



**North Tyneside Council**

# Licensing Sub Committee

Thursday 22 June 2023

**Thursday, 29 June 2023** 0.01 Chamber – Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY **commencing at 10.00 am.**

<b>Agenda Item</b>	<b>Page</b>
<b>1. Appointment of Chair</b>	
The Sub-committee to appoint a Chair for the meeting.	
<b>2. Declarations of Interest</b>	
Members of the Sub-committee are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.	
<b>3. Procedure for Licensing Act Hearings</b>	<b>5 – 10</b>
To note the procedure for a hearing after the receipt of objection notices from the Chief Officer of Police and the Environmental Health Department in respect of a Temporary Event Notice (TEN).	
<b>4. 12a Russell Street, North Shields – Temporary Event Notice</b>	<b>11 – 46</b>
To give consideration to the objections received from the Chief	

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Officer of Police and the Environmental Health Department in respect of a Temporary Event Notice (TEN) for 12a Russell Street, North Shields on 1 and 2 July 2023.

**Circulation overleaf ...**

**Members of the Licensing Sub Committee**

Councillor John Johnsson  
Councillor John O'Shea

Councillor Matthew Thirlaway (Chair)

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## LICENSING ACT 2003

### NORTH TYNESIDE COUNCIL

#### PROCEDURE FOR A HEARING AFTER AN OBJECTION NOTICE IS GIVEN BY THE POLICE IN RESPECT OF A TEMPORARY EVENT NOTICE BEFORE THE LICENSING SUB-COMMITTEE (“the Committee”)

The Sub-Committee is concerned with the promotion of the licensing objectives and any decision has to be considered appropriate to promote those licensing objectives.

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

- The merits of the Application
- The promotion of the licensing objective concerned with the prevention of crime and disorder
- The statement of Licensing Policy of North Tyneside Council
- The guidance issued by the Secretary of State for Culture, Media and Sport on under Section 182 of the Licensing Act 2003.

#### **The Procedure of the Committee is as follows:-**

1. The Chair will open the hearing and will ask all persons present at the hearing to identify themselves. The Chair or Legal Adviser to the Committee 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 and any other preliminary matters.
3. The Licensing Officer will present a report to the Committee outlining the temporary event notice given to the Licensing Authority and the objection notice given by the Chief Officer of Police and/or the Environmental Health Officer and the relevant sections of the Council's Statement of Licensing Policy and the statutory guidance.
4. Clarification on any aspect of the report may be sought by:
  - a) Members
  - b) the Police Representative
  - c) the Environmental Health Officer
  - d) the Premises User

5. The representative from the Chief Officer of Police will be invited to address the Committee about the objection notice and why the event if permitted will be contrary to the licensing objectives.
6. If the Representative from the Chief Officer of Police has obtained prior permission to call a particular witness then they may call that witness.
7. The representative from the Chief Officer of Police should ideally take no longer than 10 minutes to make all relevant statements.
8. Relevant questions of the Representative from the Chief Officer of Police may be asked by:
  - a) Members
  - b) Environmental Health Officer
  - b) Premises User
9. The Environmental Health Officer will be invited to address the Committee about the objection notice and why the event if permitted will be contrary to the licensing objectives.
10. If the Environmental Health Officer has obtained prior permission to call a particular witness then they may call that witness.
11. The Environmental Health Officer should ideally take no longer than 10 minutes to make all relevant statements.
12. Relevant questions of the Environmental Health Officer may be asked by:
  - a) Members
  - b) Police Representative
  - c) Premises User
12. The Premises User will be invited to address the Committee, indicating why they believe that the event if permitted would not be contrary to the licensing objectives and why a Counter Notice should not be issued by the Licensing Authority.
13. If the Premises User has obtained prior permission to call a particular witness then they may call that witness.
14. Relevant questions of the Premises User may be asked by:
  - a) Members
  - b) Representative from the Chief Officer of Police
  - c) Environmental Health Officer

15. The Chair will invite all parties to make a brief closing statement. The parties should ideally take no longer than 10 minutes to make their closing statement. The parties will be invited to sum up in the following order:
    - a) Representative from the Chief Officer of Police
    - b) Environmental Health Officer
    - b) Premises User
  16. The Chair will ask the parties if they are satisfied that they have said all they wish to.
  17. 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.
  18. In considering any representations or notice made by any party, the Committee may take into account documentary or other information produced by a party in support of their representations and notice (as the case may be) either before the hearing or, with the consent of the other party, at the hearing.
  19. The Committee will 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 notice or, in the case of another person, the representations or notice of the party requesting their attendance; and
    - (ii) the promotion of the licensing objectives.
- 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.**
20. The parties to be advised of the Committee's decision, including reasons for the decision and the decision will be followed up in writing in accordance with statutory requirements. Any counter notice will accompany the reasons for the decision. The notification of the decision will include information on a party's right to appeal against the Committee's decision.

### **General Matters**

1. **Expectations on parties**

- (a) The Licensing Authority expects the 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.
- (b) The parties will be expected to:
  - (i) demonstrate that the issue they are raising at the hearing relates to the licensing objectives
  - (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**

The Licensing Authority can dispense with the holding of a hearing if all parties concerned (representative from the Chief Officer of Police, Environmental Health Officer and premises user) give notice to the Licensing Authority prior to the hearing date that they consider it unnecessary.

Where all parties have given such notice, and the Licensing Authority agrees that the hearing is unnecessary, the Licensing Authority will give notice to the parties 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 the parties to ask questions of each other, but this decision will be taken on a case by case basis and in some exceptional circumstances (a reason will be given) questioning may be prohibited.

Any party who is granted permission to ask questions of any other party shall be entitled to do so ideally for no longer than 5 minutes.

**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.

Any party providing such clarification shall ideally take no longer than 5 minutes when addressing the matter requiring 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.

