



North Tyneside Council

Licensing Sub Committee

5 May 2020

Wednesday, 13 May 2020 commencing at 10.00 am.

Location: The meeting will be held virtually and live streamed.

Agenda Item	Page
1. Appointment of Chair	
The Sub Committee to appoint a chair for this meeting.	
2. Declarations of Interest and Dispensations	
You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.	
You are also invited to disclose any dispensations in relation to any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.	
3. Procedure for Licensing Act Hearings	
To note the procedure for hearing and determining an application for the grant of a new Premises Licence	
4. Pranzo Italian Tapas and Wine Bar. 16 Station Road, Whitley Bay, NE26 2RA	3 - 60
To consider an application for the grant of a new Premises Licence.	

Circulation overleaf ...

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Members of the Licensing Sub Committee

Councillor Cath Davis
Councillor Willie Samuel

Councillor Tommy Mulvenna

REPORT

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

Date: 13th May 2020

Report by: Stephanie Graham
Senior Licensing Officer
☎ 0191 643 6969

**Contact
Officer(s):** Stephanie Graham
Senior Licensing Officer
☎ 0191 643 6969

**Title of
Report:** Licensing Act 2003
Pranzo Italian Tapas & Wine Bar
16 Station Road
Whitley Bay
Tyne & Wear
NE26 2RA

Ward(s): Whitley Bay

1.0 Summary / Purpose of Report

1.1 Licensing Sub-Committee

The Licensing Act 2003 provides that, where representations have been received from a Responsible Authority or Other Persons in respect of an application for a Premises Licence, a hearing must be held to consider them, unless the parties and the Authority agree that a hearing is unnecessary. 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 Leonardo 19 Ltd (“the Applicant”) for a Premises Licence in relation to Pranzo Italian Tapas & Wine Bar, 16 Station Road, Whitley Bay, Tyne & Wear, NE26 2RA (“the Premises”).

1.3 A representative from the Applicant has been invited to attend the hearing in support of its 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 North Tyneside Safeguarding Children Partnership 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.

There have been no representations received from any of the Responsible Authorities.

Representations have been received from Other Persons and are appended to this report at **Appendix 6**.

1.5 In relation to an application for the grant of a Premises Licence 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

2.1 This report relates to an application for a Premises Licence in respect of Pranzo Italian Tapas & Wine Bar, 16 Station Road, Whitley Bay, Tyne & Wear, NE26 2RA.

A copy of the application form is attached at **Appendix 1**, the proposed operating schedule for the premises 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**.

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

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

The application requests the following activities and times:

1. **Supply of Alcohol** (on and off the premises)
 - Every Day From 11:00 until 23:00
2. **Late-Night Refreshment**
 - Every Day From 23:00 until 23:30
3. **General Opening Times**
 - Every Day From 08:00 until 23:30

The Licence if granted will be subject to Mandatory Conditions which are attached at **Appendix 5** of the report.

3.2 The premises which is the subject of this application is within the area identified in the Authority's Cumulative Impact Assessment forming part of the Authority's Statement of Licensing Policy. This Policy creates a rebuttable presumption that an application for a premises licence in the areas referred to in the Cumulative Impact Assessment that relate to alcohol led licensed premises will be refused. An applicant wishing to obtain a new premises 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.

4.0 Promotion of Licensing Objectives

The applicant has included the following additional steps within the operating schedule which they intend to take in order to promote the licensing objectives. These can be found at **Appendix 2**.

5.0 The Parties

The Parties to the hearing will be:

1. The Applicant - Leonardo 19 Ltd
2. Other persons.

6.0 For consideration

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

An Application for the Grant of a Premises Licence in relation to Pranzo Italian Tapas & Wine Bar, 16 Station Road, Whitley Bay, Tyne & Wear, NE26 2RA.

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.

9.0 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. There are other chapters particularly the one on determining applications that should be referred to.

10.0 For Decision

The Sub-Committee is asked to determine the application in whatever way it deems appropriate.

11.0 Associated Papers

Appendix 1 – The application for the Grant of a Premises Licence
Appendix 2 – Proposed Operating Schedule
Appendix 3 - Plan of the Premises
Appendix 4 – Map
Appendix 5 – Mandatory Conditions
Appendix 6 – Relevant representations

12.0 Background Information

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

North Tyneside Council's Statement of Licensing Policy
North Tyneside Council's Cumulative Impact Assessment
The Licensing Act 2003 and Regulations
Revised Guidance issued under Section 182 of the Licensing Act 2003 published by the Home Office
Delegation Scheme – Licensing Committee 7 February 2005

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APPENDIX 1



North Tyneside Council

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

For help contact
liquor.licensing@northtyneside.gov.uk
Telephone: 0191 6432175

* required information

Section 1 of 21

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

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

MF/LEO38/1

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

Matt

* Family name

Foster

* E-mail

m.foster@minicoffs.co.uk

Main telephone number

0191 643 2175

Include country code.

