



North Tyneside Council

Licensing Sub Committee

10 August 2021

Tuesday, 17 August 2021 commencing at 10.00 am

This meeting will be conducted using Microsoft Teams video conferencing software and streamed live on the Council's YouTube Channel.

Agenda Item		Page
1.	<p>Appointment of Chair</p> <p>The sub-committee to appoint a Chair for this meeting.</p>	
2.	<p>Declarations of Interest</p> <p>Members of the sub-committee are invited to declare any registerable and/or non-registerable personal interests in matters appearing on the agenda, and the nature of that interest.</p>	
3.	<p>Procedure for Licensing Act Hearings</p> <p>To note the procedure for hearing and determining an application for a Premises Licence.</p>	3 - 6
4.	<p>Amaze Gourmet Spice, 6 Cauldwell Lane, Monkseaton, NE25 8LN</p> <p>To give consideration to an application for the grant of a new Premises Licence in relation to Amaze Gourmet Spice, 6 Cauldwell Lane, Monkseaton, NE25 8LN.</p>	7 - 58

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Members of the Licensing Sub-Committee

Councillor Steven Phillips

Councillor Linda Darke

Councillor Tommy Mulvenna

LICENSING ACT 2003

NORTH TYNESIDE COUNCIL

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

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

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

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

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

The Procedure of the Committee is as follows:

1. The Chair of the Committee will open the hearing and will ask all persons involved in the hearing to identify themselves in turn. The Chair will then explain the procedure to be followed at the hearing.
2. The Committee will then consider any request made by a party under regulation 8(2) of the Licensing Act 2003 (Hearings) Regulations 2005 for permission for a person to participate as a witness on his/her behalf.
3. The Licensing Officer will present a report to the Committee outlining the application, any relevant representations and the relevant sections of the Council’s Statement of Licensing Policy and the statutory guidance.
4. The Members of the Committee may ask any relevant questions they have of the Licensing Officer.
5. The Applicant will then be invited to address the Committee to clarify any information arising from the officer’s report, if necessary.
6. Any of the Other Persons may ask any relevant questions they have of the Licensing Officer.
7. Each of the Other Persons who have made representations will be invited to address the Committee about the application, indicating why they consider the issues they

have raised to be relevant to the licensing objectives and sufficient to object to the application or notice (as applicable).

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

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

8. The Committee may ask any relevant questions they have of the Other Persons or their witness(es).
9. The Applicant may ask any relevant questions of the Other Persons or their witness(es).
10. The Applicant will be invited to address the Committee, in relation to their application. If the Applicant has obtained prior permission to call a particular witness, then they may call that witness.
11. The Committee may ask any relevant questions they have of the Applicant or their witness(es)
12. The Chair will invite each of the Other Persons to make a brief closing statement. Each of the Other Persons will be entitled to a maximum of 10 minutes in which to make their closing statements.
13. The Chair will invite the Applicant to make a brief closing statement, ideally taking no longer than 10 minutes.
14. The Chair will ask all parties if they are satisfied that they have said all they wish to.
15. 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.
16. In considering any representations or a notice made by any party, the Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as the case may be) either before the hearing or, with the consent of all the other parties, at the hearing.
17. The Committee shall disregard any information given by a party or by any person to whom permission to appear at the hearing is given by the Committee, which is not relevant to:
 - (i) their application, representations or a notice (as the case may be) or, in the case of another person, the application, representations or notice of the party requesting their attendance; and

- (ii) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the prevention of crime and disorder licensing objective.

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

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

General Matters

1. Expectations on parties

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

All parties will be expected to:

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

2. Agreement that a hearing is unnecessary

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

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

3. Failure of parties to attend

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

If a party fails to attend or be represented at a virtual 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 (if any) to which the hearing has been adjourned.

4. **Questioning of parties**

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

5. **Further clarification**

When addressing the Committee each party shall respond specifically to any points of which it received notice (with the Notice of Hearing) upon which the Committee was seeking clarification.

6. **Questioning by Legal Adviser**

The legal adviser to the Committee may ask questions on behalf of, or in addition to, the Committee members themselves.

7. **Hearsay evidence**

Hearsay evidence will be admissible provided that it is relevant. The weight to be attributed to hearsay evidence will be a matter for the Committee.

8. **Persons behaving in a disruptive manner**

The Committee has the right to exclude any person disrupting the hearing, at their discretion. The Committee can refuse to allow that person to return or, alternatively, may permit him/her to return on such conditions as the Committee may decide. Any person required to leave the hearing may, before the end of the hearing, submit to the Committee in writing any information which they would have been entitled to give orally had they not been required to leave.

9. **No decision-making by Ward Members**

A member of the Licensing Committee shall not be entitled to participate in any decision-making in relation to any licensing application concerning premises in the Ward for which he/she serves as Councillor.

REPORT

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

Date: 17th August 2021

Report by: Susan Vert
Licensing Officer
☎ 643 6904

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

**Title of
Report:** Licensing Act 2003

Ward(s): Monkseaton North

Amaze Gourmet Spice
6 Cauldwell Lane
Monkseaton
NE25 8LN

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. 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 Goldmatt Leisure Limited.

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

1.4 Representations from Responsible Authorities and Other Persons

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

Representations have been received from Other Persons. These are attached at **Appendix 5**.

