeting	
2. Declarations of Interest and Dispensations	
You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest. You are also invited to disclose any dispensations in relation to any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.	
You are also requested to complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.	
3. Procedure for Licensing Act Hearings	2
Procedure for hearing an application for the grant of a Premises Licence.	
4. Miami Pizza 2, 16 West Percy Street, North Shields. (Riverside Ward)	7
To consider an application for the grant of a Premises Licence.	

Circulated to all Members of the Licensing Sub-Committee:-

Councillor Janet Hunter
Councillor J O'Shea
Councillor A Waggott-Fairley

LICENSING ACT 2003

NORTH TYNESIDE COUNCIL

PROCEDURE FOR HEARING OF AN APPLICATION BEFORE THE LICENSING SUB-COMMITTEE (“the Committee”)

The four licensing objectives, as set out in the Licensing Act 2003, are:

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

Each application that comes before this Committee will be treated on its own merits, and this Licensing Authority will take its decision based upon:

- The merits of the application
- The promotion of the four licensing objectives
- The Statement of Licensing Policy of North Tyneside Council
- The guidance issued under Section 182 of the Licensing Act 2003.

The Procedure of the Committee is as follows:

1. The Chair of the Committee will open the hearing and will ask all persons present at the hearing to identify themselves. The Chair will then explain the procedure to be followed at the hearing.
2. The Committee will then consider any request made by a party under regulation 8(2) of the Licensing Act 2003 (Hearings) Regulations 2005 for permission for a person to attend as a witness on his/her behalf.
3. The Licensing Officer will present a report to the Committee outlining the application, any relevant representations and the relevant sections of the Council’s Statement of Licensing Policy and the statutory guidance.
4. The Committee may ask any relevant questions they have of the Licensing Officer.
5. The Applicant or their representative will then be invited to address the Committee to clarify any information arising from the officer’s report, if necessary.
6. Each of the Responsible Authorities which have made representations will be invited to address the Committee about the application, to indicate why they consider the issues they have raised to be relevant to the licensing objectives and sufficient to object to the application or notice (as applicable).

If a Responsible Authority has obtained prior permission to call a particular witness, then they may call that witness.

7. The Committee may ask any relevant questions they have of the Responsible Authorities.
8. Other Persons may ask any relevant questions they have of the Responsible Authorities.
9. The Applicant or their representative may ask any relevant questions they have of the Responsible Authorities.
10. Each of the Other Persons who have made representations will be invited to address the Committee about the application, indicating why they consider the issues they have raised to be relevant to the licensing objectives and sufficient to object to the application or notice (as applicable).

If any Other Person has obtained prior permission to call a particular witness, then they may call that witness.

Note: In order to avoid repetition and to expedite proceedings at the hearing, objectors within the same group of Other Persons are encouraged to appoint an agreed spokesperson to address the Committee.

11. The Committee may ask any relevant questions they have of the Other Persons or their witness(es).
12. The Responsible Authorities may ask any relevant questions they have of the Other Persons or their witness(es).
13. The Applicant or their representative may ask any relevant questions of the Other Persons or their witness(es).
14. The Applicant or their representative will be invited to address the Committee, as to why they consider the issues raised by the Responsible Authorities and Other Persons to be irrelevant to the licensing objectives and why they consider the Committee should grant their application or notice (as applicable).

If the Applicant has obtained prior permission to call a particular witness, then they may call that witness.

15. The Committee may ask any relevant questions they have of the Applicant, their representative or their witness(es).
16. The Responsible Authorities may ask any relevant questions they have of the Applicant, their representatives or their witness(es).
17. Any of the Other Persons may ask any relevant questions they have of the Applicant, their representative or their witness(es).