Other telephone number

0191 643 2175

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

Is the applicant:

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

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

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

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

Registration number

12308503

Business name

Leonardo 19 Ltd

If the applicant's business is registered, use its registered name.

VAT number

- None

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

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

A private individual acting as an agent

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

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

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

Documents that demonstrate entitlement to work in the UK

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OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

The premises will be called 'Pranzo: Italian Tapas and Wine Bar', and will trade predominantly as an Italian restaurant, with a wine bar/cafe offering. It will be predominantly seated.

Continued from previous page...

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes

No

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

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

See guidance on regulated entertainment

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

Yes

No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Continued from previous page...

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

- Indoors Outdoors Both

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

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

State any seasonal variations

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

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

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

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start 11:00

End 23:00

Start

End

THURSDAY

Start 11:00

End 23:00

Start

End

FRIDAY

Start 11:00

End 23:00

Start

End

SATURDAY

Start 11:00

End 23:00

Start

End

SUNDAY

Start 11:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

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

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

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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

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

None

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

Continued from previous page...

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LICENSING OBJECTIVES

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

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

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

Please see attached operating schedule and conditions.

b) The prevention of crime and disorder

Please see attached operating schedule and conditions.

c) Public safety

Please see attached operating schedule and conditions.

d) The prevention of public nuisance

Please see attached operating schedule and conditions.

e) The protection of children from harm

Please see attached operating schedule and conditions.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

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

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/north-tyneside/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

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

OFFICE USE ONLY

Applicant reference number	MF/LEO38/1
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

APPENDIX 2

"Pranzo "Italian Tapas and Wine Bar"

16 Station Road, Whitley Bay, NE26 2RA

Operating Schedule

The premises is to be operated by Pablo Macucci, whose family hail Tuscany, Italy. His ambition has always been to open and operate an authentic Italian restaurant, specialising in delivering Tuscan food. All of his working experience has led him to this, his first independent venture.

Pablo's experience working in the UK started in Spago, an Italian restaurant in Jesmond, Newcastle. From there, after 2 years, he went to work for the Gusto Group in 2008 for 4 years, spending most of his time travelling across the country in a training capacity and managing a number of restaurants whilst implementing management. In 2012 he moved to Ticco Foods, a desert company based in Milan. There he worked with large wholesaler to expand the reach of their products. In 2015 he became the UK sales manager for Yorkshire Game Ltd, a role involving restaurants and wholesalers. In 2017, he became the General Manager with Mark Toney's developing the wholesale side of the business and developing sales and marketing. In 2019 he moved to a role within a wine merchant operating as a regional sales manager driving different types of wine such as organic products, whilst also focusing on the company's brand portfolio.

It can therefore be seen that his recent working life has all been based in the food and drink sector, and this new venture draws upon all of that experience to deliver an authentic Italian dining experience. Tuscan food has a focus on 'simple meals' that can be easily made in small and large amounts, with grilled meats and beans in rich pasatta sauces. This type of foods lends itself very well to a tapas type operation. The proximity of the restaurant to the coast, and particularly the Fish Quay on his doorstep, means that Pablo can have a fish and sea food orientated menu, much like in coastal areas of Tuscany.

Pablo will base his menu around fresh and high quality local ingredients, which will bring out the flavour of the food. The food menu at the premises will be based around a set tapas /sharing selection, with main meals being provided on a 'specials' menu. The specials menu will change every week.

The main focus of the venue, after food, will be good quality wines, which perhaps not surprisingly will focus on wines from the Tuscan region such as Chianti. Whilst Tuscany is better known for its red wines, it also produces fine white wines. Tuscan wines (Italian Toscana) are world renowned. Chianti, Brunello di Montalcino and Vino Nobile di Montepulciano are primarily made with Sangiovese grape whereas the Vernaccia grape is the basis of the white Vernaccia di San Gimignano. Tuscany is home to some of the world's most notable wine regions.

The premises will operate without draft beer, instead offering a selection of bottled beers, including some continental beers, and locally sourced products. Pablo will also work with local breweries; with whom he has some professional experience in his most recent role with Eden Fine Wines.