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# REPORT

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

**Date:** 29 June 2023

**Report by:** Jeff Young  
Licensing Officer  
☎ 643 6903

**Contact  
Officer(s):** Jeff Young  
Licensing Officer  
☎ 643 6903

**Title of  
Report:** Licensing Act 2003 –  
12a Russell Street  
North Shields  
Tyne and Wear  
NE29 0BL

**Ward(s):** Riverside

## **1.0 Summary / Purpose of Report**

### **1.1 Licensing Sub-Committee**

The Licensing Act 2003 provides that, where an objection has been received from the Chief Officer of Police or Environmental Health Authority in respect of a standard temporary event notice, a hearing must be held to consider the objection. Sub-Committees have been established in accordance with provisions of the Act to hear such applications.

**1.2** The Sub-Committee is asked to consider and determine a Temporary Event Notice from Mr Hector Teasdale, (“the premises user”), in relation to 12a Russell Street, North Shields, Tyne and Wear, NE29 0BL.

**1.3** The premises user has been invited to attend the meeting to put forward their case in support of the temporary event.

#### 1.4 Objections from Chief Officer of Police or Environmental Health Authority

The premises user must give a copy of any standard temporary event notice to the Chief Officer of Police and Environmental Health Authority no later than ten clear working days before the day on which the event period specified in the notice begins. If a Temporary Event Notice is submitted to the Authority electronically, the licensing authority must notify the police and environmental health authority as soon as possible and no later than the first working day after the Temporary Event Notice is given. The relevant responsible authority has three working days from receipt of such a standard Temporary Event Notice in which to lodge an Objection Notice. Objection Notice's in relation to the Temporary Event Notice have been received from the Chief Officer of Police and Environmental Health these are attached at **Appendix 3** to this report.

1.5 As an Objection Notice has been received from the Chief Officer of Police and Environmental Health the Authority must hold a hearing to consider the Objection Notice and determine whether or not to give the premises user a Counter Notice if the Authority considers it appropriate to do so for the promotion of the licensing objectives.

1.6 If the Sub-Committee decides not to give a Counter Notice, then it must give the premises user the Chief Officer of Police and Environmental Health notice of that decision. If the Sub-Committee does decide to give a Counter Notice to the premises user it must state the reasons for its decision and provide the Chief Officer of Police and Environmental Health with a copy of the Counter Notice and its reasons for its decision.

#### 2.0 **Background**

This report relates to a Temporary Event Notice that has been submitted in respect of 12a Russell Street, North Shields, Tyne and Wear, NE30 0BL. The Notice is attached at **Appendix 1**, A map of the area at **Appendix 2**, Objection Notice from Chief Officer of Police and Environmental Health at **Appendix 3**.

## **2.1 The Notice of Temporary Event under Part 5 of The Licensing Act 2003**

A Notice of a Temporary Event is made pursuant to Section 100 and 100A of the Licensing Act 2003. The detail of the Notice is as follows:

Saturday 1 and Sunday 2 July 2023

Sale of Alcohol (On the Premises) from 17:00 until 23:00

Provision of Regulated Entertainment from 17:00 until 00:00

The premises user has supplied a further breakdown of the activities to take place with some additional information on the notice attached as Appendix 1.

### **History of Previous Temporary Events Notices**

- Standard TEN 14-15 April 2023 Went ahead.
- Late TEN 28-29 April 2020 Counter notice issued.
- Standard TEN 05-06 May 2023 Hearing – Withdrawn.
- Late TEN 3 June 2023 Counter Notice issued.
- Standard TEN 10-11 June 2023 Went ahead.
- Standard TEN 16,17 & 18 June 2023 Went ahead.
- Late TEN 23-25 June 2023 Counter notice issued.

## **3.0 The Parties**

The Parties to the hearing will be:

1. The premises user
2. The Chief Officer of Police
3. Environmental Health

## **4.0 For consideration**

The area for consideration by the Licensing Sub-Committee is:

- Temporary Event Notice in respect of 12a Russell Street, North Shields, Tyne and Wear, NE29 0BL.

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

The Sub-Committee's attention is drawn to the relevant part of the Policy - Section 11 Licences and Section 24 Prevention of Crime and Disorder.

## **6.0 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 paragraph Chapter 7 Temporary Event Notices.

## **7.0 For Decision**

The Sub-Committee is asked to consider the Objection Notice and determine if a Counter Notice should be given.

## **8.0 Associated Papers**

Appendix 1 – Temporary Event Notice Form

Appendix 2 – Map of the area

Appendix 3 – Objection Notice from Chief Officer of Police and Environmental Health

## **9.0 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

## **APPENDIX 1**





### Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	TEASDALE		
Forenames	HECTOR		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames	N/A		
3. Your date of birth	Day	Month	Year
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Post town		Postcode	
7. Other contact details			
Telephone numbers Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)	N/A		
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			

N/A	
Post town N/A	Postcode N/A
<b>9. Alternative contact details (if applicable)</b>	
Telephone numbers: Daytime	N/A
Evening (optional)	
Mobile (optional)	
Fax number (optional)	N/A
E-Mail address (if available)	N/A