18. The Chair of the Committee will invite each of the Responsible Authorities to make a brief closing statement. Each Responsible Authority should ideally take no longer than 10 minutes to make their closing statements
19. The Chair will invite each of the Other Persons to make a brief closing statement. Each of the Other Persons will be entitled to a maximum of 10 minutes in which to make their closing statements.
20. The Chair will invite the Applicant or their representative to make a brief closing statement. Each Applicant should ideally take no longer than 10 minutes to make their closing statements.
21. The Chair will ask all parties if they are satisfied that they have said all they wish to.
22. The Committee will retire in private to consider the application and make its determination. The Legal Adviser will be present to ensure that all matters of law, evidence and procedure are adhered to appropriately but will not take part in the decision.
23. In considering any representations or a notice made by any party, the Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as the case may be) either before the hearing or, with the consent of all the other parties, at the hearing.
24. The Committee shall disregard any information given by a party or by any person to whom permission to appear at the hearing is given by the Committee, which is not relevant to:
 - (i) their application, representations or a notice (as the case may be) or, in the case of another person, the application, representations or notice of the party requesting their attendance; and
 - (ii) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the prevention of crime and disorder licensing objective.

NB Parties are reminded that any documentary or other information or evidence they wish to produce in support of their application or representation must have been disclosed to all parties prior to the hearing taking place. **Late representations, documents or evidence will only be considered with the agreement of all parties present.**

25. The Committee will return to announce its decision. A written notice of the decision will be provided to all parties in accordance with statutory requirements. The decision letter will include the reasons for the decision, and any conditions placed upon the licence (if granted) and the licensing objective(s) they relate to. The notification of decision will include information on a party's right to appeal against the Committee's decision.

General Matters

1. Expectations on parties

The Licensing Authority expects all parties to a hearing to endeavour to address any issues openly and to work towards an amicable resolution, if at all possible, prior to the hearing taking place.

All parties will be expected to:

- (i) demonstrate which of the four licensing objectives are addressed in relation to each of the issues they wish to raise at the hearing; and
- (ii) draw to the Committee's attention any relevant aspects of the National Guidance or local Statement of Licensing Policy which they also consider are particularly relevant to the Committee's consideration of the issues the party(ies) has/have raised.

2. Agreement that a hearing is unnecessary

A Licensing Authority can dispense with holding a hearing if all persons concerned (applicants and parties raising a representation) give notice to the Licensing Authority prior to the hearing date that they consider it unnecessary.

Where all such persons have given such notice, and the Licensing Authority agrees that a hearing is unnecessary, the Licensing Authority will give notice to the parties that the hearing has been dispensed with.

3. Failure of parties to attend

The hearing may proceed in the absence of any party who has informed the Licensing Authority that they do not intend to attend or be represented at the hearing.

If a party fails to attend or be represented at a hearing without notifying the Licensing Authority, the Committee may adjourn the hearing to a specific date if it considers it to be in the public interest to do so, or alternatively may proceed with the hearing in the party's absence. In the interests of the other parties, costs and efficiency, hearings will generally proceed notwithstanding the absence of any party (including the Applicant).

Where it is decided to proceed in a party's absence, all notices and representations received from the absent party will be considered by the Committee.

If, in exceptional circumstances, a decision is made to adjourn a hearing all parties will be advised of the date, time and venue to which the hearing has been adjourned.

4. Questioning of parties

The Licensing Authority will generally allow all parties to ask questions of another party present, but this decision will be taken on a case by case basis and in some exceptional circumstances (a reason will be given) cross examination may be prohibited.

5. **Further clarification**
When addressing the Committee each party shall respond specifically to any points of which it received notice (with the Notice of Hearing) upon which the Committee was seeking clarification.
6. **Questioning by Legal Adviser**
The legal adviser to the Committee may ask questions on behalf of, or in addition to, the Committee members themselves.
7. **Hearsay evidence**
Hearsay evidence will be admissible provided that it is relevant. The weight to be attributed to hearsay evidence will be a matter for the Committee.
8. **Persons behaving in a disruptive manner**
The Committee has the right to exclude any person disrupting the hearing, at their discretion. The Committee can refuse to allow that person to return or, alternatively, may permit him/her to return on such conditions as the Committee may decide. Any person required to leave the hearing may, before the end of the hearing, submit to the Committee in writing any information which they would have been entitled to give orally had they not been required to leave.
9. **No decision-making by Ward Members**
A member of the Licensing Committee shall not be entitled to participate in any decision-making in relation to any licensing application concerning premises in the Ward for which he/she serves as Councillor.