The premises will predominantly focus on food, but offers no restaurant style condition since they want the flexibility that customers can just come in to enjoy a beer or a glass of wine. The premises will open early for café/coffee business with sales of alcohol starting at 11:00. The premises will close no later than 23:30, with the last sale of alcohol at 23:00. In reality those hours are less likely to be traded during the week, and are applied for to allow some seasonal flexibility.

Proposed Conditions

1. Waiter/waitress service will be available throughout the hours that premises are open.
2. The premises shall operate a minimum number of 20 seats in the premises.
3. Music at the premises will always be background in nature and will not be played at a level where customers can no longer talk in comfort.
4. The operator shall ensure that at all times when the premises are open for any licensable activity, there is sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.
5. The operator and designated premises supervisor shall conduct a risk assessment for the general operation of the premises and in the case of individual bespoke events.
6. A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of the Licensing Authority and in consultation with Northumbria Police.
7. Such a system shall:-
 - i) be operated by properly trained staff;
 - ii) be in operation at all times that the premise are being used for a licensable activity;
 - iii) ensure coverage of all entrances and exits to the licensed premises internally and externally, to include the outside seating area;
 - iv) ensure coverage of such other areas as may be required by the Licensing Authority and Northumbria Police;
 - v) during the times licensable activities are provided, a member of management or staff will be contactable and trained in the retrieval of CCTV footage, with the ability to download the relevant footage onto a disc within a reasonable time of any request from Northumbria Police to do so;
 - vi) provide continuous recording facilities for each camera during the provision of licensable activities to a good standard of clarity. Such recordings shall be retained on the hard drive or otherwise may be put on disc or otherwise (for a period of 28 days), and shall be supplied to the Licensing Authority or Police Officer on request.

8. The maximum number of persons permitted on the premises at any one time shall not exceed a figure prescribed by the risk assessment carried out by the Premises Licence Holder in accordance with fire safety legislation and will be further limited by the number of seats available
9. The Designated Premises Supervisor shall ensure that there are effective management arrangements in place to enable him/her to know how many people there are in the premises at times prescribed within the management risk assessment.
10. No noise from the licensed premises, including noise from patrons or amplified regulated entertainment, shall be audible beyond the boundary of the premises so as not to cause a public nuisance to nearby residents.
11. An operation policy shall be implemented in respect of the management of the outside area to include staffing, noise monitoring, noise reduction/mitigation, dispersal and general management of the area on a daily basis.
12. No glass material or bottles shall be deposited in any skip, bin or other container of a like nature, located in the open air outside of the premises between the hours of 21:00 hrs and 0800 hrs. Any such skip, bin or container shall not be removed from the premises between those hours.
13. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and who is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence or proof of age card carrying a "PASS" logo.
14. All food and beverage staff will undergo internal training on induction as to the requirements under the Licensing Act 2003, including underage sales and the premises proof of age policy. Such training will be documented, refreshed at least annually and available to the Police, Licensing Authority and Trading Standards upon providing reasonable notice.
15. Sale of alcohol shall be limited to wines, spirits and speciality/craft beers, lagers and ciders. There shall be no draft products.

APPENDIX 3

APPENDIX 4

Pranzo Italian Tapas

Not Set



North Tyneside Council



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Organisation	North Tyneside Council	Date	18 March 2020
Department	North Tyneside Council	SLA Number	100016801
Comments	Not Set	Scale :	1:692

APPENDIX 5

Appendix 4

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 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) “valued 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.
1. The admission of children to the exhibition of any film must be restricted in accordance with Section 20 Licensing Act 2003.

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APPENDIX 6

①

ACK 1-4-20
6-4-20

Ref: Pranzo Italian Tapas and Wine Bar, Leonardo 19 LTD, 16 Station Road, Whitley Bay

To whom it may concern,

I would like to hereby give notice to my objection to the proposals as put forward for the above application for licensed premises. It is my concern that the application is being made in such a way that the applicant is making it seem what will be delivered is an Italian restaurant (to which I would have absolutely no objection) when in actual fact there is a real danger that a wine bar will be landed in a quiet residential area full of families and young children.

In particular I would like to point out some of the contradictions contained within this application:

1. Operating Schedule (that initially was not presented on the North Tyneside Website for reason of error) states: "His ambition has been to open and operate an authentic Italian restaurant, specialising in delivering Tuscan food" – great... until you read the third paragraph "(The premises) offers no restaurant style condition".
2. The application seems to state that no refreshment will take place outside the licensed boundary of the restaurant and no adverse noise will be perceptible beyond the boundary of the premises. Again, if this were the case, I would have no objection, however the plans seem to show a shed being erected for the purposes of housing outside dining furniture (according the submitted floor plan).