1.5 Authority to make decisions

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 New Premise Licence in respect of Goldmatt Leisure Limited.

A copy of the application form is attached at **Appendix 1**, a plan of the premises is attached at **Appendix 2** and a map of the area is attached at **Appendix 3**.

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 for a premise licence is as follows:

1. To permit **Supply of Alcohol** (on and off the premises)
 - Every Day From 10:00 until 23:00 (**On Sales**)
 - Every Day From 10:00 until 23:30 (**Off Sales**)

Although the application form states Supply of alcohol until 23:00 on a Saturday the Operating Schedule states 23:30.

2. **Late Night Refreshment** From 23:00 Until 23:30 (**On and Off the Premises**)
3. **General Opening Times** as follows:
 - Every Day From 08:00 until 23:30

The Licence if granted will be subject to Mandatory Conditions which are attached at **Appendix 4** of the report.

4.0 Promotion of Licensing Objectives

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

Please see **Appendix 1**.

5.0 The Parties

5.1 The Parties to the hearing will be:

1. The Applicant – Goldmatt Leisure Limited.
2. Other Persons.

6.0 For consideration

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

- Application for the Grant of a Premises Licence in relation to Goldmatt Leisure Limited.

7.0 The North Tyneside Council Statement of Licensing Policy

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

8.0 The Revised Guidance issued under Section 182 Licensing Act 2003

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

9.0 For Decision

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

10.0 Associated Papers

10.1 Appendix 1 – The application for the Grant of a Premises Licence
Appendix 2 – Plan of the Premises
Appendix 3 – Map
Appendix 4 – Mandatory Conditions
Appendix 5 – Relevant representations

11.0 Background Information

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

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

APPENDIX 1



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

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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

MEF

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

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Business name

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

VAT number

-

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

Legal status

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 private individual acting as an agent

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

Agent Business

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

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

Registration number

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 / /
dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Add another applicant

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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 operate as a gourmet Indian restaurant with a cafe/deli (separate entrances) attached to the restaurant as per the Plan accompanying this application.

The premises will provide on and off-supplies of alcohol everyday with a terminal time of 23:00 for on sales and a terminal time of 23:30 for off sales.

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

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

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

TUESDAY

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...

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

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

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...

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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.

as per operating schedule and conditions attached

b) The prevention of crime and disorder

as per operating schedule and conditions attached

c) Public safety

as per operating schedule and conditions attached

d) The prevention of public nuisance

as per operating schedule and conditions attached

e) The protection of children from harm

as per operating schedule and conditions attached

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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.

Section 20 of 21

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

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

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

DECLARATION

[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 relatint 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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

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

Premises: Amaze Gourmet Spice
Ground Floor
6 Cauldwell Lane
Monkseaton
NE25 8LN

Applicant: Goldmatt Leisure Limited

Hours and Activities

Sale of Alcohol (on) – 10:00 to 23:00 Every Day
Sale of Alcohol (off) – 10:00 to 23:30 Every Day
Late Night refreshment - 23:00 to 23:30 Every Day
Opening Hours 08:00 to 23:30 Every Day

Operating Schedule

Amaze will be a progressive Bangla Indian Spice Gourmet food venue. It will offer authentic 5 and 7 course Indian meals. The food will be provocative and provide a different type of experience than any other Indian style restaurant in the North East. The premises aims to be thought provoking both in terms of the tastes and visual delight of their food. Food at Amaze will be an education, and customers will know where their food is coming from. The whole premises approach will be as Eco friendly as possible. This will include online menus with orders placed in advance in order to cut down on food waste. The restaurant will be designed to be as sustainable and waste aware as possible. Everything about the premises will focus on delivering a memorable customer experience.

If granted, this will be the third family premises opened. The other two are Turmeric Gold in Coventry, which has traded for 20 years and Jashn in Whickham, which has operated for 10 years.

The operators see this site at Monkseaton as the ideal opportunity for expansion, and a little bit of a departure from their other businesses, as it will operate with a Café /Deli attached to the restaurant. They also have other ambitious plans for the building, including to create a dining school towards the rear of the premises.

If the licence were to be granted, the premises would be permitted to open early for a breakfast and coffee shop style of operation, from the café/deli which would open at 08:00. Their offering would develop into a restaurant, opening up the rest of the premises for lunch and evening meal, with a lounge bar feel into the early evening. Breakfast, lunch and evening menu's will be available. Later on, after 21:00, it is intended that the premises will have the flexibility to develop by offering specialist cocktails delivered by trained mixologists, as well as fine wines and champagne. The last service of meals in the restaurant would be 21:30, with the extended hours allowing sufficient time for a meal, before closing.

The café/deli on the right hand of the premises will focus on fairly typical offerings of hot drinks and snacks, with an Indian twist. For example there will be a range of vegetarian samosa's (including their famous beetroot samosa). There will also be a range of authentic Indian deserts available. There are a total of 18 seated covers in the café/deli. Its core hours will be 08:00 to 18:00. After that time it will be available for hire for small events/gatherings or private dining experiences. It is served by its

own toilet facilities, and is spate and distinct from the restaurant, although there is staff access between the two premises. It will trade under the name of Spice Café/Deli.

