

# Public Document Pack

**Date of meeting** Wednesday, 23rd September, 2020  
**Time** 10.00 am  
**Venue** via Video - Conference  
**Contact** Geoff Durham 742222



**NEWCASTLE  
UNDER LYME**  
**BOROUGH COUNCIL**

Castle House  
Barracks Road  
Newcastle-under-Lyme  
Staffordshire  
ST5 1BL

## Licensing Sub-Committee

### AGENDA

#### PART 1 – OPEN AGENDA

- 1 APPOINTMENT OF CHAIR
- 2 APOLOGIES
- 3 DECLARATIONS OF INTEREST
- 4 Appendix A - Natural Justice Guidance Notes (Pages 3 - 4)
- 5 Appendix B Human Rights Guidance Notes (Pages 5 - 6)
- 6 Appendix C Procedure to be followed by the Sub-Committee (Pages 7 - 8)
- 7 Application For a new Premises Licence - Talke Express, 70 Newcastle Road, Kidsgrove, ST7 1RW (Pages 9 - 40)

**Members:** Councillors Stephen Sweeney, Graham Hutton and John Williams

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

#### SUBSTITUTE MEMBER SCHEME (Appendix 9, Section 4 of Constitution)

The Constitution provides for the appointment of Substitute members to attend Committees. The named Substitutes for this meeting are listed below:-

**Any Member from Licensing and Public Protection Committee**

Substitute Members:

*If you are unable to attend this meeting and wish to appoint a Substitute to attend in your place you need to:*

- Identify a Substitute member from the list above who is able to attend on your behalf
- Notify the Chairman of the Committee (at least 24 hours before the meeting is due to take place) NB Only 2 Substitutes per political group are allowed for each meeting and your Chairman will advise you on whether that number has been reached

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

### **GUIDANCE NOTES**

#### **NATURAL JUSTICE AND FAIRNESS**

These are the principles used in the determination of just or fair processes and stem from the common law legal system.

According to Roman law, certain basic legal principles were so obvious that they should be applied universally without the need to be enacted into the law.

The rules of natural justice are now regularly applied by courts in both common law and civil law jurisdictions.

Natural justice operates on the principles that man is basically good, that a person of good intent should not be harmed and one should treat others as they would like to be treated.

Natural justice includes the notion of procedural fairness and may incorporate the following guidelines:-

- A person accused of a crime, or at risk of some form of loss, should be given adequate notice about the proceedings (including any charges);
- A person making a decision should declare any personal interest they may have in the proceedings;
- A person who makes a decision should be unbiased and act in good faith. He therefore cannot be one of the parties in the case, or have an interest in the outcome. This is expressed in the Latin maxim, *nemo iudex in causa sua*: “no man is permitted to be judge in his own cause”;
- Proceedings should be conducted so they are fair to all the parties – expressed in the Latin maxim, *audi alteram* : “let the other side be heard”;
- Each party to a proceeding is entitled to ask questions and contradict the evidence of the opposing party;
- A decision-maker should take into account relevant considerations and extenuating circumstances, and ignore irrelevant considerations;
- Justice should be seen to be done. If the community is satisfied that justice has been done they will continue to place their faith in the courts.

Where a person’s legal rights are concerned, the principles of natural justice are bolstered by Article 6 of the European Convention on Human Rights which is now incorporated into domestic law.

#### **THE RULE AGAINST BIAS**

It is elementary to the rules of natural justice that the deciding body is to be free from bias.

The rule is that the body must be and be seen to be impartial, independent and disinterested.

There are two broad categories of bias:

- (a) Actual Bias: when the decision-maker has an economic interest in the outcome of the case (also known as a material or pecuniary interest) subject to the De Minimum doctrine;
- (b) Reasonable Apprehension: unbiased appearance is an essential part of procedural fairness. The test is whether, having regard to the circumstances, a well informed person (“reasonably informed bystander”) would consider that the interest might have an influence on the exercise of the decision-maker’s duties.

### **GUIDANCE NOTES**

#### **HUMAN RIGHTS ACT 1998**

In considering allegations against Members you should have regard to the provisions of the Human Rights Act 1998 which embody the rules of natural justice.