I would like to reiterate that should this venture go ahead as a restaurant I would have no objections, but in its current form it seems that there is every danger of a wine bar being landed in a wholly inappropriate area through unclear and contradictory proposals. The danger of granting such a license is it sets a precedent on a street with numerous empty units for further such applications that would endanger the quiet and welcoming atmosphere of Station Road and surrounding streets.

I would welcome any reassurances from the applicants with regards to the above and hope that they can work with local residents to ensure that whatever development comes to fruition can be to the benefit of both their business and the local community.

Yours Sincerely



Gary Callum

From:
Sent: 14 April 2020 09:10
To: Liquor Licensing
Subject: Pranzo Italian tapas and wine bar

EXTRNL

The Licensing Section
The Killingworth Site
Harvey Combe
Killingworth
Newcastle upon Tyne
NE12 6UB

Dear Licensing Section,

I am writing in response to the application by Leonardo 19 LTD for a premises licence for Pranzo Italian Tapas and Wine Bar, 16 Station Road, Whitley Bay.

I would like to object to the application I will explain my reasons for this below.

Firstly I would like to describe the location of the property. The premises is located on Station Road, with the entrance and shop front on a pedestrianised residential street called Albany Gardens. The premises is directly across the path from a residential set of flats and next door to a residential property. The terraced house adjoining to the property on Albany Gardens has a very overgrown garden, and I feel that on first glance this does disguise the large number of residential properties in close proximity. Station Road itself has a mixture of residential and commercial properties - other than Olives at the station, which is set back from residential properties contained within the metro station itself I am not aware of any other properties which are licensed to serve alcohol on the street.

Station Road unfortunately does have problems with antisocial behaviour - this is something I am aware of from living on the street itself and from looking at the police.uk official figures. I am concerned that the addition of a licensed premises may worsen this.

Some points from the operating schedule I think are concerning are:

- "music at the premises will always be background in nature" - yet on the premises licence application the applicant has stated that both live and recorded music will not be provided clearly conflicting information
- "no noise from the licensed premises, including noise from patrons or amplified regulated entertainment, shall be audible beyond the boundary of the premises so as not to cause a public nuisance to nearby residents" - I do not believe that the proprietor can control the noise caused by patrons as they leave and seeing as the application is for the premises to be able to operate until 23:30 seven days a week I do think that this will cause noise which will disrupt those living in the neighbouring residential properties
- "An operation policy shall be implemented in respect of the management of the outside area to include staffing, noise monitoring, noise reduction/ mitigation, dispersal and general management of the area on a daily basis" - I think that the use of the outdoor area needs to be clarified - the premises licence application does not include the outdoor space in the area which is looking to be licensed so I would like some clarification on what this area is going

to be used for? I believe that if it is going to be used for seating then this will disrupt neighbouring properties.

Yours Faithfully,

Licensing Sub Committee – 13 May 2020 – Virtual hearing

Pranzo Italian Tapas and Wine Bar, 16 Station Road, Whitley Bay

Papers submitted by Mr M Foster on behalf of the applicant

1. Email trail between LA and Applicant's Solicitor
2. Outside Management Policy
3. Draft Conditions V3
4. Letter to Resident A
5. Letter to Resident B

Dave Parkin

From: Matt Foster <mfoster@mincoffs.co.uk>
Sent: 05 May 2020 16:08
To: Stephanie Graham
Cc: Dave Parkin; Jeff Young; John Barton
Subject: RE: (LEO0000038/1) - New Premises Licence - 16 Station Road, Whitley Bay, Tyne & Wear, NE26 2RA - Evidence for hearing 13th May at 10am

EXTRNL

IMPORTANT: This email and its content are subject to the legal notices at the bottom of the email. You must read these carefully before reading the email or opening any attachments.

Good afternoon,

The hours would be as follows:

- (1) Supply of alcohol (on and off sales) 11:00 to 23:00 Friday to Sunday and 11:00 to 22:00 Monday to Thursday
- (2) Opening Hours 08:00 to 23:30 Friday to Sunday and 08:00 to 22:30 Monday to Thursday
- (3) Late Night Refreshment 23:00 to 23:30 Friday to Sunday.
- (4) Use of the outside area restricted in terms of off sales for consumption outside. No sales after 21:00. Outside area to close at 21:30 (is that clear enough of would it be useful to edge the outside area on the plan in say purple to delineate the area to which the condition refers?)

