



**North Tyneside Council**

# Licensing Sub-Committee

7 October 2019

**Tuesday 15 October 2019**, Langdale Centre, Langdale Gardens, Wallsend, NE28  
OHG commencing at 10.00am.

<b>Agenda Item</b>	<b>Page</b>
<b>1. Appointment of Chair</b>	
The Sub-Committee to appoint a Chair for this meeting	
<b>2. Declarations of Interest and Dispensations</b>	
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.	
<b>3. Procedure for Licensing Act Hearings</b>	<b>2</b>
Procedure for hearing an application for the grant of a new Premises Licence.	
<b>4. Zynk – The Windsor Hotel, South Parade, Whitley Bay NE26 2RF (Whitley Bay Ward)</b>	<b>7</b>
To consider an application for the grant of a new Premises Licence.	

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

Councillor T Mulvenna  
Councillor J Cruddas  
Councillor W Samuel

## 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:** 15<sup>th</sup> October 2019

**Report by:** Susan Vert  
Licensing Officer  
☎ 643 6904

**Contact  
Officer(s):** Susan Vert  
Licensing Officer  
☎ 643 6904

**Title of  
Report:** Licensing Act 2003  
Zynk – The Windsor Hotel  
South Parade  
Whitley Bay  
NE26 2RF

**Ward(s):** Whitley Bay

## 1.0 Summary/Purpose of Report

### Licensing Sub-Committee

- 1.1 The Licensing Act 2003 provides that, where representations have been received from a Responsible Authority or Other Persons in respect of an application for 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 Paul D Johnstone for a new Premises Licence in respect of Zynk (The Windsor Hotel), South Parade. Whitley Bay.
- 1.3 The applicant and his Solicitor have 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, Home Office Immigration Enforcement 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 at the premises, in a local newspaper and also on the Council Website as prescribed.

A representation has been received from The Chief Officer of Police and three Other Persons. These are attached at **Appendix 7**

## 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 appropriate for the promotion of the licensing objectives in addition to the mandatory conditions
- exclude from the scope of the Licence any of the licensable activities to which the Application relates,
- refuse to specify a person in the licence as premises supervisor
- 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 Premises Licence in respect of Zynk (The Windsor Hotel), South Parade. Whitley Bay.

2.1 The Application for a New Premise Licence is attached at **Appendix 1**, additional information in respect of the application is attached as **Appendix 2**, a plan of the premises is attached at **Appendix 3** and a map of the area is attached at **Appendix 4**.

2.2 The premises known as Windsor Hotel currently has the benefit of a premises licence which permits the same licensable activities and times as this application for a new premises licence, with the following exceptions:-

- To include the exhibition of films detailed in paragraph 3.1 below;
- To permit supply of alcohol and the opening of the premises one hour earlier on a Sunday from 11am;

- Amend the sale of alcohol from 'on the premises' only to 'on and off the premises'.

### 3.0 Application for the Grant of a Premises Licence under Section 17 of the Licensing Act 2003

3.1 The Application for the 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 the premises to **supply alcohol** (on and off the premises) as follows:

- Monday to Wednesday From 11:00 until 01:00
- Thursday to Saturday From 11:00 until 03:00
- Sunday From 11:00 until 23:30

2. To permit **the exhibition of Films** as follows:

- Monday to Wednesday From 10:00 until 01:00
- Thursday to Saturday From 10:00 until 03:00
- Sunday From 10:00 until 23:30

3. To permit the premises to allow the **performance of Live Music** as follows:

- Monday to Wednesday From 10:00 until 01:00
- Thursday to Saturday From 10:00 until 03:00
- Sunday From 10:00 until 23:30

4. To permit the premises to allow the **playing of Recorded Music** as follows:

- Monday to Wednesday From 10:00 until 01:00
- Thursday to Saturday From 10:00 until 03:00
- Sunday From 10:00 until 23:30

5. To permit the premises to allow the **performance of Dance** as follows:

- Monday to Wednesday From 10:00 until 01:00
- Thursday to Saturday From 10:00 until 03:00
- Sunday From 10:00 until 23:30

6. To permit **anything of a similar description to that falling within Live Music, Recorded Music of Performances of Dance** as follows:

- Monday to Wednesday From 10:00 until 01:00

- Thursday to Saturday                      From 10:00 until 03:00
- Sunday    From 10:00 until 23:30

7. To provide **Late night refreshment** as follows:

- Monday to Wednesday                      From 23:00 until 01:00
- Thursday to Saturday                      From 23:00 until 03:00
- Sunday    From 23:00 until 23:30

8. **General opening times** as follows:

- Monday to Wednesday                      From 10:00 until 01:30
- Thursday to Saturday                      From 10:00 until 03:30
- Sunday    From 10:00 until 00:00

**Non Standard Timings**

The licensable activities specified in this licence may be provided from the end of the specified finish times on any day which is New Year's Eve to the beginning of the start times on the following day (New Year's day).

If the licence is granted this will be subject to mandatory conditions attached at **Appendix 5**.

The existing premises licence is attached to the report at **Appendix 6**

**3.2** The applicant's solicitor has provided additional information in respect of this application addressing the Authority's Cumulative Impact Policy and clarifying the differences between the existing and proposed premises licence. A copy of this information is attached at **Appendix 2**.

**4.0 Promotion of Licensing Objectives**

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

Please see **Appendix 1**.

**5.0 The Parties**

The Parties to the hearing will be:

1. The Applicant - Paul Donald Johnstone represented by Sintons Law
2. Responsible Authority – Chief Officer of Police
3. Persons who have made representations.

## **6.0 For Consideration**

The areas for consideration by the Licensing Sub-Committee are: Application for the Grant of a Premises Licence in respect of **Zynk (The Windsor Hotel), South Parade, Whitley Bay, NE26 2RF.**

## **7.0 The North Tyneside Council Statement of Licensing Policy**

The Sub-Committee's attention is drawn to the relevant part of the Policy – Sections 10.1 – 10.5 Crime and Disorder. Further to this the premises are situated within the cumulative impact area of Whitley Bay as defined in the Cumulative Impact Assessment and referenced at section 13.3 of the Statement of Licensing Policy. It should be noted that the Policy relates to alcohol led licensed premises, where alcohol is consumed on the premises. The effect of the Cumulative Impact Policy is that there is a rebuttable presumption that an application for a premises licence in the areas referred to in the Cumulative Impact Assessment will be refused. To rebut that presumption, the applicant will need to demonstrate that granting the licence will be unlikely to add to the cumulative impact caused by the number and density of licensed premises in the area of the premises.