#### **Rights and Freedoms to be considered when determining matters**

##### ARTICLE 6: RIGHT TO A FAIR TRIAL

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgement shall be pronounced publicly, but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.
2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.
3. Everyone charged with a criminal offence has the following minimum rights:
  - (a) to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
  - (b) to have adequate time and facilities for the preparation of his defence;
  - (c) to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means, to pay for legal assistance, to be given it free when the interests of justice so require;
  - (d) to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
  - (e) to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

##### ARTICLE 8: RIGHT TO RESPECT FOR PRIVATE AND FAMILY LIFE

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

##### ARTICLE 10: FREEDOM OF EXPRESSION

1. Everyone has the right to freedom of expression. These rights shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

### ARTICLE 14: PROHIBITION OF DISCRIMINATION

The enjoyment of the rights and freedoms set fourth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

NB This is not a substantive right, but comes into play if other rights are likely to have been infringed. The prohibition is wide, but not exhaustive

### ARTICLE 1: OF THE FIRST PROTOCOL PROTECTION OF PROPERTY

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

NB Possessions, in this context, includes the right to apply for a licence, the right to hold and retain a licence and the goodwill of a business.

NOTE In this context it is also particularly important for members to observe the rule against bias.

### **PROCEDURE TO BE FOLLOWED BY THE LICENSING SUB-COMMITTEE**

#### **NOTE:**

All hearings will normally be held in public. However, the Licensing Sub-Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing or that part of the hearing taking place in public. A party or that party's representatives may be treated as a member of the public and therefore excluded from the meeting for all or part of the hearing, and all parties have the right to be represented and to call witnesses.

The Clerk to the Committee will have the right to ask questions on behalf of the Committee of any party to the proceedings.

#### **PROCEDURE:**

1. The Chair of the Sub-Committee will open the meeting and introduce the members of the committee and call upon the parties to identify themselves and their representatives and to identify any witnesses they intend to call.
2. The Chair of the Sub-Committee will call upon the Clerk to the Committee to explain to the parties the procedures which will be followed at the hearing. Unless the Chair directs otherwise, each party will normally have a maximum period of one hour in which to give further information and call any witnesses in support of their case. In every case, all parties will have an equal maximum period.
3. The Chair of the Sub-Committee will then normally call upon the interested party or the responsible authority which has made a relevant representation against the grant of an application to provide evidence in support of their representation.
4. The applicant will then have an opportunity to question that person
5. Members of the Sub-Committee will then have the opportunity to question that party or responsible authority.
6. Any person who has made relevant representations will then call any witness in support.
7. The applicant will then have an opportunity to question that witness.
8. Members of the Sub-Committee will then have the opportunity to question that person.
9. Stages 6 to 8 will then be repeated for each person making relevant representations.
10. The applicant will then have the opportunity to give evidence in response to the application and in response to the relevant representations which have been made.
11. The interested party or responsible authority will then have an opportunity to question the applicant.

## Appendix C

12. Members of the Sub-Committee will then have the opportunity to question the applicant.
13. Stages 10 to 12 will be repeated for any witnesses on behalf of the holder of the applicant.
14. The interested party or responsible authority will have the right to address the sub committee.
15. The applicant will have the right to address the Sub-Committee in summing up his case.
16. All parties will then leave the room while the Sub-Committee consider their decision.
17. The Sub-Committee will normally make their determination at the conclusion of the hearing, but when this is not possible, will make its determination within the period of five working days beginning with the day on which the hearing was held.



**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL****LICENSING SUB-COMMITTEE****Date 23<sup>rd</sup> September 2020****1. LICENSING ACT 2003****Submitted by: Head of Environmental Health Services****Portfolio: Finance & Resources****Ward(s) affected: Talke****Purpose of the Report**

To inform the committee of a new premises application received in relation to the sale of alcohol for consumption off the premises, which has received several relevant representations.