Kind regards,

Matt

Mincoffs
SOLICITORS

Matt Foster
Partner

Direct Line | 0191 212 7702
Switchboard | 0191 281 6151

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From: Stephanie Graham [mailto:Stephanie.Graham@northtyneside.gov.uk]

Sent: 05 May 2020 15:41

To: Matt Foster <mfoster@mincoffs.co.uk>

Cc: Dave Parkin <Dave.Parkin@northtyneside.gov.uk>; Jeff Young <Jeff.Young@northtyneside.gov.uk>; John Barton <John.Barton@northtyneside.gov.uk>

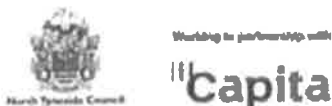
Subject: RE: (LEO0000038/1) - New Premises Licence - 16 Station Road, Whitley Bay, Tyne & Wear, NE26 2RA - Evidence for hearing 13th May at 10am

Good Afternoon,

Thanks for that extra information. I think it may be helpful if you could provide a new schedule detailing the revised sale of alcohol, late night refreshment and opening hours. It may make things a bit clearer for all parties involved.

Kind Regards

Stephanie Graham
Senior Licensing Officer
Licensing



Block C, Harvey Combe, Killingworth, NE12 6UB
North Tyneside Council

Tel: (0191) 6436969



From: Matt Foster <mfoster@mincoffs.co.uk>

Sent: 05 May 2020 15:04

To: Jeff Young <Jeff.Young@northtyneside.gov.uk>

Cc: Stephanie Graham <Stephanie.Graham@northtyneside.gov.uk>; Dave Parkin <Dave.Parkin@northtyneside.gov.uk>; [redacted] <[redacted]@outlook.com>

Subject: (LEO0000038/1) - New Premises Licence - 16 Station Road, Whitley Bay, Tyne & Wear, NE26 2RA - Evidence for hearing 13th May at 10am

EXTRNL

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Hi Jeff,

Further to our recent exchange of emails, we have attempted to contact the residents who have objected to the application. I have attached copies of the letters, which were hand delivered on the 30th April. I have had no response from either resident. Also attached are revised conditions reflecting concessions and a draft Outside Management Policy.

You will see from the letters attached that a number of concessions have been made in terms of a restaurant style condition, reduction in hours Mon-Thurs and places hours of use on the outside area. I have set out below the changes, and also attached a revised Draft Condition 3 document reflecting those changes (for ease of reference). These concessions have been made as a package in response to the objections, but also taking into account a slight change in operating style made necessary as a result of COVID 19 and likely social distancing.

Changes to conditions:

1. Add restaurant style condition:

"The sale and provision of alcohol will be as an ancillary to the sale of food"

2. To change hours at the premises Monday to Thursday, with the last sale of alcohol at 22:00 to close at 22:30.
3. Last off sale of alcohol for consumption in the outside area will be at 21:00. The outside area will close at 21:30.
4. To remove condition 2. There is no requirement for a minimum number of seats now we have offered the restaurant condition, and should we open in a social distancing world, we will have to have less seats to allow for that.

The Outside Management Policy is sent to the client is intended to be a working document and will require variation from time to time. So it is not proposed it is attached to the licence. Indeed, since this was forwarded to the residents last week it has been slightly amended at point 9 to accommodate all hours for the operation of the outside area. So it is important that the flexibility remains for changes to be made to that document. Other changes that might be made would include any stipulations for managing a premises in regard to COVID 19.

This is all of the additional evidence we wish to submit at this point, although my client is currently working on a revised menu, which is to be adapted to a different way of trading once we come out of lockdown.

The attendees from our side at the Committee Hearing next week will be myself and my client, Pablo Masucci (cc'd in for the sake of TEAM's invite).

Kind regards,

Matt

d their families, as we always have. All emails and phone calls will be replied to and you can contact the firm in the usual way via your key contact, or by calling 0191 281 6151 between 9am-5pm. All future appointments will be dealt with remotely unless agreed in advance. Meetings can take place over the phone or via online services such as Skype or Facetime. We wish all clients well during these challenging times. Coronavirus – please click here <https://mincoffs.co.uk/latest/coronavirus-notice/> to see our guidance and protocols in relation to safety and service continuity.

Please consider the environment before printing this email.