The restaurant will be authentically Indian with a modern style of décor. The restaurant will offer a total of 70 covers, although 6-10 seats would be in the waiting area, with the rest of the covers split between booth seating and loose tables and chairs. The hours of opening for the restaurant may vary, but typically its hours every day will be 12:00 to 23:30.

Off sales are applied for and will include customers taking home unfinished bottle of wine (and similar), but also more traditional off sales from the café/deli to take home. The premises will also look to develop a deliveries business, and alcohol would form part of that offering for Indian Banquets at home.

The following conditions are offered to compliment the style of operation and to address the licensing objectives.

CONDITIONS

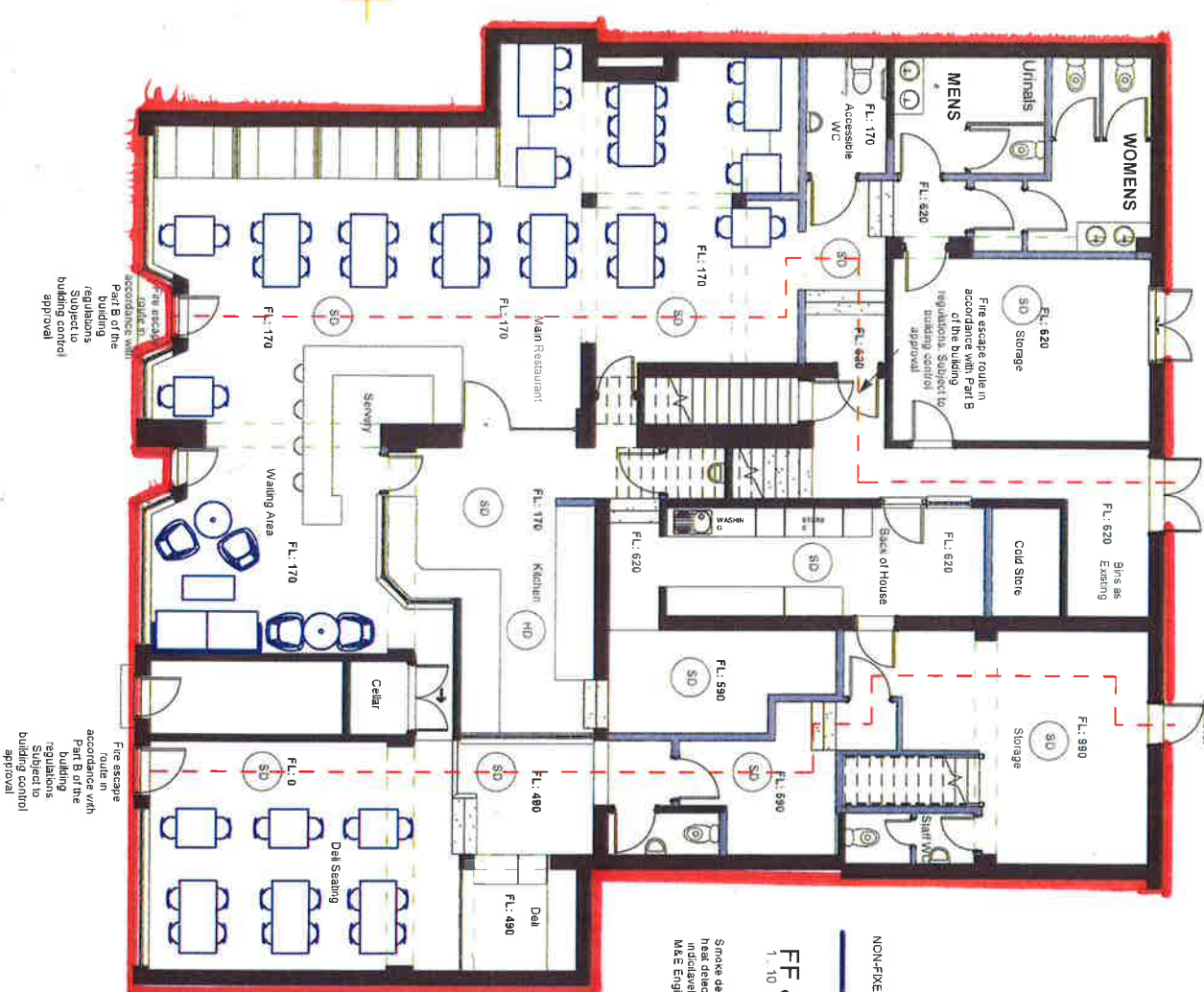
1. The premises shall operate as a restaurant/café providing food and drink. There shall be no change to the operating style without proper written notice to the Licensing Authority, which shall include details of the operating style proposed. The Licensing Authority shall advise within 21 days whether a formal application for full or minor variation or a new licence is required and the licence holder shall comply with that direction.
2. The premises shall trade primarily as a restaurant/cafe and sale or supply of alcohol will be ancillary to the premises main use as a restaurant/café.
3. A meeter/greeter will be on duty from 17:30 to direct customers to their tables.
4. Waiter/waitress service will be available throughout the hours that the premises are open.
5. A substantial food menu will be available from 12:00 till 21:30 every day.
6. Sales of alcohol for consumption off the premises are restricted to customers taking away resealed, unfinished bottles of wine purchased as an ancillary to their meal, off sale purchases from the Café/Deli and for consumption in any permitted outside area.
7. 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.
8. 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. Such a system shall:-
 - a. be operated by properly trained staff;