**Recommendations**

In accordance with the Licensing Act 2003, the statutory guidance and the Council's own Statement of Licensing Policy the Sub-Committee must consider the Premises Licence and have regard to the four licensing objectives, as below, when making its decision:

- (i) The Prevention of Crime and Disorder
- (ii) Public Safety
- (iii) The Prevention of Public Nuisance
- (iv) The Protection of Children from Harm

**Reasons**

An application was received on 28<sup>th</sup> July 2020 to apply for a new premises licence at Talke Express, 70 Newcastle Road, Kidsgrove, ST7 1RW. Three representations were made, two of which were relevant under the licensing objectives of Prevention of Crime and Disorder and Prevention of Public Nuisance.

**1. Background**

1.1 The licence information relating to this application is as follows:

Premises:	Talke Express
Location:	70 Talke Road, Kidsgrove, ST7 1RW
Licence Number:	20426
Applicant:	Rajan Regahunath
Designated Premises Supervisor:	Neelakandan Binumon

1.2 An application has been received, attached as **Appendix A**, to apply for a new premises licence at 70 Talke Road, Kidsgrove, ST7 1RW.

1.3 The application was made to sell alcohol off the premises on Mondays through to Sundays between the hours of 06:00 and 23:00 which matched the opening times planned for the same. The application also requests that the hours are extended for a further two hours on Christmas Day, Boxing Day and New Years Eve. The applicant has volunteered a number of

conditions to attach to the licence including CCTV being installed, the retention of recordings, having an accident log, displaying notices, Challenge 25 scheme and training requirements for staff. The full proposal is included in Appendix A.

- 1.4 There have been no representations received from the relevant authorities however two relevant representations have been received from interested parties and these are attached as **Appendices B and C**. The relevant sections of the representations relate to litter and anti-social behaviour which fall into the licensing objectives of Public Nuisance and Prevention of Crime and Disorder respectively. All other matters discussed in the representations fall outside the remit of the licensing objectives and are therefore not relevant to this application.
- 1.5 Historically, the premises at 70 Newcastle Road, Kidsgrove, ST7 1RW has been a licensed premises to sell alcohol off the premises for several years however the licence was surrendered in 29<sup>th</sup> May 2019 and therefore ceased to have effect. The hours of that licence were to open Monday to Sunday between 05:00-21:00 and to sell alcohol for consumption off the premises Monday to Sunday between 09:00-21:00 as can be seen in the historic licence attached as **Appendix D**.
- 1.6 There is no historic evidence of complaints received by this department in relation to this premises.
- 1.7 A location plan of the premises is attached as **Appendix E**.

## 2. **Issues**

- 2.1. The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives;
  - (i.) The Prevention of Crime and Disorder
  - (ii.) Public Safety
  - (iii.) The Prevention of Public Nuisance
  - (iv.) The Protection of Children from Harm
- 2.2. The Licensing Act 2003 requires the Council to publish a "Statement of Licensing Policy" that set out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act. Copies of the [Council's Statement of Licensing Policy](#) and the [Government's Statutory Guidance](#) are available online and linked here.
- 2.3. In making their decision on the application the Sub-Committee are obliged to have regard to the Statutory Guidance and the Council's own Statement of Licensing Policy. The Sub-Committee must also have regard to the representations made and the evidence heard at the hearing. However, the Sub-Committee must disregard any representations that do not relate to the promotion of the four licensing objectives.

## 3. **Options Considered**

- 3.1 The relevant options considered in relation to this application are:
  - a.) grant the application
  - b.) modify proposed and/or agree condition (including timings) and grant the application
  - c.) refuse the application