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
12A RUSSELL STREET NORTH SHIELDS UNITED KINGDOM NE29 0BL	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	N/A
Club premises certificate number	N/A
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
NO RESTRICTIONS, ALL PREMISE AREAS WILL BE IN USE FOR THE EVENT INCLUDING THE SHOP FLOOR AND OUTSIDE AREA TO THE REAR.	
Please describe the nature of the premises below. (Please read note 4)	
GROUND FLOOR SHOP WITH MAIN ROOM FOR EVENT & A BAR/KITCHEN AT THE BACK TO SERVE MAIN ROOM. TOILET & STORAGE ROOMS NEXT TO KITCHEN/BAR AND AT REAR OF SHOP OUT THE BACK OF MAIN ROOM. THERE IS A SMALL OUTSIDE AREA AT THE REAR OF THE PROPERTY IN AN L-SHAPE THAT IS USED AS A OUTSIDE SEATING/SMOKING AREA.	
Please describe the nature of the event below. (Please read note 5)	
LIVE AMPLIFIED MUSIC EVENT INVOLVING LIVE PERFORMANCES ON 01/07/23 & 02/07/23 WHERE ALCOHOL WILL BE SOLD TO CUSTOMERS. THERE WILL BE RECORDED AMPLIFIED MUSIC PLAYED IN BETWEEN THE LIVE PERFORMANCES.	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input type="checkbox"/>	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
01/07/23 & 02/07/23		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
<ul style="list-style-type: none"> <li>- THE EVENT WILL TAKE PLACE BETWEEN 17:00PM-00:00AM ON 01/07/23 &amp; 02/07/23.</li> <li>- ALCOHOL WILL BE SERVED FROM 17:00PM-23:00PM ON 01/07/23 &amp; 02/07/23.</li> <li>- RECORDED AND LIVE AMPLIFIED MUSIC WILL BE PLAYED BETWEEN 17:00PM-23:50PM ON 01/07/23 &amp; 02/07/23.</li> <li>- THE SOUNDCHECK WILL TAKE PLACE OVER THE PERIOD OF 17:00-19:00PM ON 01/07/23 &amp; 02/07/23.</li> <li>- THE DOORS WILL OPEN TO THE EVENT AT 19:30PM ON 01/07/23 &amp; 02/07/23.</li> <li>- THE 1<sup>ST</sup> LIVE PERFORMANCE WILL TAKE PLACE BETWEEN 20:30-21:15PM ON 01/07/23 &amp; 02/07/23.</li> <li>- THE 2<sup>ND</sup> LIVE PERFORMANCE WILL TAKE PLACE BETWEEN 21:30PM-22:30PM ON 01/07/23 &amp; 02/07/23.</li> <li>- BETWEEN PERFORMANCES THERE WILL BE RECORDED AMPLIFIED MUSIC PLAYING BETWEEN 19:30PM-23:50PM ON 01/07/23 &amp; 02/07/23.</li> <li>- NO ALCOHOL WILL BE SOLD AFTER 23:00PM IN THE VENUE, LAST ORDERS WILL BE CALLED AT 22:45PM ON 01/07/23 &amp; 02/07/23.</li> <li>- AT 23:00PM ALL MUSIC WILL BE TURNED DOWN AND NOISE KEPT TO A MINIMUM.</li> <li>- FROM 23:50PM ANY REMAINING CUSTOMERS WILL EXIT FROM THE VENUE ON 01/07/23 &amp; 02/07/23.</li> <li>- WE HAVE ENLISTED THE SERVICES OF A DOOR SUPERVISOR TO ENSURE ALL CUSTOMERS ENTER AND EXIT AT THE DESIGNATED TIMES AND IN AN APPROPRIATE MANNER.</li> <li>- STAFF WILL WORK ALONGSIDE THE DOOR SUPERVISOR TO ENSURE NO ONE LEAVES THE VENUE WITH ANY ALCOHOL AND THAT NO BODY IS ALLOWED TO LOITER ON THE STREET AFTER EXITING THE EVENT FOR THE REST OF THE EVENING.</li> </ul>		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		100
If the licensable activities will include the sale or supply of alcohol, please state whether these will	On the premises only	<input checked="" type="checkbox"/>

be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	Off the premises only	
	Both	

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

N/A

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	NORTH TYNESIDE COUNCIL
Licence number	00CK/23/1160
Date of issue	7 JUNE 2023
Any further relevant details	ABOUT TO BECOME THE DPS ON THE PREMISE LICENSE APPLICATION.

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)	
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	14-15/04/23 10-11/06/23 16-18/06/23
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)	
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<b>7. Checklist (Please read note 17)</b>	
<b>I have: (Please tick the appropriate boxes, where applicable)</b>	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

<b>8. Condition (Please read note 18)</b>
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	15/06/23
Name of Person signing	HECTOR TEASDALE