REPORT

**Meeting/
Decision
Maker(s)** Licensing Sub-Committee

Date: 10th December 2018

Report by: Gary Callum
Licensing Officer
☎ 643 6902

**Contact
Officer(s):** Gary Callum
Licensing Officer
☎ 643 6902

**Title of
Report:** Licensing Act 2003 -
Miami Pizza 2, 16 West Percy
Street, North Shields, NE29 0AG

Ward(s): Riverside

1.0 Summary / Purpose of Report

1.1 Licensing Sub-Committee

The Licensing Act 2003 provides that, where representations have been received from a Responsible Authority or Other Person in respect of an application for a licence, a variation of a licence or a review of a licence, a hearing must be held to consider them. Sub-Committees have been established in accordance with provisions of the Act for the purpose of hearing such applications.

1.2 The Sub-Committee is asked to consider and determine the application from Mr Cakir Bathun, 12 Alwin Close, Wallsend, NE28 6AF.

1.3 The applicant has been invited to attend the meeting to put forward their case in support of the application. All persons making relevant representations have also been invited to attend.

1.4 Representations from Responsible Authorities and Other Persons

The application has been forwarded to the Chief Officer of Police, Fire Authority, Local Planning Authority, Environmental Health Authority, Health and Safety Enforcement Agency, Licensing Authority, Director of Public Health, Weights and Measures Authority and the Local Safeguarding Children Board with a view to any of these Responsible Authorities inspecting the premises if deemed appropriate by them and to enable them to comment on the application. The application has been advertised near the premises, in a local newspaper and also on the Council Website as prescribed. Representations to this application have been made. These are attached at **Appendix 4**.

1.5 Authority to make decisions

In relation to an Application for the grant of a Premises Licence or Club Premise Certificate the Licensing Sub-Committee can, under the Licensing Act 2003:

- grant a Licence subject to conditions consistent with the operating schedule and necessary for the promotion of the licensing objectives, exclude from the scope of the Licence any of the licensable activities to which the Application relates,
- or reject the Application

Once the Sub-Committee has reached a decision, the decision and reasons for the decision must be given in accordance with the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.

2.0 Background

This report relates to an application for a New Premise Licence in respect of Miami Pizza 2, 16 West Percy Street, North Shields, NE29 0AG.

2.1 The Application for the Licence is attached at **Appendix 1**, a plan of the premises is attached at **Appendix 2** and a map of the area is attached at **Appendix 3**.

2.2 The Application for the Grant of a Premises Licence under Section 17 of The Licensing Act 2003

The Application for Grant of the Premises Licence is made pursuant to Section 17 of the Licensing Act 2003 and the relevant Section of the Act dealing with the determination of such an Application is contained in Section 18 of the Act.

The application for a premise licence is as follows:

1. To permit **Late Night Refreshment** as follows

- Monday to Thursday - 23.00 – 00.00
- Friday and Saturday - 23.00 – 01.00
- Sunday - 23.00 – 00.00

2. Non-standard timings – None.

3.0 Promotion of Licensing Objectives

The applicant has included the following steps in the operating schedule which they intend to take in order to promote the licensing objectives.

Please see **Appendix 1**.

4.0 The Representations

Relevant representations have been made as follows and are attached at **Appendix 4**:

- The Chief Officer of Police has made no representations.
- Tyne and Wear Fire and Rescue Service have made no representations.
- The Health and Safety Officer of North Tyneside Council has made no representations.
- The Local Planning Authority has made no representations.
- The Environmental Health Officer of North Tyneside Council has made no representations.
- The Local Safeguarding Children's Board for North Tyneside have made no representations.
- The Weights and Measures Authority for North Tyneside have made no representations.
- The Licensing Authority has made no representations.
- The Director of Public Health has made no representations.
- Home Office Immigration Enforcement has made no representations
- Other persons have made representations which are attached at **Appendix 4**

5.0 The Parties

The Parties to the hearing will be:

1. The Applicant - Mr Cakir Batuhan
2. The Applicant's Agent- Mrs Aysen Ipek Kilic
3. Other persons

6.0 For consideration

The areas for consideration by the Licensing Sub-Committee are:

- Application for the Grant of a Premises Licence in relation to Miami Pizza 2, 16 West Percy Street, North Shields, NE29 0AG.