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CYBER CRIME ALERT

Emails can be scammed. Please do not rely on email notification of bank account details or changes without direct verbal confirmation from us.

This email and any attachment are intended solely for the addressee. It may contain information or opinion which is strictly confidential or is legally privileged. If you are not the intended recipient you should not use, disclose, copy, print, distribute or otherwise rely upon the contents of this email. If you have received this email in error please notify the sender immediately by email and then permanently delete this email. This email has been scanned for viruses and inappropriate content by Mimecast Unified Email Management Services. North Tyneside Council does not guarantee this email to be free of any viruses. It is the responsibility of the recipient to ensure that this message and any attachments are virus free. This e-mail may be automatically logged, monitored and/or recorded for legal purposes.

Outside Management Policy

1. During hours of operation for the outside terrace, more specifically between 1700 and 2130, checks are to be conducted of the areas surrounding the restaurant for possible noise escape, or sources of disturbance. This will be the responsibility of the manager, but may be delegated to other members of staff. These checks will particularly focus upon the residential houses near the premises (as the closest noise sensitive areas).
2. In line with our operating style, recorded music will only ever be played at a level so that customers can talk in comfort without raising their voices. It will only be provided as background music. The music level will be set by the manager.
3. When patrons are leaving the premises they will pass signs which remind them to be considerate of our neighbours and refrain from shouting. Make sure if these signs have been vandalised or removed that they are replaced.
4. Behaviour must be monitored upon leaving the premises and in the outside area. This will normally be the responsibility of the manager, who directs front of house operations, meeting and greeting customers. On occasions people may need to be reminded of their public responsibilities upon leaving. In addition, it is always preferable at the end of an evening to have a member of staff assuming the responsibility of monitoring the outside area at the front of the premises.
5. We will always offer customers the service of ordering taxis. Although customers do tend to order their own taxi's these days, its always worth asking customers if they need a cab, sometimes just as a nudge to remind them we are approaching closing time. We would prefer they use our nominated taxi company, since this assures the business that taxi's arriving outside of the business cause the minimum of disturbance to our neighbours.
6. Any person using our premises must do so in a way that does not cause a disturbance to our neighbours. Nothing is more important than that, regardless of who they are. If a person or group is being rowdy, politely ask them to alter their behaviour and explain why. Also, where appropriate speak to the individual who made the booking. If they continue they must be warned that they will be asked to leave and their party will not be served any further. It is extremely rare that such a thing might occur but it is important that you know what to do if it does. If you are in any doubt speak to the manager. If they continue, ask them to leave and where appropriate stop further service or food and beverages. Speak to the Manager and log the incident.
7. No refuse is to be deposited in bins or the like, outside or in any area where it would be audible outside between 21:00 and 08:00. At all other times please be considerate of our neighbours and try where possible to reduce the noise of carrying out such activities in order to reduce any nuisance which might be caused.
8. Refuse collections are not to take place between 21:00 and 08:00, and try to arrange any deliveries outside of these hours.
9. The outside area will not be used after 21:30 and there will be no new users after 20:30. Also, there will be no service of alcohol in this area after 21:00. Have

regard to these restrictions and terminal hour if customers are wanting to dine outside or sit in the outside area. Signage will confirm the hour for use, but please reinforce this with customers when they use the premises.

This Policy forms part of staff training and must be signed by staff to acknowledge that they understand the terms upon which they carry out their duties and manage entertainment and interactions with customers at the premises.

Name:

Signed:

Date:

"Pranzo "Italian Tapas and Wine Bar"

16 Station Road, Whitley Bay, NE26 2RA

Revised Proposed Conditions

1. Waiter/waitress service will be available throughout the hours that premises are open.
2. ~~The premises shall operate a minimum number of 20 seats in the premises.~~ The sale and provision of alcohol will be as ancillary to the sale of food.
3. Music at the premises will always be background in nature and will not be played at a level where customers can no longer talk in comfort.
4. The operator shall ensure that at all times when the premises are open for any licensable activity, there is sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.
5. The operator and designated premises supervisor shall conduct a risk assessment for the general operation of the premises and in the case of individual bespoke events.
6. A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of the Licensing Authority and in consultation with Northumbria Police.
7. Such a system shall:-
 - i) be operated by properly trained staff;
 - ii) be in operation at all times that the premise are being used for a licensable activity;
 - iii) ensure coverage of all entrances and exits to the licensed premises internally and externally, to include the outside seating area;
 - iv) ensure coverage of such other areas as may be required by the Licensing Authority and Northumbria Police;
 - v) during the times licensable activities are provided, a member of management or staff will be contactable and trained in the retrieval of CCTV footage, with the ability to download the relevant footage onto a disc within a reasonable time of any request from Northumbria Police to do so;
 - vi) provide continuous recording facilities for each camera during the provision of licensable activities to a good standard of clarity. Such recordings shall be retained on the hard drive or otherwise may be put on disc or otherwise (for a period of 28 days), and shall be supplied to the Licensing Authority or Police Officer on request.
8. The maximum number of persons permitted on the premises at any one time shall not exceed a figure prescribed by the risk assessment carried out by the Premises