For completion by the licensing authority

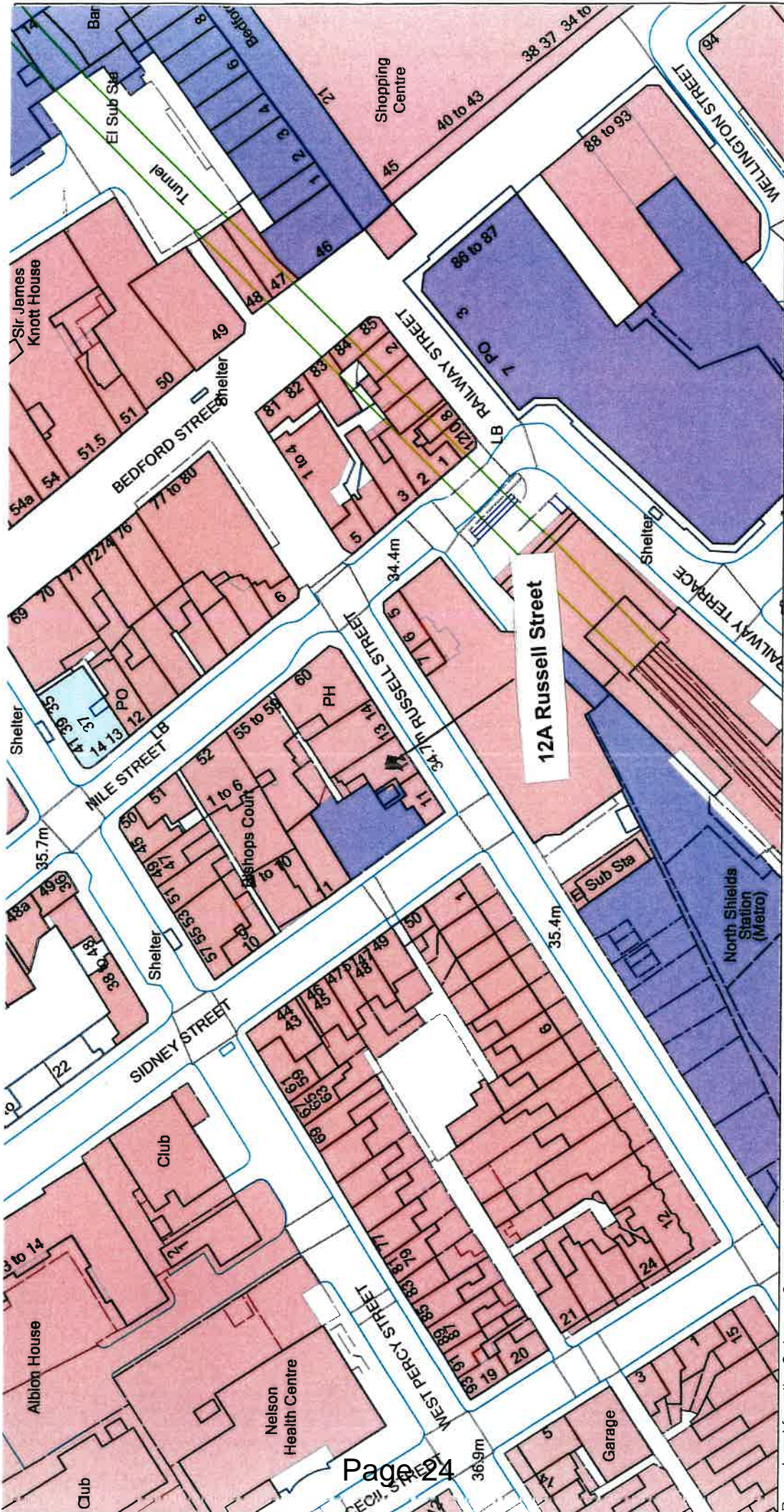
10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

## **APPENDIX 2**

# 12A Russell Street



North Tyneside Council



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<b>Organisation</b>	North Tyneside Council	<b>Date</b>	21 June 2023
<b>Department</b>	North Tyneside Council	<b>SLA Number</b>	100016801
<b>Comments</b>		<b>Scale :</b>	1:1155



## **APPENDIX 3**

**PROFESSIONAL AUTHORITY REPRESENTATION**



I wish to make a representation against the following Application:

**Applicant's name (if known) :** Hector Teasdale

**Premises name and address:** 12A Russell Street, North Shields, North Tyneside, NE29 0BL

**Application for a:-**

Temporary Event Notice

**Application Number (if known)** NA

**Name of Responsible Authority:** Environmental Health North Tyneside Council

**Tel No:** 6436645

**Address where you would like us to correspond with you:**

Public Protection  
Environmental Health  
Quadrant East – 1<sup>st</sup> Floor  
The Silverlink North  
Cobalt Business Park  
North Tyneside  
NE27 0BY

**Please note that a full copy of your representation will be sent to the applicant and will be a public document at any hearing of this matter.**

Please state under which of the licensing objective(s) your representation is being made (eg. Prevention of Crime & Disorder, Prevention of Public Nuisance, Public Safety, the Protection of Children from Harm).

Prevention of Public Nuisance

My representation is based on the following:

I wish to object to this application for the TEN for 12A Russell Street, North Shields for live amplified music event involving live performances on 1<sup>st</sup> and 2<sup>nd</sup> July 2023. The premises has been holding events via TEN's on a number of occasions and Environmental Health have received to date 9 complaints about amplified music, and raised voices associated with bands playing at the premises and patrons attending.

The 9 separate complaints are from residents in the vicinity of Russell Street and Lovaine Place regarding disturbance caused by the music events. I am of the opinion that due to proximity of houses and flats above and adjacent to this premises that the premises is unsuitable for large bands particularly with heavy bass and drums. Low level bass noise is very difficult to attenuate and causes more annoyance to residents.

I note that the applicant indicates that they will enlist the services of a door supervisor, but given the number of patrons attending the venue, associated noise from patrons in the street cannot be mitigated and will give rise to public nuisance.

Noise monitoring at one of the complainants properties has established the noise arising from the premises consists of a mixture of music from the band including noise from the drums, guitar and voices from singing by band and customers. The amplified music particularly the bass noise from drums was audible in the residents living room on Russell Street on the 10 June 2023 and the 11 June 2023. The noise from bass music gave levels of up to 57 decibels (dB) A weighted and an occasional maximum peak of up to 68 dB(A) in the living room when the venue door was opened.

It was considered that due to the duration and time of day that the noise of the bass music, drums and singing and raised voices of customers is a nuisance and a statutory notice to require the noise from the premises to be abated was served on the persons responsible for the business on the 15<sup>th</sup> June 2023.

I therefore object on the grounds that the granting of this TEN will lead to public nuisance from the associated noise from the bands and raised voices from patrons attending at the event. I consider the venue is unsuitable for live bands due to proximity to residential housing, the size of the premises

and the type of bands particularly with predominant bass noise from drums and electric guitars.

I also consider that the associated noise in the street from patrons about the entrance of the venue will result in public nuisance. The voices of customers will be elevated when leaving the venue because their hearing will have been affected as a result of them having been exposed to the high noise levels within the venue. Door supervisors may be able to discourage shouting but not the raised voices of customers, which will result in causing disturbance to local residents.

Signed.....

..... Dated 20 June 2023.....