7.0 The North Tyneside Council Statement of Licensing Policy

The Sub-Committee's attention is drawn to the relevant part of the Policy - Section 10 Licensing Objectives.

8.0 The Revised Guidance issued under Section 182 Licensing Act 2003

The Sub-Committee's attention is drawn to the relevant parts of the Guidance issued under S182 Licensing Act 2003 - Chapter 2 Licensing Objectives.

9.0 For Decision

The Sub-Committee is asked to determine the application in whatever way it sees fit.

10.0 Associated Papers

Appendix 1 – The application for the Grant of a Premises Licence
Appendix 2 – Plan of the Premises
Appendix 3 – Map
Appendix 4 – Relevant representations

11.0 Background Information

The following background papers have been used in the compilation of this Report and are available for inspection at the offices of the authors of the Report:

North Tyneside Council Statement of Licensing Policy
The Licensing Act 2003 and Regulations
Amended Guidance issued under Section 182 of the Licensing Act 2003 from the Home Office
Delegation Scheme – Licensing Committee 7 February 2005

APPENDIX 1

GOVUK 18.10.18 collected
Paid £190=.

Dock/18/2337



North Tyneside Council

**North Tyneside
Application for a premises licence
Licensing Act 2003**

For help contact
liquor.licensing@northtyneside.gov.uk
Telephone: 0191 643217

* required information

Section 1 of 21

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

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="Miami Pizza 2"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes
- No

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

Applicant Details

* First name	<input type="text" value="Mr Batuhan"/>
* Family name	<input type="text" value="Cakir"/>
* E-mail	<input type="text" value="licensing@narts.org.uk"/>
Main telephone number	<input type="text" value="07738234326"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if the applicant would prefer not to be contacted by telephone

As the applicant:

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

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

Continued from previous page...

Address

Building number or name	<input type="text" value="12"/>
Street	<input type="text" value="Alwin Close"/>
District	<input type="text"/>
City or town	<input type="text" value="Wallsend"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="NE286AF"/>
Country	<input type="text" value="United Kingdom"/>

Agent Details

First name	<input type="text" value="Mrs Aysen"/>
Family name	<input type="text" value="Ipek Kilic"/>
E-mail	<input type="text" value="licensing@narts.org.uk"/>
Main telephone number	<input type="text" value="02072413636"/>
Other telephone number	<input type="text"/>

Include country code.

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

Are you:

- An agent that is a business or organisation, including a sole trader
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

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

Registration number	<input type="text" value="10041572"/>
Business name	<input type="text" value="Narts Food and Leisure Limited"/>
VAT number	<input type="text" value="-"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="Licensing Consultant"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	NARTS
Street	53 Stoke Newington High Street
District	
City or town	London
County or administrative area	
Postcode	N16 8EL
Country	United Kingdom

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PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name	Miami Pizza 2
Street	16 West Percy Street
District	
City or town	North Shields
County or administrative area	
Postcode	NE29 0AG
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	6,700

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APPLICATION DETAILS

1. What capacity are you applying for the premises licence?

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

Confirm The Following

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

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- Yes
- No

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

First name

Family name

Is the applicant 18 years of age or older?

- Yes
- No

continued from previous page...

Current Residential Address

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

Yes No

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

Building number or name	<input type="text" value="12"/>
Street	<input type="text" value="Alwin Close"/>
District	<input type="text"/>
City or town	<input type="text" value="Wallsend"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="NE286AF"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

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

Yes No

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

E-mail	<input type="text" value="licensing@narts.org.uk"/>
Telephone number	<input type="text" value="07738234326"/>
Other telephone number	<input type="text"/>
Date of birth	<input type="text" value="05"/> / <input type="text" value="08"/> / <input type="text" value="1996"/> dd mm yyyy
Nationality	<input type="text" value="Turkish"/>

Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

A small pizza take-away with 4 seats inside.