## **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 that is Chapter 2 Licensing Objectives and Chapter 14 which includes cumulative impact

## **9.0 For Decision**

The Sub-Committee is asked to determine these applications in whichever way it sees fit.

## **10.0 Associated Papers**

Appendix 1 – The application for a New Premises Licence  
Appendix 2 – Additional information in respect of Application  
Appendix 3 – Plan of the premises  
Appendix 4 – Map of the area  
Appendix 5 – Mandatory Conditions  
Appendix 6 – Existing Premises Licence for Windsor Hotel  
Appendix 7– 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

Revised Guidance issued under Section 182 of the Licensing Act 2003 from  
the Home Office  
Delegation Scheme – Licensing Committee 7 February 2005

## **APPENDIX 1**

**Application for a premises licence to be granted 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/We \_\_\_\_\_  
*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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**

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>ZYNK          (THE WINDSOR HOTEL)          SOUTH PARADE</b>			
<b>Post town</b>	WHITLEY BAY	<b>Postcode</b>	NE26 2AD RF.

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£44000.00</b>

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	MR
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>					
I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes					
<b>Nationality</b>					
Current residential address if different from premises address					
Post town			Postcode		
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					



**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name
Address
Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	8	09 20 19

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

LATE NIGHT BAR OPERATING OVER GROUND FLOOR

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	1000	0100	<b>Please give further details here</b> (please read guidance note 4) FILMS/VIDEO/DVD		
Tue	1000	0100			
Wed	1000	0100	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5) AS SET OUT IN BOX J		
Thur	1000	0300			
Fri	1000	0300	<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	1000	0300			
Sun	1000	2330			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4) LIVE MUSIC MAY MAKE UP PART OF THE OFFERING FROM TIME TO TIME		
Mon	1000	0100			
Tue	1000	0100			
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5) AS SET OUT IN BOX J		
Wed	1000	0100			
Thur	1000	0300			
			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6) AS SET OUT IN BOX J		
Fri	1000	0300			
Sat	1000	0300			
Sun	1000	2330			



**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish	Both		<input type="checkbox"/>	
Mon	1000	0100		<b><u>Please give further details here</u></b> (please read guidance note 4) RECORDED MUSIC MAY MAKE UP PART OF THE OFFERING FROM TIME TO TIME	
Tue	1000	0100			
Wed	1000	0100	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5) AS SET OUT IN BOX J		
Thur	1000	0300			
Fri	1000	0300	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6) AS SET OUT IN BOX J		
Sat	1000	0300			
Sun	1000	2330			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4) PERFORMANCE OF DANCE MUSIC MAY MAKE UP PART OF THE OFFERING FROM TIME TO TIME		
Mon	1000	0100			
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5) AS SET OUT IN BOX J		
Tue	1000	0100			
			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6) AS SET OUT IN BOX J		
Wed	1000	0100			
Thur	1000	0300			
Fri	1000	0300			
Sat	1000	0300			
Sun	1000	2330			

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing ENTERTAINMENT SIMILAR TO MUSIC AND DANCING MAY MAKE UP PART OF THE OFFERING FROM TIME TO TIME		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	1000	0100		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1000	0100	<b>Please give further details here</b> (please read guidance note 4)		
Wed	1000	0100			
Thur	1000	0300	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5) AS SET OUT IN BOX J		
Fri	1000	0300			
Sat	1000	0300	<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 6) AS SET OUT IN BOX J		
Sun	1000	2330			

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4) HOT FOOD AND BEVERAGES MAY BE AVAILABLE FROM TIME TO TIME		
Mon	2300	0100			
Tue	2300	0100	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5) AS SET OUT IN BOX J		
Wed	2300	0100			
Thur	2300	0300	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Fri	2300	0300			
Sat	2300	0300			
Sun	2300	2330			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) ALL LICENSED ACTIVITIES PERMITTED UNDER THIS LICENCE MAY BE EXTENDED FROM FINISH TIME ON NEW YEAR'S EVE TO START TIME ON NEW YEAR'S DAY.		
Mon	1100	0100			
Tue	1100	0100			
Wed	1100	0100			
Thur	1100	0300			
Fri	1100	0300			
Sat	1100	0300			
Sun	1100	2330			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

<b>Name</b>	
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	
<b>Issuing authority (if known)</b>	

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9).  
 NONE

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5) FOR AN ADDITIONAL 30 MINUTES BEYOND THOSE HOURS SET OUT IN BOX J
Day	Start	Finish	
Mon	1000	0130	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6) N/A
Tue	1000	0130	
Wed	1000	0130	
Thur	1000	0330	
Fri	1000	0330	
Sat	1000	0330	
Sun	1000	0000	

# M

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

AS SET OUT IN THE OPERATING SCHEDULE SUBMITTED WITH THE APPLICATION

**b) The prevention of crime and disorder**

AS SET OUT IN THE OPERATING SCHEDULE SUBMITTED WITH THE APPLICATION

**c) Public safety**

AS SET OUT IN THE OPERATING SCHEDULE SUBMITTED WITH THE APPLICATION

**d) The prevention of public nuisance**

AS SET OUT IN THE OPERATING SCHEDULE SUBMITTED WITH THE APPLICATION

**e) The protection of children from harm**

AS SET OUT IN THE OPERATING SCHEDULE SUBMITTED WITH THE APPLICATION

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

**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.**

**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.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [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).</li><li>• 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</li></ul>
--------------------	---



	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	
Capacity	SOLICITOR AND AGENT FOR THE APPLICANT