Licence Holder in accordance with fire safety legislation and will be further limited by the number of seats available

9. The Designated Premises Supervisor shall ensure that there are effective management arrangements in place to enable him/her to know how many people there are in the premises at times prescribed within the management risk assessment.
10. No noise from the licensed premises, including noise from patrons or amplified regulated entertainment, shall be audible beyond the boundary of the premises so as not to cause a public nuisance to nearby residents.
11. An operation policy shall be implemented in respect of the management of the outside area to include staffing, noise monitoring, noise reduction/mitigation, dispersal and general management of the area on a daily basis.
12. No glass material or bottles shall be deposited in any skip, bin or other container of a like nature, located in the open air outside of the premises between the hours of 21:00 hrs and 0800 hrs. Any such skip, bin or container shall not be removed from the premises between those hours.
13. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and who is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence or proof of age card carrying a "PASS" logo.
14. All food and beverage staff will undergo internal training on induction as to the requirements under the Licensing Act 2003, including underage sales and the premises proof of age policy. Such training will be documented, refreshed at least annually and available to the Police, Licensing Authority and Trading Standards upon providing reasonable notice.
15. Sale of alcohol shall be limited to wines, spirits and speciality/craft beers, lagers and ciders. There shall be no draft products.
16. The last off sale permitted for consumption in the premises outside area will be at 21:00, with that area to close at 21:30.
17. The last sale of alcohol Monday to Thursday will be at 22:00, with the premises to close at 22:30.

Resident A

Date: 29 April 2020
Our ref: MF/LEO0000038/1
Your ref:
Direct dial: 0191 212 7702
Direct fax: 0191 2818069
Email: mfooster@mincoffs.co.uk

BY HAND

Dear Resident A,

RE: New Premises Licence - 16 Station Rod, Whitley Bay, Tyne & Wear, NE26 2RA

Dear Resident A,

I represent the applicant in regard to the above application, and have received your representation. I would like the opportunity to try and resolve this without proceeding to a hearing on 13th May if at all possible. As a result of what is happening globally at the moment and the impact this will have on the way in which we will be able to operate, we have a revised proposal for you to consider. Please read on.....and apologies, because it's a little 'wordy'!

Restaurant style condition

I have spoken to my client, who in the normal course of events would have liked to have met with you to discuss this. As a result of the uncertainty over the circumstances in which restaurants might be able to open, we are having to revise the business plan. It is very likely that restaurants opening in a 'social distancing' environment will not be able to operate as many tables. Maybe half.... maybe a third! In those circumstances we want to focus a lot more of service of food, because that is where the profit margins are. Alcohol as a stand-alone offering was always just a 'nice to have', and a little boost to the margins. With space at a premium, we are happy to now let that go. So, we are prepared to remove the flexibility that a customers could just buy a drink (like in a wine bar), and add a restaurant style condition. We propose the following:

"The sale and provision of alcohol will be as an ancillary to the sale of food."

Change in opening hours

Given the focus on food, during the week the premises will not need as late opening hours, and we would propose a last sale of alcohol at 22:00 to close at 22:30 Monday to Thursday.

Outside Area

There is an intention to use the outside area of the restaurant, but no licensable activities will take place there. Yes, alcohol can be consumed outside as an off sale from inside the licensed area. There cannot be a bar outside, because it is not licensed for on sales. We note your comments and we would be prepared to fix the hours for the operation of the outside area so that last sale of alcohol would be

at 21:00, and furniture will be put away by 21:30, possibly in a shed or locked up. With social distancing we are not sure how service will operate, and it might be done via collection of meals from a service area to take to a table? You'll appreciate that nobody knows how things are going to work at presently and the use of the outside area would be seasonal and weather dependent.

We have already mentioned an outside management policy, and a draft is attached. This would be a document that could change, for example, we may want to make improvements to the policy or this policy might need to incorporate whatever service policy we are required to adopt by the government?