Continued from previous page...

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

continued from previous page...

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

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

See guidance on regulated entertainment

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

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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

Indoors Outdoors Both

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

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

N/A

State any seasonal variations

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

N/A

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

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

N/A

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

Continued from previous page...

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

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ADULT ENTERTAINMENT

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

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

N/A

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OURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

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

√/A

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

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

√/A

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LICENSING OBJECTIVES

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

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

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

Please see below

b) The prevention of crime and disorder

a) A cctv system covering the interior & exterior of the premises will be installed to current metropolitan police / Home office standards and shall be kept operational at all times the premises are open to the public.

b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.

c) All staff who may work front of house shall be trained to operate the cctv system and download images.

d) At least one member of staff trained to operate the cctv system & download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a usb stick, cd or other acceptable means as soon as possible and in any case within 24 hours of the request

e) An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:

1) All crimes reported,

2) Lost property,

3) All ejections of customers,

4) Any complaints received,

5) Any incidents of disorder,

Continued from previous page...

- 2) Any seizure of drugs or offensive weapons,
- 3) Any faults in the CCTV,
- 4) Any visit by a relevant authority or emergency service

- 5) Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:
 - 1) That CCTV is in operation;
 - 2) Of the permitted hours for licensable activities & the opening times of the premises;
 - 3) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.
-

c) Public safety

A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.

d) The prevention of public nuisance

- 1) The area in front of the premises shall be kept tidy at all times and be swept at close.
 - 2) Relevant notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate)
 - 3) No deliveries will be received or rubbish removed from the premises between 22.00 & 07.00.
 - 4) Any music played will only be played at background level.
 - 5) An incident book shall be kept at the premises and made available to the police or authorized council officers –see box b condition 5 for full details of the information to be recorded.
 - 6) A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.
-

e) The protection of children from harm

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
 - An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
 - A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
 - A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
 - A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
 - A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
 - A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
 - A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
 - A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
 - A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
 - A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
-

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

Fee amount (£)

190.00

DECLARATION

continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15) The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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

Full name
Capacity
Date / /
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/north-tyneside/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

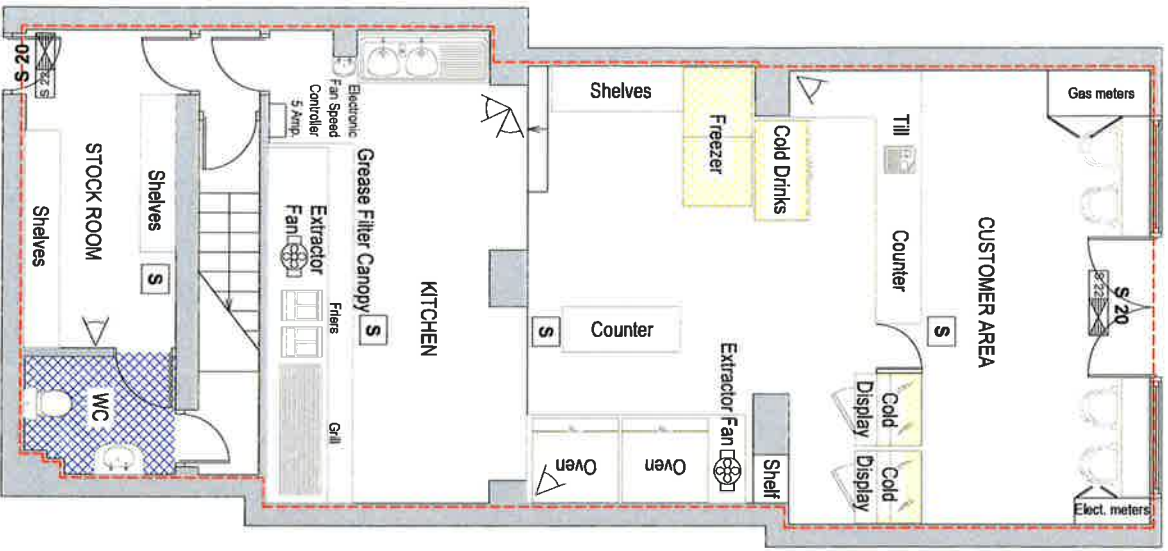
OFFICE USE ONLY

Applicant reference number	<input type="text" value="Miami Pizza 2"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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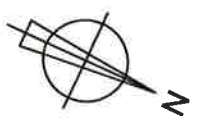
APPENDIX 2