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Sarah.smith@sintons.co.uk			

**OPERATING SCHEDULE**

1. A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of and in consultation with Northumbria Police. Such a system shall:-
  - (i) be operated by properly trained staff;
  - (ii) be in operation at all times that the premises are being used for a licensable activity;
  - (iii) ensure coverage of the entrances to the licensed premises internally and externally;
  - (iv) ensure coverage of such other areas as may be required by Northumberland Police;
  - (v) provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained for a period of 28 days and shall be supplied to the Licensing Authority or Northumbria Police on request.
2. Signs are to be placed both internally and externally at the premises indicating to customers that CCTV is in operation on the premises. The signs are to be a minimum of A5 size.
3. The Designated Premises Supervisor (DPS) shall conduct a risk assessment for the general operation of the premises and in the case of individual bespoke events. Such risk assessment shall take into account the level of staffing, including the numbers of registered door staff, to be employed at the premises from opening to closing time.
4. The Designated Premise Supervisor or a designated senior member of staff shall be in charge of and present in the licensed premises at all times when they are open for the purpose of this licence.
5. All staff involved in the sale of alcohol will be trained in respect of the licensing laws in relation to detecting and preventing under age sales. Training records and manuals will be kept on site and be available to the Police on request. Training will be updated and recorded on a quarterly basis.
6. The Designated Premises Supervisor is to provide a written authorisation to all staff involved in the sale of alcohol. Such authorisation is to be retained as part of the staff training records.
7. The Premises Licence Holder will operate a 'Challenge 25 Policy' whilst the premises are open to the public. This is to be in operation by the door supervisors and the bar staff. All members of door staff and bar staff shall seek credible photographic proof of age from any person who appears to be under the age of 25 years and is either seeking to enter the premises or purchase alcohol. Such credible photographic proof will be a passport, driving licence or proof of age card carrying the 'PASS' logo; in addition, military identification cards, carrying a photograph and date of birth, will also be acceptable for this purpose. If a member of door staff or bar staff knows without doubt that a person is over 18 then a challenge for proof of age will not be necessary.
8. A refusals register or registers will be maintained by both door and bar staff and kept at the premises. These shall be documented and kept on file for the inspection by the Local Authority, Trading Standards Officer, Police Officer or representative of Northumbria Police on request.
9. One pint and half capacity drinking glassware and highball (tumbler) drinking glassware, in which drinks are served and any bottles with a capacity of less than 75cl in which drinks are served shall be made of polycarbonate, plastic or similar non glass material.

10. An individual risk assessment shall be carried out in respect of any dedicated event hosted at the premises which is attended primarily by persons under 18 years of age (i.e. Birthday parties). When such events are being hosted no alcohol will be sold anywhere within the premises.
11. There shall be no exhibition recitation, acting, singing or dancing in the premises which is of an obscene character or in any way offensive to public decency or calculated to excite any breach of the peace or disorder.
12. No young person under the age of fourteen shall be admitted to the premises when they are also licensed for the sale of intoxicating liquor unless accompanied by his or her parent or guardian.
13. The doors and windows of premises shall be kept closed during any entertainment function held on the premises except for the purposes of access, egress or in the case of emergency.
14. The volume control restriction device installed on the entertainment console on the premises shall be set at a level agreed with the officers of the Environmental Services Function. The device shall be kept maintained at this level during all entertainment held on the premises and noise from any entertainment function held on the premises shall be inaudible within the nearest neighbouring residential property.

## **APPENDIX 2**

Many thanks for pointing out the need to address the question of cumulative impact in respect of our application for a new premises licence at Zynk.

I can confirm the following:-

The premises to be licensed under this application already have the benefit of a premises licence as they fall within the licensed area of the current licence for the Windsor Hotel (00CK/13/2206).

My client has taken a lease of that area of the hotel known as Zynk. He seeks to trade Zynk in a very similar format as to that currently permitted to be carried out in this area under the Windsor Hotel licence.

- The layout of the premises will not change.
- The current capacity of this area will not increase.
- The licensed activities that my client seeks are the same as are currently permitted under the Windsor Hotel premises licence, save that my client seeks also to provide films. This is not intended to be a significant part of the operation but will allow him to have TV screens showing recordings if required. We would not anticipate that the showing of films will add negatively to the cumulative impact in the area.
- The hours during which licensed activities are permitted to be provided are the same as are currently permitted under the Windsor Hotel premises licence, save that the start time for regulated entertainment will commence at 10am rather than 11am . This will allow the venue to open earlier if required for daytime events and should they wish to offer coffees and teas. This is not anticipated to be a significant part of the offering at the venue. The times during which alcohol may be sold at the venue remains as currently permitted under the Windsor Hotel premises licence save for on Sundays the start time will commence at 11am rather than 12 noon. Again this will allow flexibility and allows consistency throughout the week. We do not anticipate that permitting entertainment to be provided an hour early each day or alcohol sales for an hour earlier one day a week will add negatively to the cumulative impact in the area. We are certainly not aware of any issues historically arising at this or other venues due to an 11am start time rather than a 12 noon start time for sale of alcohol.
- The licence if granted will have a positive impact. By granting a separate premises licence for Zynk, rather than operating it under the existing premises licence, will allow for a clearer management structure. If Zynk was operated under the Windsor Hotel premises licence the Designated Premises Supervisor would be the hotel. In reality that person is likely to be the hotel manager and will have limited input in the running of Zynk. By permitting a separate licence there is a clear line of responsibility not only to the manager of Zynk as DPS but also to the premises licence holder.
- The conditions offered to be attached to this premises licence are identical to those currently attaching to Zynk under the Windsor Hotel licence. Thus there will be no change which could be said to undermine the licensing objectives.
- In summary, on the whole, the licence seeks to replicate what is already permitted in licensing terms under the existing Windsor Hotel licence. Any changes to the existing position are minimal and highly unlikely to add to the cumulative impact experienced in the area.

I hope that I have covered everything but if you require anything further please let me know. If you have received any objections to this application to date I'd be grateful if you could forward them to me.

Kind regards

Sarah

**Sarah Smith**  
Partner | Sinton's  
LLP

Your Ref:

Our Ref: SJS.JA.

Chief Inspector Waring  
Northumbria Police  
Northern Area Command  
Area Command HQ  
Middle Engine Lane  
Wallsend  
NE28 9NT

Direct Dial: 0191 2264897

25 September 2019

Direct E-mail: sarah.smith@sintons.co.uk

Dear Chief Inspector Waring,

I act for Paul Johnstone who has submitted an application for a new premises licence for Zynk (part of the Windsor Hotel) on South Parade. I have received a copy of your letter of objection to this application dated 12<sup>th</sup> September 2019.

I would very much welcome the opportunity to discuss with you the issues you have raised and to explain the background to this application.

As you may be aware, the premises to be licensed under this application already have the benefit of a premises licence as they fall within the licensed area of the current licence for the Windsor Hotel (00CK/13/2206). My client has taken a lease of that area of the hotel known as Zynk. He seeks to trade Zynk in a very similar format as to that currently permitted to be carried out in this area under the Windsor Hotel licence.