# **NORTHUMBRIA POLICE**

**Northern Area Command**  
Area Command Headquarters  
Middle Engine Lane  
Wallsend  
Tyne & Wear  
NE28 9NT

Tel : 101

Mrs S Graham  
Licensing Officer,  
Licensing Department,  
Killingworth Site,  
Harvey Combe,  
Killingworth,  
Newcastle-Upon-Tyne,  
NE12 6UB.

19<sup>th</sup> June 2023.

Dear Mrs S Graham,

**Re: Temporary Event Notice –Saturday 1<sup>st</sup> and Sunday 2<sup>nd</sup> July 2023.  
For the sale of alcohol and regulated entertainment.**

**Applicant: - Mr Hector Teasdale for premises 12A Russell Street,  
North Shields, NE29 0BL.**

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 make a representation to the Temporary Event Notice (TEN), for 12A Russell Street, North Shields, NE29 0BL, on the grounds of Crime and Disorder.

Mr H Teasdale has submitted a TEN for Saturday 1<sup>st</sup> and Sunday 2<sup>nd</sup> July 2023 from 17:00 to midnight for both days.

This premises are situated on Russell Street in close proximity to other night-time economy premises. Within easy walk are other bars, restaurants, and fast-food takeaways.

The area where this premises is situated is a hot spot area for Anti-social behaviour.

The premise has had a (TEN), on Friday 14<sup>th</sup> and Saturday 15<sup>th</sup> April 2023, where the Northumbria police received 2 complaints about the noise in the form of amplified music where emanating from the premises at 00:30 hours, the event was scheduled to stop at 23:00 hours on both days. From Monday 17<sup>th</sup> April 2023, Mr N Kirkpatrick Licensing Officer for the Police has received more complaints about the loud music after 23:00 hours and people drinking in Russell Street causing Anti-social behaviour to the residents of this area. Mr Hector Teasdale who submitted the TEN for the 14<sup>th</sup> and 15<sup>th</sup> did not indicate there would be live or amplified music on the event notice.

A late TEN was submitted by Mr Barnaby Teasdale for the 28<sup>th</sup> and 29<sup>th</sup> April 2023, Northumbria Police made a representation on the grounds of Crime and Disorder and a counter notice was issued by The Licensing department of North Tyneside council.

A Temporary Event was held at this premises on the 9<sup>th</sup> to the 11<sup>th</sup> June 2023, where there was loud music and anti-social behaviour occurring to the front and rear of the premises. The patrons of this premises were observed by residents urinating on their driveway, when asked to move away, were met with a forefinger gesture and abusive language. This kind of behaviour is totally unacceptable and is adding to the anti-social behaviour in the area.

There is no improvement in the management style of this premises or of its patrons using residents' paths and driveways as a toilet. Please see attached photographs taken by a resident of the area. I also attach emails sent by residents, received By Neil Kirkpatrick Licensing Officer for the Police.

Northumbria Police have received 7 further complaints from residents complaining about the level of noise/music and anti-social behaviour coming from 12A Russell street.

A late Temporary Event Notice was submitted by Mr Hector Teasdale for an event on 23<sup>rd</sup> to 25<sup>th</sup> June 2023. A representation was submitted by Northumbria Police as well as Environmental Health (noise), from North Tyneside Council. A counter notice was issued, by the Licensing department from North Tyneside council.

Northumbria Police could not support this Temporary Events Notice for 12A Russell Street, North Shields. It will cause more noise in the form of loud music, their patrons shouting in the street and Anti-social behaviour to the local community.

It is the request of Northumbria police that the TEN submitted by Mr Hector Teasdale is issued with a counter notice.

Yours Sincerely

C/Insp Rebeca Fenney-Menzies 7022  
Harm Reduction

**Neil Kirkpatrick 5588**

---

**From:** Kay [REDACTED]  
**Sent:** 12 June 2023 18:18  
**To:** Neil Kirkpatrick 5588  
**Subject:** 12a Russel street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Good afternoon.

We have had a horrendous weekend with behaviour from 12a Russel St

Noise exceeded reason able levels but, the anti social and aggressive behaviour is absolutely Intolerable.

Neighbours are sending me videos of the chap in question encouraging g young lads to urinate on garages - shouting "good idea" then denying it when confronted.

My husband went along to ask him to turn it down and was met with them all giving him the finger - they were obviously expecting complaints

Shouting

"I'll get four Fucking bands next time"

While repeatedly slamming doors

He's intimidating people who live here

We really do not need more anti social behaviour in North Shields

It might be a town centre but it's residential

I'm not going to tell you all of our different circumstances because we are simply entitled to relax in our homes with windows open and I do not believe anyone would tolerate this.

We did phone 101

Waste of time

Advised to ring the council on monday

& advised that it had been warm on Saturday.

So

Thanks to him for that.

I wanted to support small business in North Shields but even Charlie's Pub was never as much of a nuisance as this guy

Feel free to Contact me

We will continue to ring 101 as I understand it at least gets it logged somewhere

Regards

Kay [REDACTED]



## Neil Kirkpatrick 5588

---

**From:** Gemma [REDACTED]  
**Sent:** 10 June 2023 21:46  
**To:** environmental.health@northtyneside.gov.uk  
**Cc:** Neil Kirkpatrick 5588  
**Subject:** Noise levels on Lovaine Place

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hi

I live on Lovaine Place and have noticed an increase in noise levels over the last few weeks with a lot of live music late at night coming from a unit further down towards the town centre, where Pots and Pancakes used to be.

I'm a big fan of music and live events myself, but this is a quiet residential street with a lot of residents with young children (myself included) - it doesn't seem the appropriate place for a venue like this, particularly for evening events.

I will also add that what I assume to be one of the people running this venue has been behaving unpleasantly to locals - as an example, I happened to witness him causing a scene earlier this week, shouting aggressively and swearing when he encountered an issue with the shutters. Again, this was not appropriate in the middle of the day when people were passing with children, and a good number of people as far as Bedford Street were stopping and looking round the corner to see what was going on.