GROUND FLOOR
Scale 1:100 @A4



LEGEND

- WC AREA
- FRIDGES
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- SMOKE DETECTOR
- CCTV
- FIRE ESCAPE KEEP CLEAR
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9 LT. WATER FIRE EXTINGUISHER
- FAN



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GENERAL NOTES:

16 West Percy Street North Shields		DRAWING DATE	TOTAL AREA
NE29 0AG		10.10.2018	88 sqm
Ground Floor Plan		SCALE: 1:100 @A4	SHEET: 1
		DRAWN BY: OZ	CONTROL BY: MHR

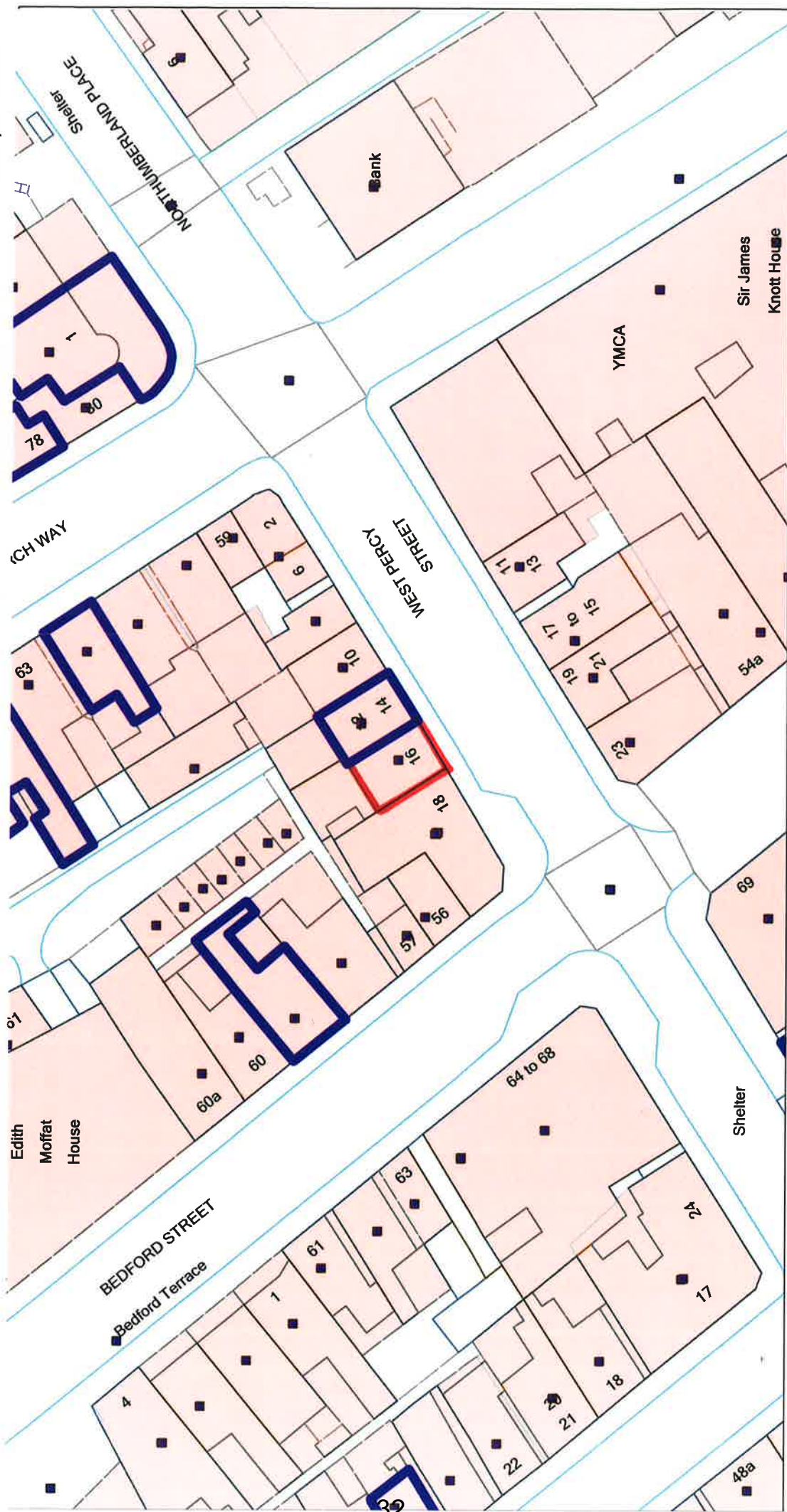
APPENDIX 3

Miami Pizza 2

Not Set



North Tyneside Council



Organisation	North Tyneside Council	Date	28 November 2018
Department	North Tyneside Council	SLA Number	100016801
Comments	Not Set	Scale :	1:583

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APPENDIX 4

To Whom It May Concern,

I write in reference to the application for a license Miami Pizza 2, 16 West Percy Street, North Shields, NE290AG.

As a local business owner who has applied to extend my licensing hours previously and given they were rejected on grounds of a public nuisance, I also feel that the business proposed for licensing has a high risk of contributing to a further increase in crime and disorder, and be a public nuisance due to close residents.

I therefore object to the proposed license of the property.

Yours sincerely,



2

14/11/2018

To whom this may concern,

I strongly reject against the late license for Miami pizza 2, 16 West Percy Street, North Shields, NE290AG.

As a local resident I feel that if you give Miami pizza 2 a late license this will increase the traffic, the noise and bring more anti social behaviour to the area. I work early shifts 5 days a week. My sleep will definitely be disturbed due to delivery drivers and customers - this will have a negative impact on my lifestyle.