- b. be in operation at all times that the premises are being used for a licensable activity;
 - c. ensure coverage of all entrances and exits to the licensed premises internally and externally;
 - d. ensure coverage of such other areas as may be required by the Licensing Authority and Northumbria Police;
 - e. provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained on paper or otherwise may be put on tape or otherwise (for a period of 28 days), and shall be supplied to the Licensing Authority or Police Officer on lawful request.
9. No glass or 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 11.00pm and 8.00am and any such skip, bin or container shall not be removed from the premises between those hours.
10. Noise from the licensed premises, including noise from patrons, amplified music and live music shall not be audible beyond the boundary of the premises or within any of the parts of the building which do not form part of the licensed premises, so as to cause nuisance to nearby residents or other users.
11. Music will be played at a level where customers can still talk in comfort.
12. Subject to the exemption within section 150(4) of the Licensing Act 2003, all members of staff at the premises shall seek credible photographic proof of age from any person who appears to be under the age of 21 years and who is seeking to purchase alcohol on the premises. Such credible evidence shall include a photograph of the customer which will either be a passport, photographic driving licence or proof of age card carrying a PASS logo.
13. The premises will operate an outside management policy for the general operation of the outside area, where it is used.

APPENDIX 2

© Edwards Architecture, Ltd.

1. This document is the property of Edwards Architecture, Ltd. and shall remain the property of Edwards Architecture, Ltd. at all times.
2. It is to be used only for the project and site for which it is prepared and shall not be used for any other project or site without the written consent of Edwards Architecture, Ltd.
3. The drawings shall be made in accordance with the British Standards Institution (BSI) standards.



General Arrangement - Ground Floor Plan
1:100

EDWARDS ARCHITECTURE

100, Northgate, York, North Yorkshire YO1 1PE, UK
 T: 01904 474444
 F: 01904 474444
 W: www.edwardsarchitecture.co.uk

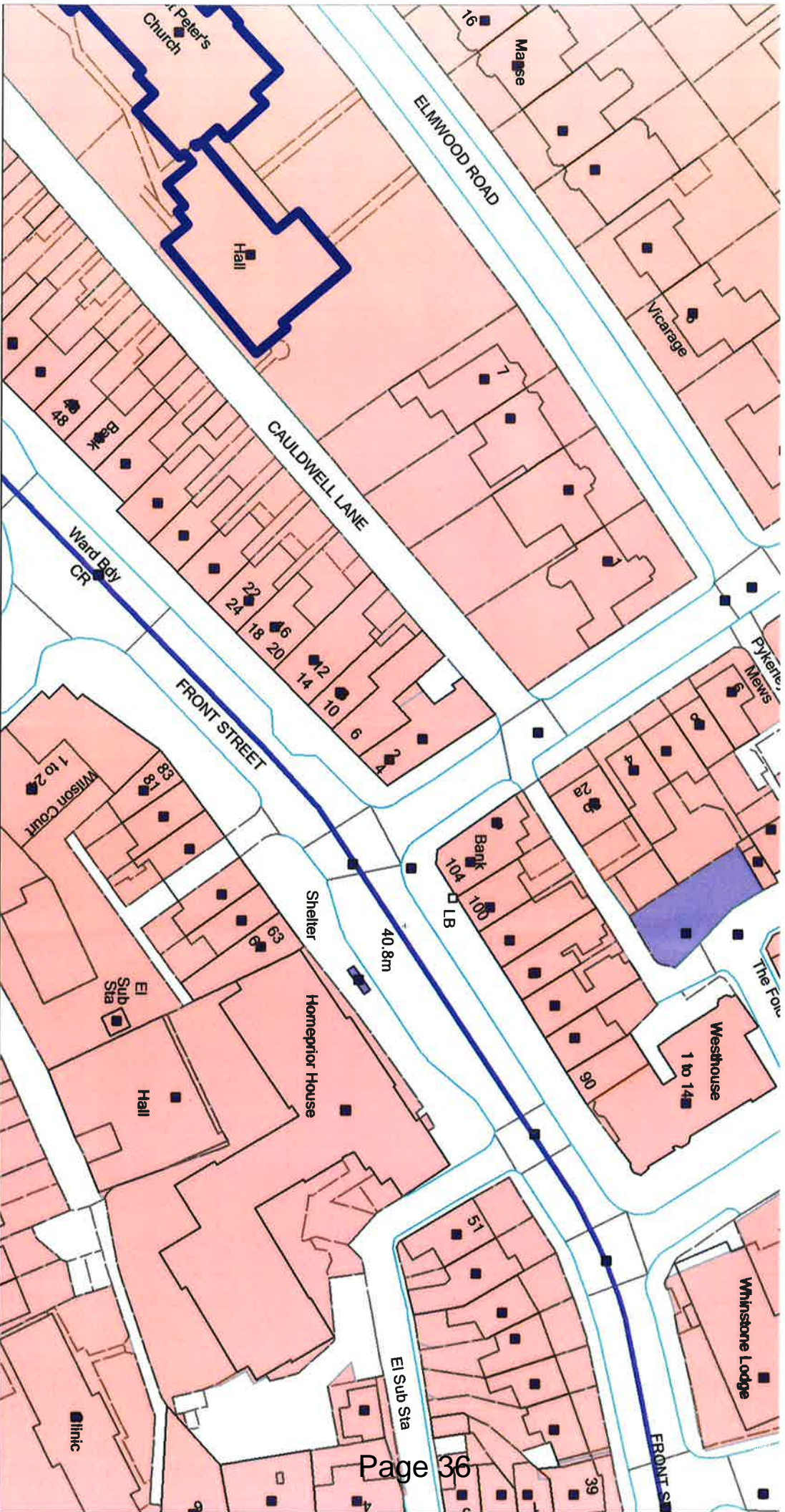
Project: **Zodiak - Monkseaton Restaurant**
 Mr Jay Dean
 Project No: 20045
 Proposed Floor Plan