I'm concerned that whatever this new venture is, it's already having a negative impact on the area for residents and visitors alike. I have no problem with venues like this, but I believe they should be located in areas where it doesn't impact the residents like this.

I trust this will be taken into consideration when any license applications are submitted.

Kind regards

Gemma

Sent from my iPhone

## Neil Kirkpatrick 5588

---

**From:** Tara [REDACTED]  
**Sent:** 08 June 2023 21:00  
**To:** Neil Kirkpatrick 5588  
**Subject:** Re: Complaint 12A Russell St.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hi Neil,

I've been making a record of when the premises has been noisy this week but just to let you know that it's been pretty disruptive to us and these have only been rehearsals.

I emailed [REDACTED] - local police - as well but I wanted to make you aware I'm going to be asking my daughter's neurologist for a letter to form part of our complaint, as she has a history of epilepsy. She is currently seizure free but seizures tend to occur in times of tiredness or stress, both of which are being caused by the music being played. It is unnecessarily loud and almost nightly. It also always coincides with when I'm trying to get the kids to sleep. And this isn't even gig night. On Saturday night I'm taking my son to stay elsewhere so at least he can get some sleep but my daughter has a specialist bed so we can't stay anywhere else with her. This is not a satisfactory solution. We will have to stay at home on Sunday night - another gig - as it is a school night.

I'm exhausted and this has caused me an awful lot of anxiety this week, [REDACTED] who lives above is a wreck, she has it much worse than us. I'm incredibly scared that they will "behave" this weekend (whatever that means) and get granted future licences. They've been making noise all week despite having no licence and it's causing me very unnecessary levels of stress.

I will continue to make a note of when they are disruptive and report to Environmental Health.

Best wishes,

Tara

On 12 May 2023, at 13:59, Neil Kirkpatrick 5588 <[Neil.Kirkpatrick@northumbria.police.uk](mailto:Neil.Kirkpatrick@northumbria.police.uk)> wrote:

Thank you, appreciated.

Kind regards

Neil K

**Neil Kirkpatrick 5588**  
**Licensing Coordinator (Partnerships)**  
**Northern**

Ext: [REDACTED] | M: [REDACTED] | W: [www.northumbria.police.uk](http://www.northumbria.police.uk)

## Neil Kirkpatrick 5588

---

**From:** Tara [REDACTED]  
**Sent:** 12 June 2023 13:33  
**To:** Neil Kirkpatrick 5588; Liquor Licensing; [REDACTED] 8020; environmental health  
**Subject:** Re: Complaint 12A Russell St.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hi Neil,

The weekend was, as expected, pretty awful. I stayed at my sisters with our son but my husband was home with our daughter on Saturday night. The music was incredibly loud. There didn't appear to be anyone on the door and my next door neighbour reported to me that he was given the finger by the owner (curly hair) when he approached the window at the front (Kay will email you also).

Our daughter was kept awake and was very dysregulated yesterday - she is autistic and has sensory processing issues (both diagnosed) and an undiagnosed neurological condition that can mean seizures.

Last night the music seemed even louder and as I said in a voicemail I had to apprehend the same owner who was about to follow two of his mates in urinating on number [REDACTED] garages. I have this encounter on video, at the beginning of which he says "good idea" and then claims to me that he was about to tell them not to....

The music last night (keeping both of our kids awake as it was a school night and we had to stay at home) was on til 11 when they moved everyone outside and kept various other neighbours awake until the early hours. I think I has spoken to you about her encounter with the aggressive older brother.

I heard the curly haired brother leaving just after 11 as he loudly announced in the street, slamming doors of his car, with complete disregard for the neighbours, that they would have "4 f\*\*\*ing bands on a Saturday night"

Please give me a call if you would like me to make a formal statement. I feel like the above is in breach of most of your requirements for them being granted a temporary license.

It completely ruined the weekend, I have felt anxious and intimidated by the owners (I shouted from an upstairs window so I was no where near them). Something has to be done.

Thanks,

Tara

Sent from my phone  
[REDACTED]

On 8 Jun 2023, at 21:00, Tara [REDACTED] wrote:

Hi Neil,

I've been making a record of when the premises has been noisy this week but just to let you know that it's ben pretty disruptive to us and these have only been rehearsals.

I emailed [REDACTED] local police - as well but I wanted to make you aware I'm going to be asking my daughter's neurologist for a letter to form part of our complaint, as she has a history of epilepsy. She is currently seizure free but seizures tend to occur in times of tiredness or stress, both of which are being caused by the music being played. It is unnecessarily loud and almost nightly. It also always coincides with when I'm trying to get the kids to sleep. And this isn't even gig night. On Saturday night I'm taking my son to stay elsewhere so at least he can get some sleep but my daughter has a specialist bed so we can't stay anywhere else with her. This is not a satisfactory solution. We will have to stay at home on Sunday night - another gig - as it is a school night.

I'm exhausted and this has caused me an awful lot of anxiety this week, [REDACTED] who lives above is a wreck, she has it much worse than us. I'm incredibly scared that they will "behave" this weekend (whatever that means) and get granted future licences. They've been making noise all week despite having no licence and it's causing me very unnecessary levels of stress.

I will continue to make a note of when they are disruptive and report to Environmental Health.

Best wishes,

Tara

On 12 May 2023, at 13:59, Neil Kirkpatrick 5588  
<[Neil.Kirkpatrick@northumbria.police.uk](mailto:Neil.Kirkpatrick@northumbria.police.uk)> wrote:

Thank you, appreciated.

Kind regards

Neil K

**Neil Kirkpatrick 5588**  
Licensing Coordinator (Partnerships)  
Northern

Ext: [REDACTED] M: [REDACTED] W: [www.northumbria.police.uk](http://www.northumbria.police.uk)

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**From:** Tara [REDACTED]  
**Sent:** 12 May 2023 13:57  
**To:** Neil Kirkpatrick 5588 <[Neil.Kirkpatrick@northumbria.police.uk](mailto:Neil.Kirkpatrick@northumbria.police.uk)>  
**Subject:** Re: Complaint 12A Russell St.