## 4. **Proposal**

- 4.1 The Sub-Committee, where it considers that action under its statutory powers is appropriate, may take any of the steps outlined at section 3.1 of the report for the promotion of the four licensing objectives.
- 4.2 For this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.
- 4.3 The Sub-Committee are asked to note that they may not modify the conditions or take any other steps merely because they consider it desirable to do so. Any action taken must be appropriate in order to promote the licensing objectives.
5. **Reasons for Preferred Solution**
- 5.1 To ensure that the Council promote the licensing objectives in accordance with their statutory duty.
6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**
- 6.1 *The four corporate priorities are:-*
- Local services that work for local people
  - Growing our people and places
  - A healthy, active and safe borough
  - A town centre for all
7. **Legal and Statutory Implications**
- 7.1 To power to vary a premises licence falls under Section 34 of the Licensing Act 2003.
- 7.2 Hearings will be carried out in a fair, proportionate and consistent manner in line with:
- Article 6(1) guarantees an applicant a fair hearing  
Article 14 guarantees no discrimination
8. **Equality Impact Assessment**
- 8.1 Not Applicable
9. **Financial and Resource Implications**
- 9.1 All parties have the right to appeal the decision at the Magistrates Court and if successful could apply for the award of costs.
10. **Major Risks**
- 10.1 As above
11. **Sustainability and Climate Change Implications**
- 11.1 Not Applicable
12. **Key Decision Information**
- 12.1 Not Applicable

13. **Earlier Cabinet/Committee Resolutions**

13.1 The Licensing Committee has previously resolved to have regards to its Licensing Policy

14. **List of Appendices**

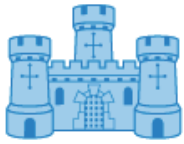
14.1 Appendix A – Application for a new Premises Licence  
Appendix B – Mr Gaunt Representation  
Appendix C – Ms Aynsley Representation  
Appendix D – Historic Premises Licence for this site

15. **Background Papers**

15.1 Licensing Policy 2015-2020

15.2 Licensing Act 2003 Statutory Guidance

# Appendix A



**Newcastle-under-Lyme  
Application for a premises licence  
Licensing Act 2003**

For help contact  
[licensing@newcastle-staffs.gov.uk](mailto:licensing@newcastle-staffs.gov.uk)  
Telephone: 01782 717717

\* 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

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

Regahunath

\* Family name

Rajan

**You must enter a valid e-mail address**

\* 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.

Continued from previous page...

### Address

* Building number or name	<input type="text" value="5"/>
* Street	<input type="text" value="Cromer Drive"/>
District	<input type="text" value="Crewe"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text" value="Cheshire"/>
* Postcode	<input type="text" value="CW1 3XQ"/>
* Country	<input type="text" value="United Kingdom"/>

### Agent Details

* First name	<input type="text" value="Glyn"/>
* Family name	<input type="text" value="Cross"/>
* E-mail	<input type="text" value="REDACTED"/>
Main telephone number	<input type="text" value="REDACTED"/>
Other telephone number	<input type="text" value="REDACTED"/>

Include country code.

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

Are you:

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

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

### Agent Business

Is your business registered in the UK with Companies House?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Is your business registered outside the UK?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

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

Business name	<input type="text" value="Trent Licensing"/>
VAT number	<input type="text" value="-"/>
Legal status	<input type="text" value="Sole Trader"/>
Your position in the business	<input type="text" value="Licensing Consultant"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name	62
Street	Goms Mill Road
District	Longton
City or town	Stoke on Trent
County or administrative area	Staffs
Postcode	ST3 2QA
Country	United Kingdom

**Section 2 of 21**

**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	Talke Express
Street	70, Newcastle Road
District	Talke
City or town	Stoke on Trent
County or administrative area	Staffs
Postcode	ST7 1RW
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	7,600

## Section 3 of 21

### 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

## Section 4 of 21

### INDIVIDUAL APPLICANT DETAILS

#### Applicant Name

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

- Yes  No

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

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No



Continued from previous page...

### Current Residential Address

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

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

Yes  No

Building number or name	<input type="text" value="5"/>
Street	<input type="text" value="Cromer Drive"/>
District	<input type="text" value="Crewe"/>
City or town	<input type="text"/>
County or administrative area	<input type="text" value="Cheshire"/>
Postcode	<input type="text" value="CW1 3XQ"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

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

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

Yes  No

**You must enter a valid email address**

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="dd"/> / <input type="text" value="mm"/> / <input type="text" value="yyyy"/>
* Nationality	<input type="text" value="Indian"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

## Section 5 of 21

### OPERATING SCHEDULE

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

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

Provide a general description of the premises

**Continued from previous page...**

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.