Scale: as A3
 As indicated
 Project: 20045
 Date: 17/01/2018
 Drawn: J.D.
 Checked: J.D.
 Project No: 20045
 Project Name: Zodiak - Monkseaton Restaurant
 Project Location: Monkseaton, North Yorkshire
 Project Status: Proposed Floor Plan

APPENDIX 3

Amaze Gourmet Spice

Not Set



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Organisation	North Tyneside Council	Date	02 August 2021
Department	North Tyneside Council	SLA Number	100016801
Comments	Not Set	Scale :	1:829

APPENDIX 4

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 5



From: publicaccess@northtyneside.gov.uk
Sent: 11 July 2021 17:20
To: Liquor Licensing
Subject: Comments for Licensing Application 00CK/21/1140/LAPRE

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11/07/2021 5:20 PM from

Application Summary

Address:	6 Cauldwell Lane Whitley Bay Tyne And Wear NE25 8LN
Proposal:	Premises Licence
Case Officer:	Susan Vert

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type: MAKE REPRESENTATION ie.object or support

Stance: Customer objects to the Licensing Application

Reasons for comment:
- Opening Hours
- Parking
- Traffic

Comments: 11/07/2021 5:20 PM 1. IF THIS APPLICATION GOES AHEAD IT WILL HAVE A MAJOR IMPACT ON PARKING. WHEN RESIDENTS CANT GET PARKED ON CAULDWELL LANE THEY WOULD USUALLY PARK IN THE BACK LANE. THIS LANE WILL NOW BE CONGESTED WITH DELIVERIES AND CUSTOMERS PARKING.

2. THE LATE OPENING HOURS AND LIQUOR LICENSE WILL CAUSE A DISTURBANCE TO LOCAL RESIDENTS ESPECIALLY TO THE DWELLING ABOVE AND SURROUNDING PROPERTIES IE. NOISE, TAXIS

Stephanie Graham

From: - - 1>
Sent: 15 July 2021 18:40
To: Liquor Licensing
Subject: Alcohol licence application for 6 Cauldwell lane Monkseaton

EXTRNL

I live at , and am writing to object to the above application.

There are already problems with parking for residents, both on Cauldwell lane itself and in the back lane. This will be made worse by customers and staff needing parking when at the restaurant/deli. We already have problems with people parking on the double yellow lines on Pykerley road when using the I fry takeaway, meaning cars turning out of the back lane are forced on to the wrong side of the road.

The sale of alcohol, and particularly until 11.30pm is likely to cause noise and disturbance to residents.

Get [Outlook for Android](#)

Stephanie Graham

From:
Sent: 16 July 2021 11:20
To: Liquor Licensing
Subject: Fwd: Licensing Application - 6 Cauldwell Lane

EXTRNL

Sent from my iPad

Begin forwarded message:

From: Iain
Date: 16 July 2021 at 11:16:35 BST
To: licensing@northtyneside.gov.uk
Subject: Licensing Application - 6 Cauldwell Lane

Sir

I am writing to make representation in respect of a licensing application for Amaze Gourmet Spice, 6 Cauldwell Lane.

I live at _____, which is directly behind the application premises and feel that the granting of this licence will cause increased public nuisance and be detrimental to public safety. This is a quiet residential area and the sale of alcohol in this area is not appropriate. In particular the sale of alcohol from 10am to 11.30 am is completely wrong. The sale of alcohol at that time will cause additional noise and disturbance.

In addition parking in the area is already a problem with the parking in Pykerley Road already a problem with cars blocking Pykerley Road and ignoring the no parking/waiting road markings. The sale of alcohol in this area will make this worse with a detrimental effect on public safety.

Due to the reasons above I urge you not to grant the license application for the above premises.

Yours faithfully

Iain Smith

Sent from my iPad

Sent from my iPad

Susan Vert

From: n>
Sent: 17 July 2021 17:37
To: Liquor Licensing
Subject: Proposals at No6 Cauldwell Lane.

EXTRNL

To the Licensing Section, North Tyneside,

As a resident living close to the address of 6, Cauldwell Lane, I would like to raise a number of objections.

My wife and I have been living at [redacted] nearly 30 years. We have stayed because it is still a reasonably pleasant place to live.

The premises at 6, Cauldwell Lane are almost directly across the back lane from our property, a handful of meters away.

We are quite horrified to imagine the inevitable consequences, should this licensing application be granted. We are already having to live with the smells and the dangerous congestion at the end of Pykerley Road caused by I-Fry.