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Hi,

**Neil Kirkpatrick 5588**

---

**From:** Anna [REDACTED]  
**Sent:** 02 June 2023 01:14  
**To:** liquor.licensing@northtyneside.gov.uk; [REDACTED] Neil Kirkpatrick 5588  
**Subject:** 12a Russell Street - Planned Events  
**Attachments:** Screenshot\_20230601-201603\_Samsung Internet.jpg; Screenshot\_20230601-201611\_Samsung Internet.jpg; Loud music 15.4.23

**Follow Up Flag:** Follow up  
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Hi,

I live at [REDACTED] Russell Street.

Don't know if you guys are aware but another load of events have been planned. Note that 2 are over one weekend, from 7pm to midnight.

They have also annexed the yards of another property at the back of the unit, crossing over land that they dont have any rights to I dont think as it's an emergency exit for multiple properties. This is going to be a nightmare if they do that as it's dark back there, no cameras and right next to the upstairs neighbours windows at number [REDACTED] Add to that there is a door straight onto Nile Street on the other end and it's a recipe for disaster.

The last event was a disaster with people drinking in the street and standing right outside my door which made it intimidating for me to leave. This is my only exit from my property. I have attached a short recording taken whilst trying to pluck up courage to go out which I hope shows how loud it was. It doesn't show the vibrations from the amps, which are unnecessary in such a small space in my opinion.

I am going to make Number [REDACTED] aware of these upcoming events. Do you have a way she can contact you if not by email? She is an older lady and I'm unsure whether she is tech savvy or not.

I dont think I have to mention that I, and others I've let know, are not happy about this. I live here. It's my home of nearly 20 years. Surely they cant just open a music venue playing extemely loud music every weekend without anyone living nearby being able to do anything? I can't take it, even the thought of it has me in tears and feeling dread for the summer to come as I and Number [REDACTED] wont be able to enjoy our indoor or outdoor spaces at weekends without disturbance from commercial premises.

I'm really hopeful something can be done about this. I look forward to hearing from you.

Kind regards,

Anna [REDACTED]

**Neil Kirkpatrick 5588**

---

**From:** Meg [REDACTED]  
**Sent:** 11 June 2023 23:07  
**To:** Neil Kirkpatrick 5588  
**Cc:** [REDACTED]@northtyneside.gov.uk  
**Subject:** Re: 12A Russell Street - Noise & Parties

**Follow Up Flag:** Follow up  
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Hello,

Sorry to email again but we are lying awake again unable to sleep. The noise all night has been so loud.

Tonight we witnessed people from the venue urinating on our driveway.

Our neighbour confronted them from her window and has video footage of the owner of the venue following the men to also urinate on our driveway.

The venue owner shouts 'good idea' (meaning good idea to urinate on our drive) before our neighbour tells him not to urinate on private property. He continues to walk towards our drive ignoring her before she shouts again.

He then turns around and says that the queue is big inside the venue and he is desperate. It is despicable that the venue owner would choose to urinate in the street.

This is not acceptable noise and behaviour for a residential street with children, especially on a Sunday evening. I travel to London to work at 5am on Monday mornings and many residents get up for work.

This venue feels like a place that the owner can just invite his friends and throw wild parties. It is not an asset to the community and is not a suitable music venue to house large amounts of people and constant drumming.

Please let me know how I can take this further as I am so angry and will not tolerate this every weekend. If this continues we will be forced to move house as a baby will not sleep through this noise.

Meg

On Sat, 10 Jun 2023 at 21:17, Meg [REDACTED] wrote:

Hello both,

The noise this evening is ridiculous at the same location. I am pregnant and exhausted lying in bed unable to sleep.

Every time the door opens in particular the noise is very loud down the street.

There has been two evenings this week for rehearsals which have also been loud with sound travelling through our house which has victorian single glazing.

With a baby on the way this is really worrying us. The venue has no soundproofing.

Meg

On Fri, 12 May 2023 at 12:53, Neil Kirkpatrick 5588 <[Neil.Kirkpatrick@northumbria.police.uk](mailto:Neil.Kirkpatrick@northumbria.police.uk)> wrote:

Meg,

Thank you for your email, much appreciated.

Kind regards

Neil K

**Neil Kirkpatrick 5588**  
**Licensing Coordinator (Partnerships)**  
**Northern**

Ext: [REDACTED] | M: [REDACTED] | W: [www.northumbria.police.uk](http://www.northumbria.police.uk)

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**From:** Meg [REDACTED]  
**Sent:** 12 May 2023 11:48  
**To:** [REDACTED]@northtyneside.gov.uk  
**Cc:** Neil Kirkpatrick 5588 <[Neil.Kirkpatrick@northumbria.police.uk](mailto:Neil.Kirkpatrick@northumbria.police.uk)>  
**Subject:** 12A Russell Street - Noise & Parties

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Hi [REDACTED] & Neil,

I would like to submit a complaint about noise coming from 12A Russell Street - business name 12A Studios.

I reported the noise previously in April on its launch night, but did not have the business name so was advised on the phone that I couldn't submit a formal complaint. (There is no business name on the door so I haven't been able to find out this information until now).

The art studios has on multiple occasions including last night held loud parties that spill out onto the street disturbing our sleep and causing our dogs to bark.