Small Convenience Store and Off licence

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

**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

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**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

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
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.

Hours to be extended by 2 hours on Christmas Eve, Boxing Day and New years Eve

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

**Name**

First name

Family name

Date of birth

Continued from previous page...

**Enter the contact's 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" value="Cheshire"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="PERS1914"/>
Issuing licensing authority (if known)	<input type="text" value="Cheshire East Council"/>

**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'.

**Section 16 of 21**

**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.

**Section 17 of 21**

**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.

*Continued from previous page...*

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.

Hours to be extended by 2 hours on Christmas Eve, Boxing Day and New years Eve

**Section 18 of 21**

**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)

**Continued from previous page...**

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

The following steps have been identified by risk assessment in relation to the four licensing objectives  
We have also considered the terms of your local licensing policy in preparing this application

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

CCTV must be installed and cover all public area's inside the premises and immediately outside. The CCTV unit shall be positioned in a secure part of the licensed premise and not within any private area of the location. Access to the system should be allowed upon reasonable request by the Police, Trading Standards or Local Authority Officers in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.

All images must be kept for a 28-day period and to be produced to the Police, Trading Standards or Local Authority Officers in relation to the investigation of crime and / or disorder issues and suspected licence breaches, upon request or within 24 hours of such request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.

The CCTV system must be maintained so as to be fully operational and record images at all times the premises is open for licensable activity and when persons are on the premises.

The CCTV system should be fully maintained in accordance with the manufacturers / installers instructions and a record kept of the maintenance undertaken.

There will be notices displayed throughout the premises stating that CCTV is in operation.

The CCTV system clock must be set correctly and maintained (taking account of GMT and BST).

There should be a member of staff available at all times who is trained and capable of operating the CCTV system and also downloading any footage required by the police, local authority officers or trading standards officers

**c) Public safety**

Means of escape will be maintained unobstructed and clearly identifiable  
Any gas and electrical appliances on the premises will have current safety certificates

The Designated Premises Supervisor shall ensure that a written log of any accident or incidents is kept on the premises with all the details recorded of dates, times incident and staff involved etc.

Adequate and appropriate first aid equipment will be available

Fire extinguishers to be regularly checked. A Fire risk assessment to be completed and made available for inspection by an authorised officer of Staffordshire Fire and Rescue Service.

**d) The prevention of public nuisance**

Notices to be displayed requesting patrons to disperse quietly from the premises.  
Regular checks by staff of the immediate outside area and to encourage patrons to conduct themselves in an orderly manner.

To encourage persons to use the litter bins and conduct a daily litter sweep.

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

The premises must adopt the challenge 25 scheme to tackle underage sales. All staff must be fully trained in its use before being allowed to sell alcohol and a record is to be kept of staff training in relation to the challenge 25 scheme.

The Designated Premises Supervisor (DPS) must ensure that all staff training must be refreshed at least every 12 calendar months.

Both initial and subsequent refresher training in relation to the sale of alcohol will contain a written or electronic test to be undertaken by the staff member and this record must be signed and dated by both the member of staff and the Designated Premises Supervisor.

All records of staff training, including written/electronic tests must be kept fully updated at all times and held at the licensed premises These records must be made available immediately to Police Officers, Police Licensing Officers or Trading Standards Officers upon request.

***Continued from previous page...***

A refusals register must be held at the premises and contain details of the time and date of any sales that are refused in relation to persons that are under age. The refusals register must also contain details of the staff member refusing the sale. This refusals register must be checked on a monthly basis by the designated premises supervisor or duty manager and endorsed accordingly by the DPS or duty manager with the time and date of inspection. This register can be written or electronic.

Persons purchasing alcoholic drinks who appear to be under the age of 25 must be required to produce proof of age by way of identification. The only acceptable forms of identification permitted to verify proof of age shall be:

- (a) a current and valid passport;
- (b) a current and valid photo ID driving licence; or
- (c) a current and valid proof of age scheme card with the PASS approved hologram.