Comparing the existing restrictions on Zynk under the current premises licence with the application that we have submitted I would make the following points:-

- The layout of the premises will not change.
- The current capacity of this area will not increase.
- The licensed activities that my client seeks are the same as are currently permitted under the Windsor Hotel premises licence, save that my client seeks also to provide films. This is not intended to be a significant part of the operation but will allow him to have TV screens showing recordings if required. We would not anticipate that the showing of films will add negatively to the cumulative impact in the area. If this causes the Police an issue my client would be willing to remove films from the application.
- The hours during which licensed activities are permitted to be provided are the same as are currently permitted under the Windsor Hotel premises licence, save for on Sundays the start time for sale of alcohol will commence at 11am rather than 12 noon. This is simply for continuity during the week but if it is considered that this additional hour of trading once a week will add to the cumulative impact experienced in the area currently then my client is willing to amend this to 12 noon in line with the current licence.
- The opening hours sought are the same as are currently stated opening hours under the Windsor Hotel premises licence, save for on Sundays the opening hour is stated as 10 am. As above, if required, my client would be willing to amend this to 11 am in line with the current licence.

SN-3308458\_1

- The application will permit off sales as well as on sales. If this is considered that this facility will have a negative impact on crime and disorder in the area my client is willing to remove off sales from the application.
- The conditions offered to be attached to this premises licence are identical to those currently attaching to Zynk under the Windsor Hotel licence. Thus, there will be no change which could be said to undermine the licensing objectives.

If you were minded to ask us to remove films, off sales, and maintain the existing hours for alcohol sales and opening on Sunday, the terms of this application will be exactly the same as what is currently permitted at Zynk under the existing licence. On that basis there can be no argument that there will be a negative impact as a result of the grant of this licence. If the licence were not granted my client would simply operate as he intends under the terms of the Windsor Hotel licence.

For clarity, the main reason that my client seeks a separate premises licence for Zynk in his name, rather than operate under the existing Windsor Hotel premises licence, is to allow for better transparency and control of this part of the site. If Zynk was operated under the Windsor Hotel premises licence the Designated Premises Supervisor would most likely be the hotel manager who would not be the person best placed to run Zynk. By permitting a separate licence there is a clear line of responsibility not only to the manager of Zynk as DPS but also to the premises licence holder. Rather than have one licence with one DPS and one licence holder there will be two DPSs and two licence holders with clear responsibility for each part of the building. Thus, we would submit that granting the licence will have a positive impact as it will allow for a clearer management structure.

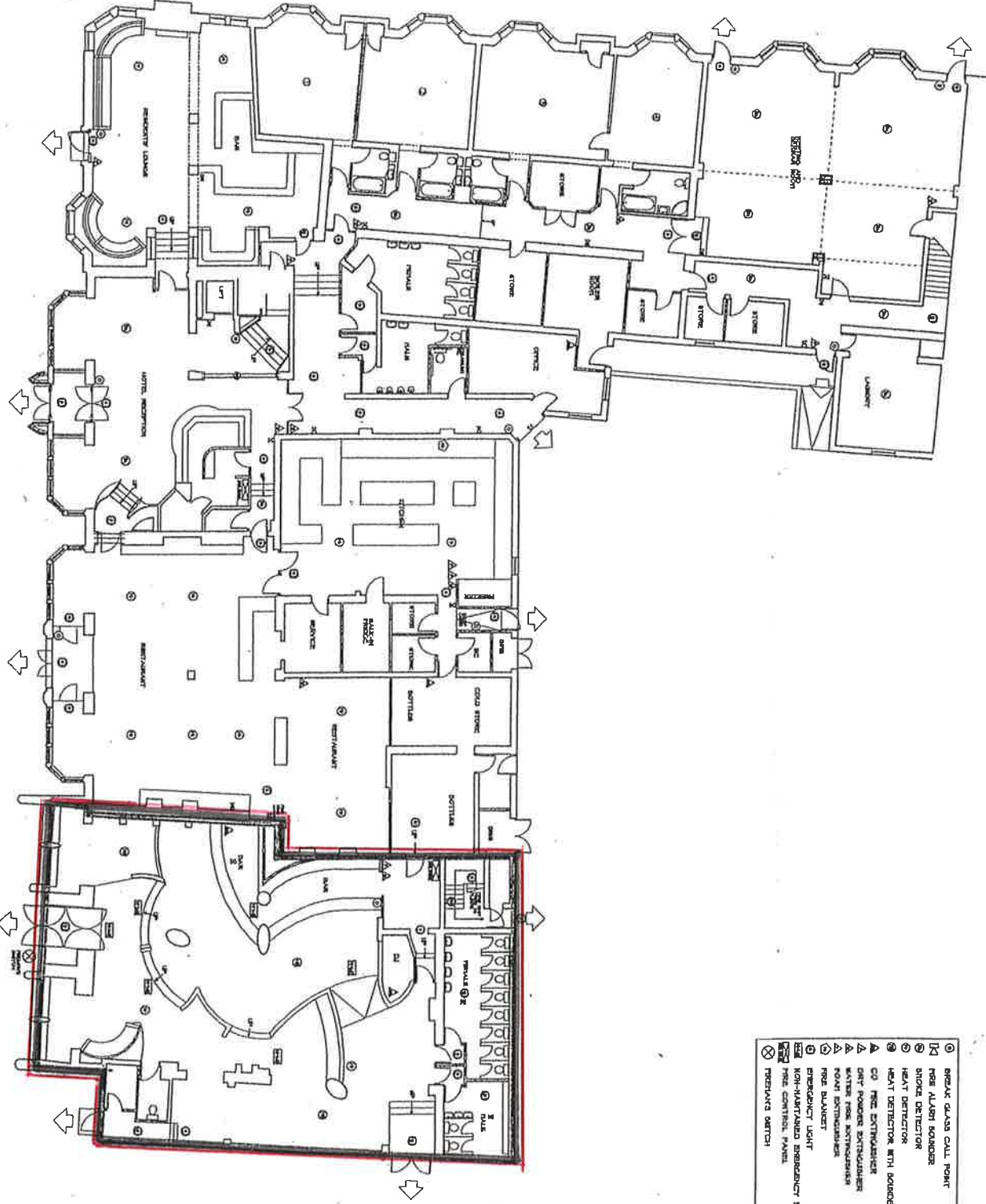
In summary, on the whole, the licence seeks to replicate what is already permitted in licensing terms under the existing Windsor Hotel licence. Any changes to the existing position are minimal and highly unlikely to add to the cumulative impact experienced in the area.

I hope that clarifies the position and provides you with sufficient assurance to withdraw your objection. Otherwise I'd be grateful if you could contact me so that we can discuss further.