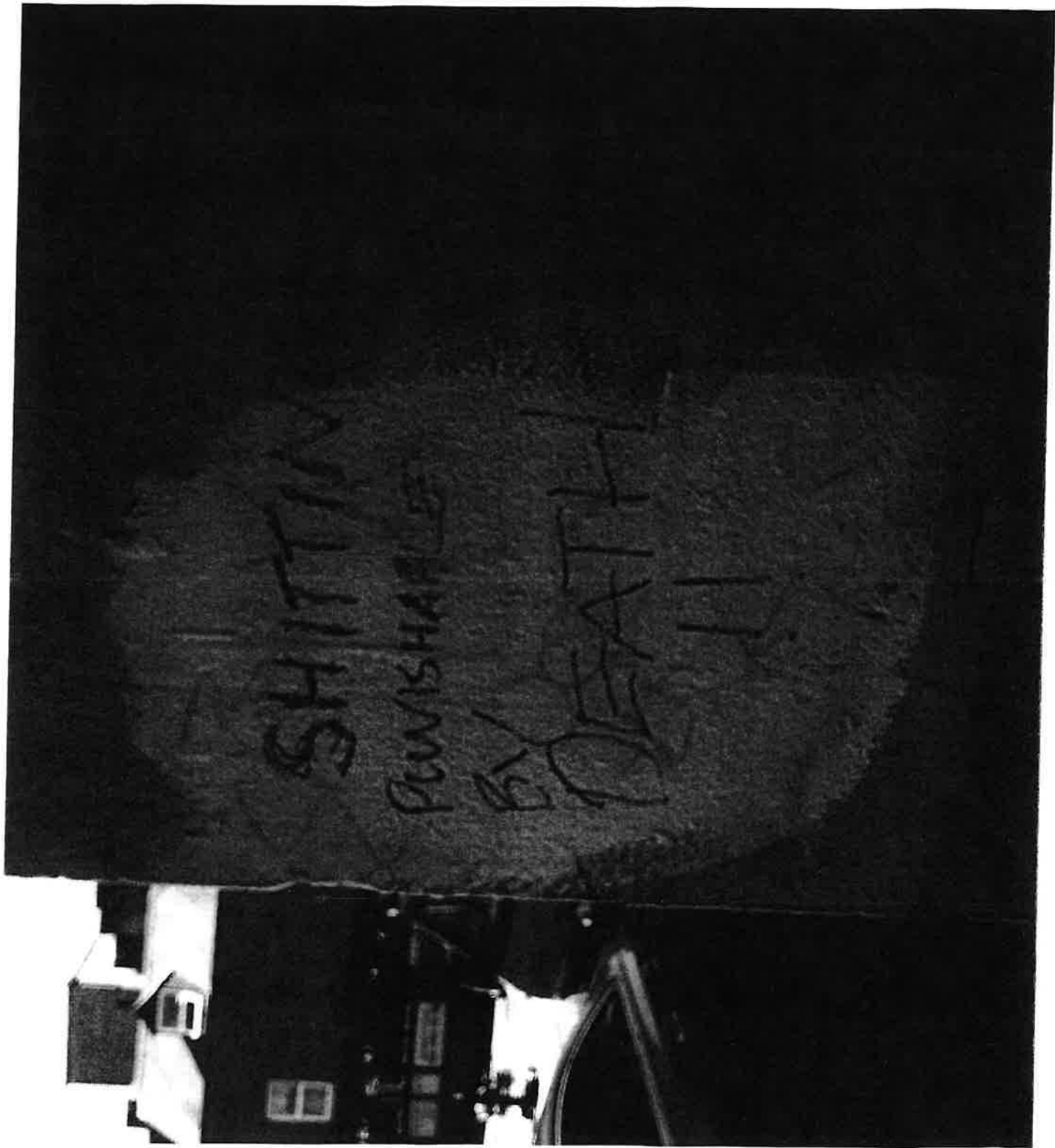
I have also witnessed members of the previous party urinating on the road outside as the venue, which is clearly not large enough for the number of attendees. This is an ongoing problem for Lovaine Place with people also urinating after a night out at Charlies Bar but also parents allowing their children to urinate on our drives on their way home from school. This happens daily.

Last night we had a base noise booming through our house. The venue does not appear to be open during the day but seems to just open up for parties.

Many thanks,

Meg





USE BIN

+ PISS IN STAIR

PLEASE

love, STUPID 12A

VENUE  
MANAGEMENT.

Dirty Scumbags  
Report to 120A  
4 A BLACK EYE!



### Door Policy for Studio 12A

Our aim is to provide a safe and enjoyable environment for all visitors, and as such we intend to enlist the services of a licensed door supervisor to assist us in maintaining a high standard of safety and security.

To ensure the smooth operation of our establishment, we have implemented the following door policy:

- **Age Restrictions:** Our bar operates a strict over 18s policy, and all customers will be asked to provide identification to prove their age. Acceptable forms of ID include a passport, driver's license or a PASS card.
- **Dress Code:** We operate a smart-casual dress code policy. We reserve the right to refuse entry to customers who are dressed inappropriately, or who appear to be under the influence of drugs or alcohol.
- **Behaviour:** We have a zero-tolerance policy towards any form of violence, aggression, or harassment towards our staff or other customers. Any customers found to be behaving in this manner will be immediately removed from the premises, and may also be reported to the police.
- **Bag Searches:** In the interest of safety, we reserve the right to search the bags of all customers entering the premises. This is a precautionary measure to ensure that no weapons, drugs, or other dangerous items are brought onto our premises.
- **Last Entry:** Our last entry policy is one hour before closing time. We kindly ask all customers to plan their visit accordingly, and to arrive at the bar in a timely manner to avoid disappointment.

**Customer's Exiting the Event:** Customers will not be allowed to take open containers of any kind off the premises and customers exiting the venue for the rest of the evening will be encouraged to move along from Russell Street in a quiet and respectful manner.

Our door supervisor will be trained and licensed by the Security Industry Authority, and is responsible for enforcing these policies. They have the right to refuse entry to any customers who do not comply with our policies or who pose a risk to the safety of other customers.