**Section 19 of 21**

**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.

Rateable Value Band Fee No rateable value to £4,300 A £100 £4,301 to £33,000 B £190 £33,001 to £87,000 C £315 £87,001 to £125,000 D £450 £125,001 and above E £635

\* Fee amount (£)

190.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

**DECLARATION**

\* NATIONAL FRAUD INITIATIVE The Council is required under Section 6 of the Audit commission act, 1988 to participate in the National Fraud Initiative dated matching exercise. Information provided to determine Licensing applications will be supplied to the Audit Commission and used for cross system, cross authority and other comparison purposes for the prevention and detection of fraud.

\* It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale (£5000).

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

**Continued from previous page...**

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/newcastle-under-lyme/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**

## Appendix B

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**From:** D Gaunt <[REDACTED]>  
**Sent:** 24 August 2020 09:18  
**To:** licensing  
**Subject:** Premises licence

**Categories:** [REDACTED]

This email has been received from an address outside the Council, please be very cautious when opening any attachments or clicking on any links herein.

[https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Business/NEW%20PREMISES%20-%20Talke%20Express\\_0.pdf](https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Business/NEW%20PREMISES%20-%20Talke%20Express_0.pdf)

Ref the above application.

I strongly object to the above application to sell alcohol 17 hours each day on the grounds that this will once again create gatherings causing anti social behaviour.

If the above licence is NOT granted then this would go along way with the Prevention of Crime and Disorder, and the Prevention of Public Nuisance.

Should the licence be granted once again we would see an increase in litter of alcohol bottles and tins left in the road and in people's gardens.

Since the previous owner ceased trading the amount of people walking from Talke pits through the alleyway onto Swan Close to access the purchase of alcohol from these premises has dramatically reduced along with the amount of litter being discarded and a significant reduction of rowdy alcohol fuelled behaviour causing disturbance to the elderly residents of Swan Close.

While I have no objection to the opening of a express store, there must be a great reduction in the hours that alcohol can be purchased.

As there have been numerous incidents reported of anti social behaviour in nearby Kidsgrove, by granting this licence it will only fuel the need for more poticing and increased NHS costs, which as we are all to well aware of, the budget is reducing not increasing.

Yours sincerely

A very concerned Swan Close resident

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# Appendix C

**Steadman, Melanie**

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**From:** Anita Aynsley <[REDACTED]>  
**Sent:** 25 August 2020 08:15  
**To:** licensing  
**Subject:** Premises license - Talke Express, 70 Newcastle Rd, ST7 1RW

**Categories:** [REDACTED]

This email has been received from an address outside the Council, please be very cautious when opening any attachments or clicking on any links herein.

With reference to the above application I wish to raise the following concerns:

There has been an increase in anti social behaviour in the area with serious assaults in both the Bath Pool area and Clough Hall Park. I feel that the selling of alcohol for this long period of time would increase this.

There would be an increase in litter and broken glass as many young people choose to sit on the grass and consume their purchases.

Parking around this shop is non- existent with cars and lorries having to park on the main A34 which causes traffic problems, and many park on Thomas Street which is narrow and used by emergency services.

Historically this shop has not opened this late, the previous owners closed at 8pm.

Thank you for your time in reading this.


Kind regards

Anita Aynsley  
resident of Swan Close.