Yours sincerely,  
**Sarah Smith**

## **APPENDIX 3**

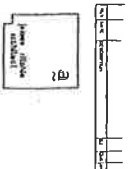




- Ⓜ BREAK GLASS CALL POINT
- Ⓜ FIRE ALARM BELL
- Ⓜ FIRE ALARM BELL
- Ⓜ SMOKE DETECTOR
- Ⓜ HEAT DETECTOR
- Ⓜ HEAT DETECTOR WITH SOUNDER
- Ⓜ CO FIRE EXTINGUISHER
- Ⓜ DRY POWDER EXTINGUISHER
- Ⓜ WATER PISTON EXTINGUISHER
- Ⓜ FOAM EXTINGUISHER
- Ⓜ FIRE BLANKET
- Ⓜ EMERGENCY LIGHT
- Ⓜ HIGH-INTENSITY EMERGENCY LIGHT
- Ⓜ FIRE CONTROL PANEL
- Ⓜ FIREMAN'S DETACH

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NO.	DATE	REVISIONS
100	1998	ISSUE FOR TENDER
101	1998	ISSUE FOR CONTRACT
102	1998	ISSUE FOR CONSTRUCTION

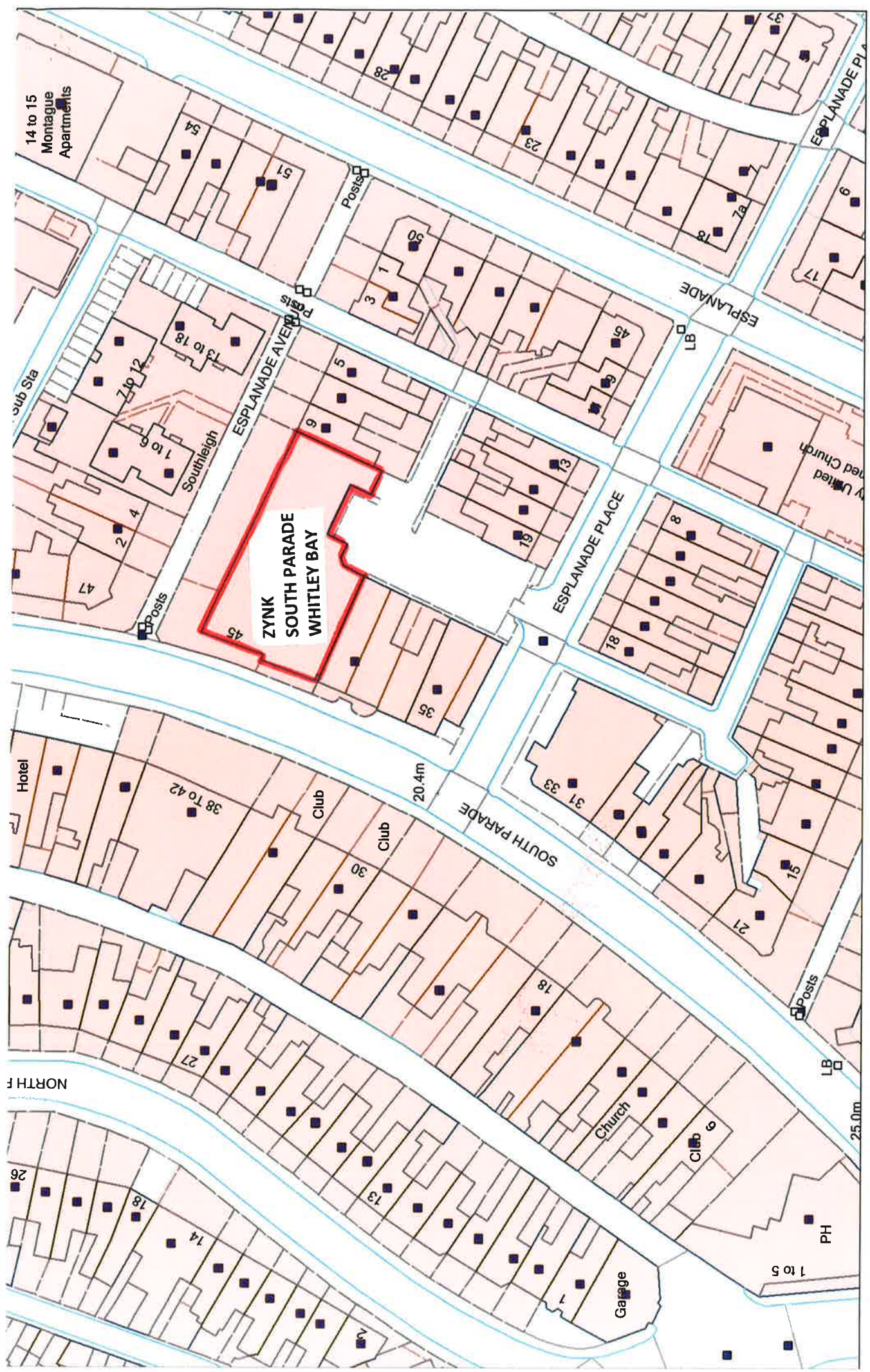
WINDSOR HOTEL  
 SOUTH PARADE  
 BRITLEY BAY

FIRE AND FLOOD FLOOR PLAN  
 2 0501 1:1  
 2 001

AREA WITHIN WHICH LICENCED AREA MAY TAKE PLACE.

P.D.J.I

## **APPENDIX 4**



North Tyneside Council  
1:9t

Scale:

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## **APPENDIX 5**

## **Appendix 5**

### **Mandatory Conditions**

#### **Section 19 Licensing Act 2003**

1. No supply of alcohol may be made under this premises licence:-
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.
3. The admission of children to the exhibition of any film must be restricted in accordance with Section 20 Licensing Act 2003.

#### **The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st April 2010 as amended on 1st October 2014**

1. (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 person is unable to drink without assistance by reason of disability).

2. The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

**The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st October 2010 as amended on 1st October 2014**

1. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premise 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.

2. The responsible person shall ensure that:

(a) where any of the following alcoholic drinks is 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: ½ pint;

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

**The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014 with effect from 28th May 2014**

1. 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.
2. For the purposes of the condition set out in paragraph 1—
  - (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 the 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 premises 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.

3. Where the permitted price given by Paragraph (b) of paragraph 2 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.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.