This area has improved massively since last year, thanks to the council. All their hard work will go to loss.

Having this late license will also decrease the safety in the area and cause more chaos and bad behaviour. We already have enough shops that sell alcohol, and we also have enough takeaways that are opened till late. I am hoping the correct decision will be made and this will be looked into thoroughly.

Thank you.

14/11/2018

To whom this may concern,

I Strongly I am writing to object against the application following the late night refreshments for Miami Pizza 2, 16 West Percy Street, North Shields, NE29 0AG.

As a local Business owner this will have a negative impact on the area causing more anti social behavior and noise nuisance. We have a lot of younger customer around the area too. I feel as if this will also have a negative impact on them alongside other generations. We do not want this to cause gangs of teenagers around the area, making it a lot less safe. The area is well known and has become a lot quieter and a lot less congested at late night/early mornings. I know having this license will be a massive downfall towards the residents and us business owners.

Yours sincerely,

4

To whom this is my concern

I strongly I am writing to object against the application following the late night refreshments for MIAMI PIZZA 2

16 West Percy street North Shields NE29, 0AG

AS A LOCAL BUSINESS OWNER THIS IS WILL HAVE HUGS NEGATIVE IMPACT ON THE AREA MORE ANTI SOCIAL BEHAVIOUR AND NOISE NUISANCES WE HAVE A LOT OF YOUNGER CUSTOMERS AROUND THE AREA TOO

I FEEL THIS IS ALSO MAKE MORE PROBLEMS ON THE STREET IF YOU HAVE LOOK AT POLICE RECORDS HOW MANY AFTER MIDNIGHTS SHOP WINDOWS ARE BEEN BROKEN JUST MY SHOP OIZZA CORNER 13-14 NILE STREET

3 TIMES IN ONE YEAR I AM SURE IF THAT APPLICATION BE ACCEPTED EVERYONE WILL HAVE MORE PROBLEMS THANKS

14/11/2018