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# Appendix D

16 November 2018

		<b>Newcastle under Lyme Borough Council</b> <b>Licensing Admin Team</b> <b>Castle House</b> <b>Barracks Road</b> <b>Newcastle-under-Lyme</b> <b>Staffordshire</b> <b>ST5 1BL</b> <b>01782 717717</b> <a href="http://www.newcastle-staffs.gov.uk">www.newcastle-staffs.gov.uk</a>	
<b>LICENSING ACT 2003</b> <b>PREMISES LICENCE 3207</b> <b>003207</b>			
<b>PART 1 – Premises Details</b>			
<b>Postal Address of Premises, or if None, Ordnance Survey Map Reference or Description</b>			
<b>B L FOOD &amp; WINE</b> <b>70 Newcastle Road, Kidsgrove, Staffordshire, ST7 1RW</b>			
<b>Where the Licence is Time Limited the Dates</b>			
<b>Licensable Activities Authorised by the Licence</b>			
<b>Supply of Alcohol</b>			
<b>The Times the Licence Authorises the Carrying out of Licensable Activities</b>			
<b>ACTIVITY</b>		<b>LOCATION</b>	<b>TIMES</b>
<b>Supply of Alcohol</b>			<b>Monday to Sunday 09:00-21:00</b>
<b>The Opening Hours of the Premises</b>			
<b>Monday to Sunday</b>		<b>05:00-21:00</b>	
<b>PART 2</b>			
<b>Name Registered Address Telephone Number and Email of Holder of Premises Licence</b>			
<b>Mr Mahendran Vasanthakumar</b>		<b>2 Avonside Avenue, Stoke-on-Trent, ST6 6EA</b>	
<b>Registered Number of Holder where Applicable (Charity Number, Company Number)</b>			
<b>Name and Address of Designated Premises Supervisor Where the Premise Licence Authorises the Supply of Alcohol</b>			
<b>Mr Mahendran Vasanthakumar</b> <b>2 Avonside Avenue, Stoke-on-Trent, ST6 6EA</b>			
<b>Personal Licence Number and Issuing Authority of Personal Licence Held by Designated Premises Supervisor Where the Premises Licence Authorises the Supply of Alcohol</b>			
<b>322724</b>		<b>Stoke-on-Trent</b>	
<b>ANNEXES</b>			
<b>Annex 1</b>			
<b><u>Mandatory Conditions</u></b>			
<b>Mandatory Condition in Force From 28<sup>th</sup> May 2014</b>			
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. (i)P is the permitted price,
- ii. (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. (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;
- iv. (c)“relevant person” means, in relation to premises in respect of which there is in force a premises licence—
  - v. (i)the holder of the premises licence,
  - vi. (ii)the designated premises supervisor (if any) in respect of such a licence, or
  - vii. (iii)the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d)“relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e)“value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Annex 2**

**Conditions Consistent with the Operating Schedule**

None

**Annex 3**

**Conditions attached following a Hearing**

**Annex 4**

**Plans**

Nesta Barker  
Head of Environmental Health Services

16 November 2018

<b>Licensing Act 2003 PREMISES LICENCE SUMMARY</b>	<b>3207 003207</b>
 <b>NEWCASTLE·UNDER·LYME</b> <b>BOROUGH COUNCIL</b>	<b>Newcastle under Lyme Borough Council</b> <b>Licensing Admin Team</b> <b>Castle House</b> <b>Barracks Road</b> <b>Newcastle-under-Lyme</b> <b>Staffordshire</b> <b>ST5 1BL</b> <b>01782 717717</b> <a href="http://www.newcastle-staffs.gov.uk">www.newcastle-staffs.gov.uk</a>

**PART 1 – Premises Details**

**Postal Address of Premises, or if None, Ordnance Survey Map Reference or Description**

**B L FOOD & WINE**  
**70 Newcastle Road, Kidsgrove, Staffordshire, ST7 1RW**

**Where the Licence is Time Limited the Dates**

**Licensable Activities Authorised by the Licence**

**Supply of Alcohol**

**The Times the Licence Authorises the Carrying out of Licensable Activities**

ACTIVITY	LOCATION	TIMES
Supply of Alcohol		Monday to Sunday 09:00-21:00

**The Opening Hours of the Premises**

Monday to Sunday	05:00-21:00
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**PART 2**

**Name Registered Address Telephone Number and Email of Holder of Premises Licence**

Mr Mahendran Vasanthakumar	2 Avonside Avenue, Stoke-on-Trent, ST6 6EA
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**Registered Number of Holder where Applicable (Charity Number, Company Number)**

**Name of Designated Premises Supervisor Where the Premises Licence Authorises the Supply of Alcohol**

Mr Mahendran Vasanthakumar

**Personal Licence Number and Issuing Authority of Personal Licence Held by Designated Premises Supervisor  
Where the Premise Licence Authorises the Supply of Alcohol**