What provision will be made for parking? None, it seems. Many people will park either in the back lane, directly behind our house, or on Elmwood Road, right in front of us. (And some will risk parking illegally on convenient hatchings or double-yellow lines, exacerbating the problems at the nearby junction.)

There will be noise and disturbance inevitably, until late in the evening.... 11.30. Every night. It appears that the premises would be large enough to cater for a lot of people, and, fuelled by alcohol, are likely to generate a lot of noise. No other businesses along this parade of shops stay open till late. (And I-fry closes at 9.30, I believe.)

And the smell? I enjoy a curry but I don't want the smell of it, all day and every day, wafting across the back lane. The kitchens would presumably be at the back of the premises, very close to us, so we can also expect the sound of shouting and clattering utensils. Please give nearby residents due consideration by rejecting this licensing application.

Yours sincerely,

Gary Callum

From: >
Sent: 22 July 2021 12:19
To: Liquor Licensing
Subject: 6 Cauldwell Lane - Amaze Gourmet Spice

EXTRNL

I would like to object against the proposed application of Amaze Gourmet Spice on Cauldwell Lane

This is a residential street and this property is located right between houses - the properties have no front gardens or drives and you are literally straight out onto the main road.

This means people consuming alcohol and takeaway food right on our door step - with licensing from 10am to 11.30pm

Increased level of noise late at night. not to mention the on street parking which is already an issue on this street

From a concerned resident on Cauldwell Lane

Thank you

N

18 July 2021

Dear Sirs

CAULDWELL LANE - LICENSING APPLICATION

Amaze Gourmet Spice: 6 CAULDWELL Lane Whitley Bay NE25 8 LN

I wish to object to the proposed licensing application for the above property.

In general this part of Monkseaton is residential and there are three public houses within about 100 metres of this proposed site.

We already have some public disorder in the area in the main from youths. The provision of a seven day license until 11:30 pm will I believe exacerbate the situation given that the application is for the supply of alcohol and late night refreshments from 10 am to 11:30 pm both on and off the premises seven days a week.

A fish and chip shop is on the next block to the proposed license premises and this has caused numerous public safety issues due to illegal parking both outside the fish and chip shop and in the adjacent streets. Reference to North Tyneside parking violation records will confirm this. The granting of the license will make the public safety situation in the area worse.

Late night opening will impact on residents causing public nuisance from patrons coming and going. In particular late at night after the consumption of alcohol. Further to this the impact of the noise from the deliveries and preparation from 10 am until after midnight to tidy up at the end of the day.

I would be grateful if account is taken of my views.

Yours faithfully

Susan Vert

From: [redacted]
Sent: 25 July 2021 11:04
To: Liquor Licensing
Subject: License application for Amaze Gourmet Spice

EXTRNL

To North Tyneside Council

We are emailing with regards the license application to sell alcohol at the proposed Amaze Gourmet Spice venue in Monkseaton

The proposal to sell alcohol from 10am until 1130pm every day including Sundays is not acceptable to us and we strongly object.

There are three public houses in the centre of Monkseaton who do not serve alcohol until 1130pm seven days a week and the local convenience store shuts earlier.

The noise and antisocial behaviour is substantial for at least an hour after the premises stop serving alcohol.

The area is for the most part a quiet residential environment.

If the licence was granted to Amaze Gourmet Spice to serve late night alcohol daily on Cauldwell Lane, the area will effectively become a magnet for those leaving the local public houses and from outside of Monkseaton to continue drinking and extending the nuisance and alcohol related anti social behaviour on a daily basis

Yours Sincerely

f:

24th July 2021 Amaze Gourmet licensing application comments and feedback.

To whom it may concern,

We are lodging opposition to the company Amaze Gourmet Spice, to have a licensing application for off sales from 10-23:00 and also on sales from 10-23:00 and 23:00-23:30.

In their application it states that alcohol sales will be for off premises and on consumption.

- In the operating schedule outline, they state they have ambitious plans for the premises in relating a dining school near the rear of the premises. What does that mean?

A training school or a play on words to hire out dining experiences for groups (in other words creating an education dining experience), again a spin on basically a space to try exclusive menus.

They use the words bar feel and further in the application that the premises will have the flexibility to develop, again I can only assume get bigger and offer more like weddings, bier parties at Christmas etc.

- If the restaurant service last order is 21:30 basically you will have what essentially is a pub/bar/cocktail Lounge/ Champagne Bar operating in what is a highly dense residential area, with two residential sheltered accommodations nearby. Not ideal in relation to drunk and anti-social behaviours and regardless of CCTV being on their premises, it does not help those living with that disruption day to day.
Regardless of how much you spin words like fine wines, cocktails by evoking a higher end product, people who drink get loud, can be ill, need taxis or lifts home and it will be noisy. Noise late in the evening will disrupt and that's not including the staff leaving after midnight. Also, people coming out to smoke or vape on the pavements will occur and I cannot see on the plan how the owners will address this or any plans for the yard and outside at the back of the shop.
At Monkseaton metro station and when your coming form work walking into plumes of smoke is not ideal (second hand smoke illnesses etc). This occurs as people from the Left Luggage Lounge often stand on the pavements outside the entrance to the metro station.
- The section, Conditions: number 6, states the sales of alcohol will be from the deli/takeaway, drinks purchased left over from meals and for "consumption in any permitted area outside". What on earth does this mean?