## **APPENDIX 6**





North Tyneside Council

# PREMISES LICENCE

## Schedule 12 – Part A

**Premises Licence number:** 00CK/13/2206

### Part 1 - Premises details

#### **Postal address of premises:**

**The Windsor Hotel**  
 South Parade  
 Whitley Bay  
 Tyne And Wear  
 NE26 2RF

#### **Where the licence is time limited the dates:**

#### **Licensable activities authorised by the licence:**

Supply of Alcohol  
 Performance of Live Music - Indoors  
 Performance of Dance - Indoors  
 Playing of Recorded Music - Indoors  
 Provision of Facilities for Making Music - Indoors  
 Provision of Facilities for Dancing - Indoors  
 Provision of Facilities for Entertainment of a similar description to making music or dance - Indoors  
 Provision of Entertainment of a similar description to live music, recorded music or performance of dance - Indoors  
 Late Night Refreshment - Indoors  
 Private Places of Entertainment Act 1967 - Indoors

#### **The times the licence authorises the carrying out of licensable activities:**

**Supply of Alcohol:** Monday to Wednesday **From:**11:00 **Until:**01:00, Thursday to Saturday **From:**11:00 **Until:**03:00, Sunday **From:**12:00 **Until:**23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar  
**Supply of Alcohol:** Every Day **From:** 00:00 **Until:** 00:00 Residential  
**Performance of Dance:** Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:**10:00 **Until:** 23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar  
**Provision of Facilities for Dancing:** Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:**10:00 **Until:**23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar  
**Provision of Facilities for Making Music:** Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:**10:00 **Until:** 23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar  
**Performance of Live Music:** Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:**10:00 **Until:** 23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar

**Playing of Recorded Music:** Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:**10:00 **Until:**23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar  
**Anything of a similar description to live music, recorded music or performance of dance:** Monday to Wednesday **From:** 10:00 **Until:**01:00, Thursday to Saturday **From:** 10:00 **Until:**03:00, Sunday **From:**10:00 **Until:** 23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar  
**Provision of Facilities for Entertainment of a similar description to making music or dancing:** Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:** 12:00 **Until:** 23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar  
**Late Night Refreshment:** Monday to Wednesday **From:**23:00 **Until:**01:00, Thursday to Saturday **From:**23:00 **Until:**03:00, Sunday **From:**10:00 **Until:**23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar  
**Private entertainment as permitted by Private Places of Entertainment (Licensing) Act 1967 – Every day**

**The opening hours of the premises:**

Monday to Wednesday **From:**10:00 **Until:** 01:30, Thursday to Saturday **From:**10:00 **Until:** 03:30, Sunday **From:** 11:00 **Until:** 00:00  
Every Day 00:00 to 00:00 - Residential

**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:**

On premises

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

**Registered number of holder, for example company number, charity number (where applicable):**

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:**

· North Tyneside Council

**Annex 1 - Mandatory conditions**

1. No supply of alcohol may be made under this premises licence:-
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

**The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st April 2010 as amended on 1st October 2014**

1. (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 person is unable to drink without assistance by reason of disability).
2. The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

**The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st October 2010 as amended on 1st October 2014**

3. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premise 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.
4. The responsible person shall ensure that:
  - (a) where any of the following alcoholic drinks is 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: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(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.

**The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014 with effect from 28th May 2014**

1. 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.

2. For the purposes of the condition set out in paragraph 1—

(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 the 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 premises 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.

3. Where the permitted price given by Paragraph (b) of paragraph 2 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.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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****WINDSOR HOTEL**

1. This licence is granted subject to conditions which reproduce the effect of any restrictions imposed on the use of the premises for the existing licensable activity by virtue of schedule 8, Paragraph 6(8) and 18(5) of the Licensing Act 2003. The restrictions are contained in the following Acts: the Licensing Act 1964, the Children and Young Persons Act 1963, the Cinematograph (Safety) Regulations 1955 and the Sporting Events (Control of Alcohol Etc) Act 1985.
2. The doors and windows of the premises shall be kept closed during any entertainment function held on the premises except for the purposes of access, egress or in the case of emergency.
3. The volume control restriction device installed on the entertainment console on the premises shall be set at a level to be agreed with officers of the Environmental Services Function. The device shall be kept maintained at this level during all entertainment held on the premises: and
4. Noise from any entertainment function held on the premises shall be inaudible within the nearest neighbouring residential property.
5. Alcohol may be sold or supplied for one hour following permitted hours under Licensing Act 1964 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises permitted hours under Licensing Act 1964 shall continue to apply."
6. The provisions of section 68(1)(a) of the Licensing Act 1964 apply to the licensed premises, providing for an extension between the first and second parts of the general licensing hours on Christmas Day, during which extension intoxicating liquor may be sold or supplied only for consumption as an ancillary.
7. The provisions of section 68(1)(b) of the Licensing Act 1964 apply to the licensed premises, providing for an hours extension of the permitted hours in the evening, during which extension intoxicating liquor may be sold or supplied only for consumption as an ancillary.
8. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to (a) persons taking table meals there and for consumption by such person as an ancillary to his meal (b) Persons residing there or their private friends bona fide entertained by them at their own expense and for consumption by such a person or his private friend so entertained by him either in the premises with a meal supplied at but to be consumed off the premises.
9. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.
10. This Licence is subject to all embedded restrictions under s.77 Licensing Act 1964.

**Minor Variation 10.07.2013 Conditions for ZYNK BAR Only.**

1. A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of and in consultation with Northumbria Police. such a system shall:-
  - i) be operated by properly trained staff;
  - ii) be in operation at all times that the premises are being used for a licensable activity;
  - iii) ensure coverage of the entrances to the licensed premises internally and externally;
  - iv) ensure coverage of such other areas as may be required by Northumbria Police.
  - v) provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained for a period of 28 days and shall be supplied to the Licensing Authority or Northumbria Police on request.
2. Signs are to be placed both internally and externally at the premises indicating to customers that CCTV is in operation on the premises. The signs are to be a minimum of A5 size.