322724	Stoke-on-Trent
--------	----------------

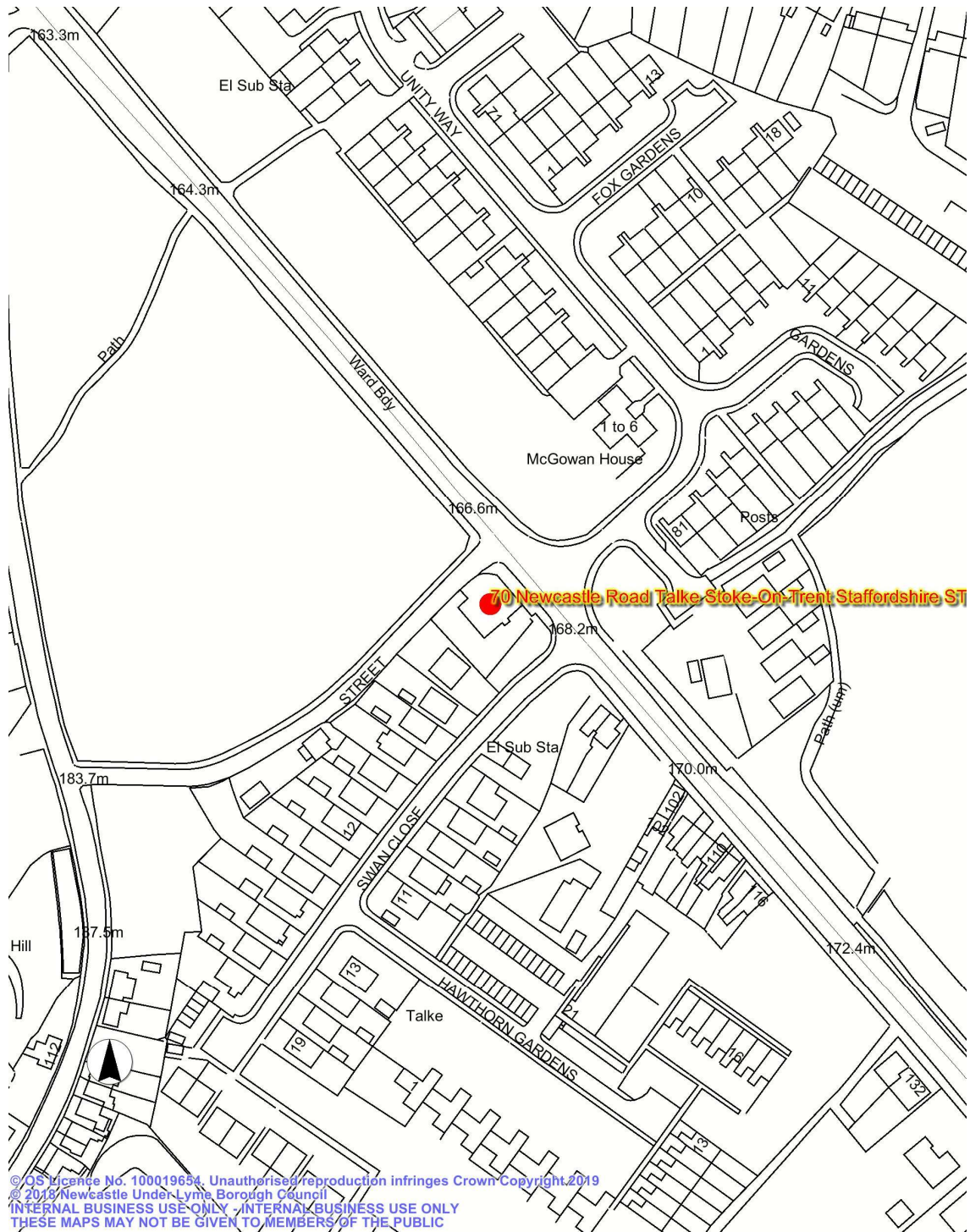
*N.S. Barker*

Nesta Barker  
 Head of Environmental Health Services

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# APPENDIX E

Application for a Premises Licence for Talke Express, 70 Newcastle Road, ST7 1RW



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