Restaurant type Conditions

There are other conditions within the application that promote a restaurant style environment. So, we have a condition about waiter and waitress service (Condition 1), a minimum number of seats inside (Condition 2 - not promoting vertical drinking and encouraging seating), a commitment to management of the outside area (condition 11), and a commitment to having no draft/pumped beer/lager (condition 15).

We will need to change the minimum number of seats, as social distancing will likely not allow for that, so we would propose to remove condition 2 now as part of this offer for mediation. Presumably, now we have a restaurant style condition, that is not a concern and we can agree that?

Landlord's involvement

For your information, this application has been made with the approval of the landlord, Mr Darryn Clark. However, now discussions have now taken place in light of opening in a lockdown. The plan now is to offer a less ambitious menu, whilst still retaining traditional Italian cooking. Obviously more ambitious cooking in a small kitchen with staff distancing is profoundly difficult. The premises will also now be opening with a delicatessen, with dry stock, cured meats etc, with the ability to deliver locally. I hope you approve of this addition?

Anti-social behaviour concerns

We are aware of the location of the premises and do not believe that what my client proposes will impact upon public nuisance/anti-social behavior, which seems to be the main thrust of your objection. Premises of this type typically pose a low risk in terms of crime and disorder and public nuisance, which is perhaps why there have been no concerns raised by the Police and Environmental Health departments. In drafting this application we had particular regard to the area and any impact, hence why a detailed operating schedule and conditions accompanied the application.

Prior to applying for this licence we liaised with our landlord and scouted the area, and are not of the opinion that it particularly suffers from high levels of ASB, but we are aware that often incident reports to the police without sufficient detail fall into the category of anti-social behavior. It's a kind of catch all category. It's not necessarily reflective of their being a problem in the area. However, to the extent that there are a small number of issues, premises such as this don't cause those types of issues. They are low risk. We might also point out that often where ASB occurs it is because offenders not being overlooked or observed. This premises will add another set of eyes to the street, to help monitor and dissuade that type of behavior together with additional CCTV.

Music at the premises

You mention music at the premises. We do not need to apply for live music or recorded music since it is deregulated (requires no licensing) from 08:00 to 23:00 where a licence exists for the on sales of alcohol. Also, background music is in any event not licensable. We intend to provide music played as a level where our customers can talk in comfort without needed to raise their voices (as you would expect in a premises of this type).

The last thing my client wants to do is get the local residents off side. He is hoping you will be his clients, but he must still have a viable business and obviously this is a very risky time to open.

All that we have offered is manageable within the new business plan, and if it serves to give you more comfort then we are happy to make these further concessions.

If you would like to discuss this, please contact Matt Foster on

Kind regards,

Matt Foster

Yours sincerely

Matt Foster
Partner
For Mincoffs Solicitors LLP

ENC.

Resident B

Date: 29 April 2020
Our ref: MF/LEO0000038/1
Your ref:
Direct dial: 0191 212 7702
Direct fax: 0191 2818069
Email: mfooster@mincoffs.co.uk

BY HAND

Dear Resident B,

RE: New Premises Licence - 16 Station Road, Whitley Bay, Tyne & Wear, NE26 2RA

I represent the applicant in regard to the above application, and have received your representation. I find it really positive that you are willing to engage in relation to the application. I also think you will be much happier with our revised proposal. Please read on.....and apologies, because it's a little 'wordy'!

Restaurant Condition

I have spoken to my client, who in the normal course of events would have liked to have met with you to discuss this. Unfortunately, that is not possible. Also, as a result of what is taking place globally, and the uncertainty over the circumstances in which restaurant's might be able to open, we are having to revise the business plan. It is very likely that restaurants opening in a 'social distancing' environment will not be able to operate as many tables. Maybe half.... maybe a third! In those circumstances we want to focus a lot more of service of food, because that is where the profit margins are. Alcohol as a stand-alone offering was always just a 'nice to have', and a little boost to the margins. With space at a premium, we are happy to now let that go. So, we are prepared to remove the flexibility that a customer could just buy a drink (like in a wine bar), and add a restaurant style condition as you mentioned. We propose the following:

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Outside area

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done via collection of meals from a service area to take to a table? You'll appreciate that nobody knows how things are going to work at present.

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All that we have offered is manageable within the new business plan, and if it serves to give you more comfort then we are happy to make these further concessions.

If you would like to discuss this, please contact Matt Foster on (

Yours sincerely

Matt Foster
Partner
For Mincoffs Solicitors LLP

ENC.