- 3. The Designated Premises Supervisor (DPS) shall conduct a risk assessment for the general operation of the premises and in the case of individual bespoke events. Such risk assessment shall take into account the level of staffing, including the numbers of registered door staff, to be employed at the premises from opening to closing time.**
- 4. The Designated Premise Supervisor or a designated senior member of staff shall be in charge of and present in the licensed premises at all times when they are open for the purpose of this licence.**
- 5. All staff involved in the sale of alcohol will be trained in respect of the licensing laws in relation to detecting and preventing under age sales. Training records and manuals will be kept on site and be available to the Police on request. Training will be updated and recorded on a quarterly basis.**
- 6. The Designated Premises Supervisor is to provide written authorisation to all staff involved in the sale of alcohol. Such authorisation is to be retained as part of the staff training records.**
- 7. The Premises Licence Holder will operate a 'Challenge 25 Policy' whilst the premises are open to the public. This is to be in operation by the door supervisors and the bar staff. All members of door staff and bar staff shall seek credible photographic proof of age from any person who appears to be under the age of 25 years and is either seeking to enter the premises or purchase alcohol. Such credible photographic proof will be a passport, driving licence or proof of age card carrying the 'PASS' logo; in addition, military identification cards, carrying a photograph and date of birth, will also be acceptable for this purpose. If a member of door staff or bar staff knows without doubt that a person is over 18 then such a challenge for proof of age will not be necessary.**
- 8. A refusals register or registers will be maintained by both door and bar staff and kept at the premises. These shall be documented and kept on file for the inspection by the Local Authority, Trading Standards officer, Police Officer or representative of Northumbria Police on request.**
- 9. One pint and half pint capacity drinking glassware and highball (tumbler) drinking glassware, in which drinks are served and any bottles with a capacity of less than 75cl in which drinks are served shall be made of polycarbonate, plastic or similar non glass material.**
- 10. An individual risk assessment shall be carried out in respect of any dedicated event hosted at the premises which is attended primarily by persons under 18 years of age (i.e. Birthday parties). When such events are being hosted no alcohol will be sold anywhere within the area known as Zync Bar.**
- 11. There shall be no exhibition, recitation, acting, singing or dancing in the premises which is of an obscene character or in any way offensive to public decency or calculated to excite any breach of the peace or disorder.**
- 12. No young person under the age of fourteen shall be admitted to the premises when they are also licensed for the sale of intoxicating liquor unless accompanied by his or her parent or guardian.**
- 13. The doors and windows of the premises shall be kept closed during any entertainment function held on the premises except for the purposes of access, egress or in the case of emergency.**
- 14. The volume control restriction device installed on the entertainment console on the premises shall be set at a level agreed with the officers of the Environmental Services Function. The device shall be kept maintained at this level during all entertainment held on the premises and noise from any entertainment function held on the premises shall be inaudible within the nearest neighbouring residential property.**

**Annex 3 - Conditions attached after a hearing by the licensing authority**



Regulation 33, 34

North Tyneside Council – Licensing Section

**Annex 4 - Plans**

See attached

## **APPENDIX 7**



Northern Area Command  
Area Command Headquarters  
Middle Engine Lane  
Wallsend  
NE28 9NT

Tel: 101  
Fax: 0191 2957368

12<sup>th</sup> September 2019

Licensing Officer,  
Licensing Department – Block B,  
Killingworth Site,  
Harvey Combe,  
Killingworth,  
Newcastle-Upon-Tyne,  
NE12 6UB.

Dear Sir/Madam

**Re: Application for a new premises licence for Zync, part of the Windsor hotel,  
South Parade, Whitley Bay, NE33 9AD.**

**Applicant: - Mr Paul Johnstone.**

In respect of the grant of the above application, I have the following comments to make and wish to lodge the following representation:-

Northumbria Police wish to place a representation to the premise licence application.

Zync is situated in the hot spot cumulative impact area; the surrounding area has other public houses, night clubs, wine bars, restaurants and takeaways.

May I ask that the committee have a regard to Section 13.6 of The North Tyneside Council Statement of Licensing Policy

*“Having had regard to the Cumulative Impact Assessment and the evidence produced therein, this Policy creates a rebuttable presumption that an application for a premises licence, or the variation of existing licences, in the areas referred to in the Cumulative Impact Assessment that relate to alcohol led premises will be refused.”*

*“An applicant wishing to obtain a new premises licence, or seeking to vary an existing licence, must demonstrate within their application that there is likely to be no negative cumulative impact on one or more of the licensing objectives should their application for a licence, or variation of an existing licence, be granted.”*

This new premises licence application, does not demonstrate to the police, that it will not have a negative impact on this area of South parade. Whitley Bay has its own character and challenges, the applicant does not describe any steps they would take, to uphold the licensing objectives or state the steps it would take, to stop this premises having a negative impact where so much crime and disorder is centred on. This new application, is not bringing anything new, it is a vertical drinking establishment that is the same offering, as some of the other licensed premises, its same old, same old.

May I ask that the committee also have a regard for Section 5.14 of North Tyneside Council statement of licensing policy

The Authority will fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 when carrying out licensing functions under the Licensing Act 2003 and will do all it can to reasonably prevent crime and disorder and the misuse of alcohol and drugs in the Borough of North Tyneside.

There is no doubt from a Police perspective that there will be an increase in the amount of crime and antisocial behaviour in and around this premise, should this application be granted.

May I ask that the committee also have a regard for Section 10.2 of North Tyneside Council statement of licensing policy

The Authority is committed to further improving the quality of life for the people of North Tyneside by continuing to reduce crime and the fear of crime. When addressing the issue of crime in their operating schedule, the Applicant should demonstrate that those factors which impact on crime and disorder have been considered. Crime and disorder can take the form of:

- Drunkenness/disorderly conduct on the premises or, in the case of outdoor events, in public places
- Fights at appropriately licensed late-night refreshment premises
- Use of drugs
- Anti-social or violent behaviour
- Underage drinking
- Lewd behaviour.

May I ask the Committee to have a regard for Section 2 item 12 of North Tyneside Council Cumulative Impact Assessment

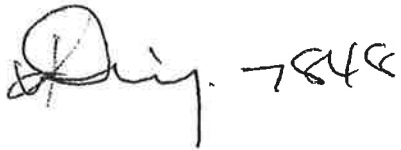
In Whitley Bay this Assessment applies to the area of Whitley Bay bordered by Promenade, Park Avenue, Marden Road, Station Road, Whitley Road and Percy Road.

This area has been identified because evidence shows that the cumulative impact of the number and density of licensed premises in the area adversely affects the promotion of the licensing objectives.

The data that is in the North Tyneside Cumulative Impact Assessment relates to the incidents, within this cumulative impact area, they set out the days and times when incidents have occurred within the cumulative impact areas. The maps in the Assessment show the location of crimes in Whitley Bay and demonstrate that there is a clear concentration of crime and anti-social behaviour in the cumulative impact areas.