We can only see this as the restaurant is planning to have an outside area at the back of the premise on site, or they plan to place seating on the pavements outside.

The area the premise is on is on a corner turning on to Pykerley and near a pedestrian crossing. It is already at a busy intersection and difficult to see on coming or turning traffic when crossing because of cars parked collecting food form the take away already on site.

If this company is also planning on-line orders, deliveries, and pick-ups using deliveroo and companies like that, there will be a substantial increase in traffic and foot fall in what is already a very busy road section.

24th July 2021 Amaze Gourmet licensing application comments and feedback.

There are a lot of families, children accessing school and by about 8am the road is already heavily congested and parking is a nightmare for residents and those already operating businesses in the area.

Parking and driving along pavements is already an issue, the owner of Fleurt regularly parks on the pavement outside the shop not being able to get parked on the road side. The speed of the traffic is an issue and even when using the pelican crossing, as a pedestrian, cars often speed up to beat the red light on the crossing near the premises and this is frightening and increasing the traffic and footfall in an already busy area is an accident waiting to happen.

Many residents of HomePrior house have to cross the road at that crossing to get to the bus stop outside Fleurt. This is the safest option as going towards the Spar means crossing the road there and it is difficult seeing cars turning from Cauldwell Lane into the Spar road.

- My other concern is although the company states in their application form they are not applying for music to be played, in section 10 of the conditions outline, they state noise will not be audible to neighbouring residents and mentions music.
- No: 11, states music to be played at a level where customers can talk in private.
- So, are they planning in the future to later slip in an application for a music license?
- Although they state no glass bottles and waste will be placed in bins between 11-8am, there will be the constant sound of this between 8 am-11pm.

We love living in Monkseaton because it has the atmosphere of a village feel and has that historic interest and appearance of past village life. From a conservation point of view it is the character of the collection of individual areas and buildings, spaces and landscapes that draws on the character of the colours, sounds and wildlife of the environment. From having engineering and industrial reminders like the J.E Webb's sewer lights, to watching the hedgehogs running up and down the back lane of Caudwell Lane near St. Peters, seeing the swifts and swallows and hummingbird hawk moths on valerian makes it a lovely place to live.

- If Amaze Gourmet opens as a bar/takeaway/restaurant/Deli from 8am till after midnight there will be a huge impact on the traffic, footfall and atmosphere of this part of Monkseaton.

I know from a friend who lives near the Scott and Wilson bar near Trevor Terrace, North Shields, how that premises has been able to widen its outside area and the impact it has on people trying to walk through on the pavement. It is difficult to get a double buggy through or mobility scooter/wheel chair. But it is popular, of course it is, and Amaze Gourmet will be too no doubt. People living in the wider areas not near it, will no doubt love the fact it's there. It means not walking into Whitley Bay Park View for the other several Indian Gourmet restaurants or Whitley Bay town centre.

24th July 2021 Amaze Gourmet licensing application comments and feedback.

- Also, what kind of message is North Tyneside Council delivering in terms of yet another food, bar outlet with the high obesity levels and alcohol problems we have in the area and how much that costs to our health services? What kind of message are we giving our younger generations.

To be honest we feel there is no point to this feedback as we doubt it will change anything. The deed is done and Mr Alam is already applying for a flue (15 July) for the premises and like the real ale bar opposite the Monkseaton Arms, when councillors said that would not take up much pavement if any, once the premises are up and running they get to do what they like. The real ale bar has increased its cordon a lot.

We have lived in Cauldwell Lane area for 16 years and I have lived in Monkseaton for 36 years.

Since moving to Cauldwell Lane a more public area, we often get people sitting under our door way eating takeaways or waiting for taxis, but it's not worth getting in touch with the police every time as what can they do? We did when we first moved in and they were great and helpful but ringing them to report antisocial behaviour or takeaway waste or yet another stolen plant pot just creates paperwork and they don't get paid enough. So, we just put up with it and get more stressed.

Two weeks ago we had two gentlemen sitting on our step eating food and drinking, also playing on their phones. This was 1am. I opened the door to ask them to move as I was trying to get sleep having to be up for work at 5am. It was the early hours of Tuesday morning. They had used my address to order a taxi as well. Although they moved and were in fairly good humour the issue is, from No. 10 Cauldwell Lane-up to library, we are all residences, families, older people, and working people. Several of us work for the NHS, supermarkets and are up very early. But we are all tired and sick to death of just trying to get on with life and our homes are our places of peace and sanctuary and the access to a quiet walks around our back lane and St. Peters, Pykerley Road where after long days we can experience that village feel and peaceful atmosphere, which helps with our mental and physical health.

We and several of my neighbours are already getting anxious about the prospect of the noise and traffic and footfall that this application will no doubt bring. It also opens up the precedence for Mr Solomon who owns what is currently a charity shop, to get his Bistro application again. So we will have two premises serving alcohol near us.

I do not want to move I love my home, so we definitely oppose the licencing application as it stands and the 7 days a week opening of the premise. It is a shame we could not know earlier to oppose the application to turn the premises into a restaurant.

Also to note on the letter that is stuck to the windows of the premises, the email address for your team is written as liquor.licensing@northtyneside.gov.uk. The dot at the end bounces back the email as not being able to be sent.

Not sure if this was a further tactic to add so people like us who are working hard, just give up and not send in our opposing feedback?

We are not opposed to our area changing, bringing opportunity and jobs especially after going through a world pandemic that is still happening. But that's the other thing it is still happening and being outside is important in good weather to walk and enjoy the natural beauty of Monkseaton. We have no objections to a café bar like Omni opening, with limited opening days and only till 8pm. That means people who work and live in the area of Cauldwell Lane can get in from work and know at

24th July 2021 Amaze Gourmet licensing application comments and feedback.

least we can rest assured the footfall and traffic will be over by then. Even having a take away (one not serving alcohol) would be ok as long as no smells seep into the wider area.

Just to point out the back lane of Cauldwell Lane is a place where the community live and traffic is already a problem during the day as parking for the takeaways, I don't want to find more squashed hedgehogs or have to dodge inconsiderate drivers speeding when trying to put our bins out.

Maybe you could make the back lane residents only/business only parking a

No through fare be stopped for anything other than deliveries?

At least then when the brownies are playing on the grass at the back of St. Peters they will not have to encounter Amaze Gourmet staff cars, deliveries or patrons and the children of the families that live in the area can also play fairly safely.

Regards

Susan Vert

From: [redacted] <[redacted]>
Sent: 25 July 2021 10:51
To: Liquor Licensing
Subject: Objection for liquor license - amaze gourmet spice

EXTRNL

To whom it may concern,

I wish to object to Amaze Leisure's application for a license to serve alcohol at no 6 cauldwell lane with the following objections:

I have been a resident of this street for over 30 years and in that time I have seen many changes to the area, Monkseaton is a village in a conservation area, There are already enough food/alcohol related premises in this area, adding more will ensure it loses its identity.

My concerns are the traffic in and around this area is already heavily saturated and adding an additional food outlet will cause huge issues with parking, traffic congestion and increased noise levels. Please remember this is a residential area where people live . There is not enough adequate parking for residents, let alone customers visiting the premises as well. The back lane to the property is where a lot of the residents park there cars so where will the restaurant staff and customers park?

The opening hours of the suggested premises are far too long as this will cause noise disturbance both during the day and night in a heavily built up residential area.

I don't care how good the extraction for the proposed premises would be you can still smell the food being prepared in the already food establishments present today notably the fish and chips (IFRY) shop which is practically next door to the proposed restaurant- I certainly do not want more food smells to be lingering day and night in the air that I breathe.

To summarise dear reader, would you want to live in an environment where there is food smells, noise disturbance and limited parking, I certainly do not so I ask you to consider the above issues when deciding on this application.

Kind regards,

Sent from my iPad

Susan Vert

From: publicaccess@northtyneside.gov.uk
Sent: 26 July 2021 14:17
To: Liquor Licensing
Subject: Comments for Licensing Application 00CK/21/1140/LAPRE

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 26/07/2021 2:17 PM from

Application Summary

Address:	6 Cauldwell Lane Whitley Bay Tyne And Wear NE25 8LN
Proposal:	Premises Licence
Case Officer:	Susan Vert

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type:	MAKE REPRESENTATION ie.object or support
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Stance:	Customer objects to the Licensing Application
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Reasons for comment:	- Parking - Traffic
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Comments:	26/07/2021 2:17 PM I rent in the same block of buildings, and parking is already at a premium - extremely limited at the front, back lane always busy and limited space, and surrounding streets always busy due to volume of houses and limited spaces. Also, late evening noise from revellers, traffic, taxi collections etc, will add to what is already a busy and noisy front street.
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Kind regards

From:
Sent: 26 July 2021 20:55
To: Liquor Licensing
Subject: Application re 6 Cauldwell Lane NE25 8LN

Dear Sirs,

As an elected councillor representing Monkseaton North ward I wish to object to the licensing application submitted by Goldmatt Leisure Ltd regarding the former Errington's property. I have concerns regarding a lack of car parking for customers, which will add to issues that residents already have connected with the nearby I Fry fish and chip shop. In addition the application to sell alcohol later into the evening and possible off-sales is likely to cause an increase in late night noise, disturbance and anti-social behaviour in what is a predominately residential area.

Myself and my fellow ward councillors are receiving expressions of concern from residents and I hope that these concerns will be given due concern when the application is decided.

Yours sincerely

North Tyneside Council
Quadrant East, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY

From:
Sent: 26 July 2021 19:32
To: liquor.licensing@northtyneside.gov.uk; Liquor Licensing
Subject: License Application for Amaze Gourmet Spice

EXTRNL

To North Tyneside Council

We strongly object to the application to sell alcohol every day including Sundays from 10 am until 11.30 pm at the above premises.

There are already 3 public houses in Monkseaton, none of which serve alcohol until 11.30 pm.

Monkseaton is a quiet residential area for the most part however there is considerable anti social behaviour after the pubs have closed.

The serving of alcohol at such a late time will no doubt encourage people from nearby public houses to carry on drinking in the area which will no doubt increase the noise and anti social behaviour. This will have a detrimental effect on the residents of the local area on a daily basis.

We object to the above licensing application.

Yours sincerely