Northumbria Police request that the application for this premises licence is not granted.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Waring' followed by the number '7848' written to the right of the signature.

Chief Inspector Waring 7848

17 SEP 2019

Mr and Mrs Steve Martin

17<sup>th</sup> September 2019

North Tyneside Council  
The Licensing Team  
Chief Executive Office  
Harvey Combe, Killingworth  
Newcastle, NE12 6UB

Dear Sir/Madam

**RE: LICENCE APPLICATION: ZYNK (WINDSOR HOTEL) SOUTH PARADE WHITLEY BAY TYNE & WEAR  
NE26 2RF**

I write with regards to the above application for a Premises Licence submitted by Paul Donald Johnstone under the Licensing Act 2003, which seeks the following licensable activities:

1. Sale and supply of alcohol, regulated entertainment
2. Films, live music, recorded music, performance of dance, and anything of a similar description falling within the above during the hours of Monday – Wednesday 10am – 0100am, Thursday to Saturday 10am to 0300am, Sunday 10am to 2330pm.
3. Extension of the closing on new year eve to the opening time on New Year's Day,

The premises are described as a 'Late night bar operating over ground floor' and is situated on South Parade, Whitley Bay. Additional information supplied by the applicant via Sintons Solicitors states that the 'licence replicates what is already permitted' and that 'changes to the existing position are minimal and highly unlikely to add to the cumulative impact experienced in the area'.

As a resident of Linden Terrace, I live approximately 70 metres away from to Zynk. Currently, the hours of closing of the existing local pubs and bars are between 2300 and 0000 hours. The nightclubs local to Zynk close at 1300 hours. The hours between 2300 and 0200 when crowds move between bars or go home is the most disturbing for residents – we have witnessed violence, rowdy behavior, urination in

gardens and back lanes, as well as incidents of drug use. The management would have no control of patrons that have left the premises if it were allowed to open later than the norm, and the possible impact of any rowdy and anti-social behaviour or crime and disorder.

I state that what has changed since the current licence was granted, is the character of the area which is now predominantly residential. To support this, I have a list of premises that have changed use:

Street Number	Previous Use		Current Use
2 to 4	The Brewery	Bar	Bar
6	Berites Bar	Bar/Club	Bar/Club
8		?	Residential
10	Church	Church	Residential
12	Southlands Hotel	Guest House	Residential
14 to 16	Echo Bar	Bar/Club	Empty/Residential above ground floor
20 to 24	Ocean Inn/Banana Joes/Palm Hotel/Hush Lounge	Bar/Club/Guesthouse	Residential
26 to 32	The Avalon/Trojan Rooms	Bar/Club	Residential
34 to 36	Havana + residential above bar?	Bar/Club	Bar/Club
38 to 42	Bar Vegas/Ambassador Hotel	Bar/Club/Guesthouse	Office
44	Waverley Hotel	Guesthouse	Residential
46 to 50	Loca Bar and Restaurant	Bar/Restaurant	Bar/Restaurant
52	Hotel 52/Bar 52	Bar/Hotel	Bar/Hotel
56 to 58	Hairy Lemon	Bar/Club	Bar/Club
60 to 68	Pier 39/Breeze	Bar/Club	Residential
17 to 19	Reef	Bar/Club	Bar/Hotel:
21	Argyll Hotel	Guesthouse	Residential
23	Northville Guesthouse	Guesthouse	Residential
25	Mayfair Guest House	Guesthouse	Residential
27 to 29	Manor Court Hotel	Guesthouse	Residential
31 to 33	Easy Street	Bar/Club	Current application in for residential
37 to 49	Windsor Hotel	Hotel	Hotel
51 to 55	??	?	Vacant
Promenade	JimmzBar/Deep/Rex Hotel	Bar/Club/Hotel	Residential Care Home

South Parade has certainly changed in character and continues to change in line with the councils plans to create Whitley Bay not "as a destination for stag and hen parties to a more modern, fun and family friendly town" - North Tyneside Council Local Plan 2017. The granting of this licence goes against this.

I therefore submit this representation with regards to crime and disorder and public nuisance as the later operation of the premises and of people leaving the premises later at night would impact upon local residents living nearby and in the surrounding streets, and that a licenced premise of this kind is no longer in keeping with the character of the area.

Yours sincerely

Mr and Mrs Steve Martin

Rec'd 3/9/19

North Tyneside Council  
The Licensing Section,  
The Killingworth Site,  
Harvey Combe,  
Killingworth,  
Newcastle upon Tyne  
NE12 6UB.

**Licence Application**

**Zynk (Windsor Hotel) South Parade Whitley Bay**

31/08/2019

Dear Sir/Madam

I wish to object in the strongest possible terms to the licence application for Zynk bar. Specifically, the request to open the bar until 3am.

South Parade has a long and unhappy history of anti-social behaviour related to drinking alcohol but this has been mitigated in recent years due to the closure of the late night establishments. We still have problems with drunken louts on Thursday, Friday and Saturday each week but at least these are mostly gone around midnight.

Since the closure of the late-night pubs, Whitley Bay has undergone a regeneration and improvement including the building of many new residential units on South Parade including some in the old pubs.

I feel that Whitley Bay has moved on from the late nights and allowing this application is bad for residents and sends entirely the wrong message to the new generation of family tourists who have started to visit us. In short we are not that Whitley Bay anymore.

I am not against a licence altogether and would suggest 11pm Sunday to Wednesday and 12am Thursday to Saturday.

As an aside, the frontage of Zynk is an eyesore and desperately needs improvement. I recommend making improvements a condition of the licence.

Yours sincerely

  
John Gray



## Stephanie Graham

---

**From:** Jamie Taylor  
**Sent:** 18 September 2019 15:33  
**To:** Liquor Licensing  
**Subject:** Representation - Zynk [Scanned]

\*EXTRNL\*

Hi

I would like to make a representation regarding the licence application for Zynk in Whitley Bay. I would like to object in the strongest terms possible to the plans to serve alcohol and play music till late in the night. As a resident of the Esplanade, I feel that granting the licence will cause myself and my partner increased stress and anxiety. The venue is surrounded by residential properties (including my own) and the increased noise and drunkenness will make weekends horrific. The existing bars in the area already cause noise and nuisance and the last thing the area needs is another late night licence.

best wishes

Jamie Taylor

Esplanade

Whitley Bay

NE26 2AQ

On 18 Sep 2019, 15:29 +0100, Jamie Taylor

wrote: