

# Public Document Pack

**Date of meeting** Wednesday, 21st December, 2022

**Time** 10.00 am

**Venue** SF02 - Castle

**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 | VARIATION OF A PREMISE LICENCE - CORNER PIN. 67<br>CHAPEL STREET, TALKE | (Pages 9 - 48) |

**Members:** Councillors Panter, J Williams and Heesom

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 :-** Where the total membership of a committee is 12 Members or less, the quorum will be 3 members....Where the total membership is more than 12 Members, the quorum will be one quarter of the total membership.

#### SUBSTITUTE MEMBER SCHEME (Section B5 – Rule 2 of Constitution)

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

Substitute Members:

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

**Contacting the Council:**

Switchboard 01782 717717 . Text 07800 140048

Email [webmaster@newcastle-staffs.gov.uk](mailto:webmaster@newcastle-staffs.gov.uk).

[www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

- 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)

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

**NOTE:** THERE ARE NO FIRE DRILLS PLANNED FOR THIS EVENING SO IF THE FIRE ALARM DOES SOUND, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

ON EXITING THE BUILDING, PLEASE ASSEMBLE AT THE FRONT OF THE BUILDING BY THE STATUE OF QUEEN VICTORIA. DO NOT RE-ENTER THE BUILDING UNTIL ADVISED TO DO SO.

### **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.

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: Wednesday 21 December 10:00am

#### 1. LICENSING ACT 2003

Submitted by: Head of Regulatory Services

Portfolio: Finance, Town Centres & Growth

Ward(s) affected: Talke and Butt Lane

#### Purpose of the Report

To inform the committee of an application to vary a premises licence for the Corner Pin at 67 Chapel Street, Talke. The request is for an additional trading hour to be added to the current premises licence and to amend the wording on Annex 3, condition 2 of the current licence.

Two relevant representations have been received from two local residents on the basis that to grant the application would undermine the licensing objectives relating to, the prevention of public nuisance.

#### 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 when making its decision. The licensing objectives are;

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

#### 1. Background

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

Premises:	Corner Pin
Location:	67 Chapel Street, Talke, ST7 1NN
Licence Number:	003085
Applicant:	Hawthorne Leisure Limited
Designated Premises Supervisor:	Claire Louise Clewlow

1.2 An application to vary a premises licence under the Licensing Act 2003, has been received in relation to the Corner Pin at 67 Chapel Street, Talke. The application requested that the current premises opening hour of Monday to Sunday between the hour of 10:00 until 23:30 be extend by an additional hour taking the close time to 00:30. It also requested to increase the sale of alcohol by an additional hour on Monday to Sunday until 00:00 (midnight). The introduction of live music until 00:00, on Monday to Sunday and to replace annex 3, condition 2 with the wording; 'Noise from the premises shall be kept to a level where it is unlikely to be considered as public nuisance from the boundary of the nearest noise sensitive premises'. A copy of the original application is attached as **Appendix A**.

- 1.3 During the consultation period four objections were received from local residents. Following discussions with the applicant and their solicitor, amendments to the application were proposed. These were to remove the request for live and recorded music entirely and to add four additional conditions;
1. A dispersal policy will be drawn up and implemented to ensure that customers leave the area quickly and quietly
  2. An external area management plan will be drawn up and implemented to ensure that customers drinking and smoking outside do not cause undue disturbance to residents
  3. A phone number will be available to residents to allow contact with the duty manager/DPS (Designated Premises Supervisor) to allow them to contact the Premises should the need arise
  4. A complaints log will be maintained and shall record any complaints by local residents in relation to public nuisance issues reported to the DPS or staff at the premises. The log will be made available to officers from the councils environmental protection team on request
- A copy of the proposal is attached as **Appendix B**.
- 1.4 The above proposed amendments to the application were considered satisfactory for two of the local residents and they withdrew their objections before the end of the consultation period. The applicant has agreed to retain the proposed amendment to help develop good working relationship with local residents. The remaining two residents wish to pursue their objection on the grounds of the prevention of public nuisance. A copy both objections are attached as **Appendix C** and **D**.
- 1.5 Currently, the premises at Chapel Street are licensed to open Monday to Sunday, from 10:00 until 23:30, with an additional hour on Christmas Eve and Boxing Day and with an additional two hours on New Year's Eve. The licence also includes indoor sporting events, recorded music and the supply of alcohol on Monday to Sunday from 10:00 until 23:00, with an additional hour on Christmas Eve and Boxing Day and an additional two hours on New Year's Eve. A copy of the current premises licence is attached as **Appendix E**.
- 1.6 The current premises licence was transferred to Hawthorne Leisure Limited in January 2020, from Marston's PLC. Looking at the licence records there have been no complaints or issued recorded against the premises whilst under the current owner and designated premises supervisor. An Environmental Health Officer also confirmed that the complaints database does not indicate any complaints received relating to the Corner Pin. However, the premises record does show one noise complaint recorded prior to the new tenant in 2017, when the premises was known as The Crown. An officer of the council did visit the premises on 17 August 2017, to assess compliance. No breaches of the licence were recorded at the time of the visit. However, the Licensing Officer did take the opportunity to remind the previous DPS of the current licence closing times and their responsibilities.
- 1.7 A site plan is attached as **Appendix F** to show the location of the premises.

## 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:-*

- One Council delivering for local people
- A successful and sustainable growing borough
- Healthy, active and safe communities
- Town Centres 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** – Copy of the original variation application form  
**Appendix B** – Copy of the proposed/agreed amendments to the variation application  
**Appendix C** – Objection one  
**Appendix D** – Objection two  
**Appendix E** – Copy of the current premises licence  
**Appendix F** – Map showing premises location

15. **Background Papers**

- 15.1 Licensing Policy 2015-2020  
15.2 Licensing Act 2003 Statutory Guidance

## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Hawthorn Leisure Limited

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

<b>Premises licence number</b>
--------------------------------

003085
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### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
--

Corner Pin 67 Chapel Street Talke
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Post town	Stoke on Trent	Postcode	ST7 1NN
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Telephone number at premises (if any)	
---------------------------------------	--

Non-domestic rateable value of premises	£11,500.00 (i.e., Band B.)
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### Part 2 – Applicant details

Daytime contact telephone number	
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E-mail address (optional)	
---------------------------	--

Current postal address if different from premises address	Touchstone Pinewood Business Park, Marston Green
---	--

Post town	Birmingham	Postcode	B37 7HG
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### Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐  
No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

This is an application to vary the premises licence in order to vary the hours for operation as follows:

- Opening hours from 10:00h until 00:30h every day of the week (currently 10:00 h until 23:30 h)
- Hours for sale of alcohol (For consumption on AND off the premises) From 10:00h until 00:00h every day of the week.
- Live Music (Indoors Only) from 10:00h until 00:00h every day of the week.
- Recorded Music (Indoors Only) from 10:00h until 00:00h every day of the week.

Additionally, Annex 3 condition 2 which reads, "Noise from the premises shall be inaudible at the boundary of the nearest noise sensitive premises" is to be replaced with the following:

"Noise from the premises shall be kept to a level where it is unlikely to be considered a public nuisance from the boundary of the nearest noise sensitive premises."

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

--

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment (Please see guidance note 3)**

**Please tick all that apply**

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☒
- f) recorded music (if ticking yes, fill in box F) ☒
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

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

☐

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

☒

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

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur								
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)					
Sat								
Sun								



B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – <u>please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>						
				Outdoors	<input type="checkbox"/>						
				Both	<input type="checkbox"/>						
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)								
Mon	1000										
		0000									
Tue	1000										
		0000									
Wed	1000					<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)					
		0000									
Thur	1000										
		0000									
Fri	1000								<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
		0000									
Sat	1000										
		0000									
Sun	1000										
		0000									

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon	1000							
		0000						
Tue	1000							
		0000						
Wed	1000					<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
		0000						
Thur	1000							
		0000						
Fri	1000		<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)					
		0000						
Sat	1000							
		0000						
Sun	1000							
		0000						

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue				<b><u>Please give further details here</u></b> (please read guidance note 5)	
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>	
				Off the premises	<input type="checkbox"/>	
				Both	<input checked="" type="checkbox"/>	
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6)			
Mon	1000					
		0000				
Tue	1000					
		0000				
Wed	1000					
		0000				
Thur	1000					<b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)
		0000				
Fri	1000					
		0000				
Sat	1000					
		0000				
Sun	1000					
		0000				

K

<p><b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 10).</p>
--



L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6)
Day	Start	Finish	
Mon		0030	
	1000		
Tue		0030	
	1000		
Wed		0030	
	1000		
Thur		0030	
	1000		
Fri		0030	
	1000		
Sat		0030	
	1000		
Sun		0030	
	1000		
			<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Annex 3 condition 2 which reads, "Noise from the premises shall be inaudible at the boundary of the nearest noise sensitive premises"

Please tick as appropriate

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

As per current premises licence.

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

As per current premises licence.

**c) Public safety**

As per current premises licence.

**d) The prevention of public nuisance**

“Noise from the premises shall be kept to a level where it is unlikely to be considered a public nuisance from the boundary of the nearest noise sensitive premises.”

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

As per current premises licence.

Checklist:


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or ☐
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I understand that I must now advertise my application. ☐
- I have enclosed the premises licence or relevant part of it or explanation. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐

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

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	01/11/2022
Capacity	Solicitor to applicant

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15) Amy King TLT Solicitors One Redcliff Street			
<b>Post town</b>	Bristol	<b>Post code</b>	BS1 6TP
<b>Telephone number (if any)</b>	0333 006 0472		
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b> amy.king@tltsolicitors.com			

#### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - 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.

- 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.
    - 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.
    - 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:
    - 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.
    - 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.
    - 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.
  - 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:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - 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;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example 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.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.



7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please 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.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please 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 or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

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29/11/2022

## **Proposal**

1. Remove the application for live music and recorded music entirely (My client will rely on the live music act and recorded music exemption to have live/ recorded music to 11pm daily or TENs for special occasions as is currently)
2. We also propose the following 4 conditions:
  - a. A dispersal policy will be drawn up and implemented to ensure that customers leave the area quickly and quietly.
  - b. An external area management plan will be drawn up and implemented to ensure that customers drinking and smoking outside do not cause undue disturbance to residents.
  - c. A phone number will be made available to residents to allow contact with the duty manager/ DPS to allow them to contact the Premises should the need arise.
  - d. A complaints log will be maintained and shall record any complaints by local residents in relation to public nuisance issues reported to the DPS or staff at the premises. The log will be made available to officers from the council environmental protection team on request.

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## Objection from Miss Cheryl Dee Fox

### **Application Summary**

Hawthorn Leisure Limited has applied in respect of the Corner Pin, 67 Chapel Street, Talke, Stoke on Trent, ST7 1NN for a variation of the premises licensed under the Licensing Act 2003 to allow for:

Opening hours from 10.00h until 00.30h every day of the week (currently 10.00h until 23.30h)

Hours for sale of alcohol (for consumption on AND off the premises) from 10.00h until 00.00h every day of the week

Live music (indoors only) from 10.00h until 00.00h every day of the week

Additionally, Annex 3 condition 2 which reads, "Noise from the premises shall be inaudible at the boundary of the nearest noise sensitive premises" is to be replaced with the following:

"Noise from the premises shall be kept to a level where it is unlikely to be considered a public nuisance from the boundary of the nearest noise sensitive premises"

### **Customer details**

Miss Cheryl Dee Fox

### **Comment details**

would like to object to the application to vary premises licence at the Corner Pin, I believe it should be deemed invalid at this time. Because of the following reasons

1. Currently, visitors make excessive noise when smoking/leaving the building, so the addition of loud music and later serving times will add to the local residents' distress.
2. Because the pub is in a densely populated area where noise travels, extending the drinking hours and playing loud music would upset residents who prefer a quieter lifestyle.
3. Loud music was played within the premises a few years ago, and the majority of the neighbours were irritated. As I am a single person, hearing men swearing outside and the base of the music adds to my stress, which previously resulted in my hospitalisation.

If this application is not overturned, residents have agreed to contact the police/council to file complaints, which would be a waste of time and resources in an already understaffed and underpaid sector.

**Kind regards**  
**Cheryl Fox**

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## Objection from Mrs Rosa and Mr Christopher Rows

### Application Summary

Hawthorn Leisure Limited has applied in respect of the Corner Pin, 67 Chapel Street, Talke, Stoke on Trent, ST7 1NN for a variation of the premises licensed under the Licensing Act 2003 to allow for:

Opening hours from 10.00h until 00.30h every day of the week (currently 10.00h until 23.30h)

Hours for sale of alcohol (for consumption on AND off the premises) from 10.00h until 0.00h every day of the week

Live music (indoors only) from 10.00h until 00.00h every day of the week

Additionally, Annex 3 condition 2 which reads, "Noise from the premises shall be inaudible at the boundary of the nearest noise sensitive premises" is to be replaced with the following:

"Noise from the premises shall be kept to a level where it is unlikely to be considered a public nuisance from the boundary of the nearest noise sensitive premises"

### Customer details

Mrs Rosa and Mr Christopher Rows

### Comment details

would like to object to the application to vary premises licence at the Corner Pin, I believe it should be deemed invalid at this time. Because of the following reasons

1. Currently, visitors make excessive noise when smoking/leaving the building, so the addition of loud music and later serving times will add to the local residents' distress.
2. Because the pub is in a densely populated area where noise travels, extending the drinking hours and playing loud music would upset residents who prefer a quieter lifestyle.
3. Loud music was played within the premises a few years ago, and the majority of the neighbours were irritated. People shouting and car doors slamming and revving engines cause dogs to start barking which causes even more distress.


If this application is not overturned, residents have agreed to contact the police/council to file complaints, which would be a waste of time and resources in an already understaffed and underpaid sector.

Rosa and Christopher Rowe

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21 October 2022

 <b>NEWCASTLE-UNDER-LYME 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>
<b>LICENSING ACT 2003</b> <b>PREMISES LICENCE 3085</b>		
<b>PART 1 – Premises Details</b>		
<b>Postal Address of Premises, or if None, Ordnance Survey Map Reference or Description</b>		
<b>CORNER PIN</b> <b>67 Chapel Street, Talke, Stoke on Trent, ST7 1NN</b>		
<b>Where the Licence is Time Limited the Dates</b>		
<b>Licensable Activities Authorised by the Licence</b>		
<b>Indoor Sporting Events</b> <b>Recorded Music Indoors</b> <b>Supply of Alcohol On and Off Premises</b>		
<b>The Times the Licence Authorises the Carrying out of Licensable Activities</b>		
<b>ACTIVITY</b>	<b>LOCATION</b>	<b>TIMES</b>
Indoor Sporting Events		An additional hour on Christmas Eve and Boxing Day. An additional two hours on New Year's Eve.
		Monday to Sunday 10:00 to 23:00
Recorded Music	Indoors	An additional hour on Christmas Eve and Boxing Day. An additional two hours on New Year's Eve.
		Monday to Sunday 10:00 to 23:00
Supply of Alcohol		An additional hour on Christmas Eve and Boxing Day. An additional two hours on New Year's Eve.
		Monday to Sunday 10:00 - 23:00
<b>The Opening Hours of the Premises</b>		
		An additional hour on Christmas Eve and Boxing Day. An additional two hours on New Year's Eve.
Monday to Sunday		10:00-23:30
<b>PART 2</b>		
<b>Name Registered Address Telephone Number and Email of Holder of Premises Licence</b>		
Hawthorn Leisure Limited		Touchstone Pinewood Business Park, Marston Green, Birmingham, B37 7HG
<b>Registered Number of Holder where Applicable (Charity Number, Company Number)</b>		
08791672		
<b>Name and Address of Designated Premises Supervisor Where the Premise Licence Authorises the Supply of Alcohol</b>		
<b>Claire Louise Clewlow</b> <b>Corner Pin, 67 Chapel Street, Talke, Stoke on Trent, ST7 1NN</b>		
<b>Personal Licence Number and Issuing Authority of Personal Licence Held by Designated Premises Supervisor</b> <b>Where the Premises Licence Authorises the Supply of Alcohol</b>		
004287		Newcastle-under-Lyme

## ANNEXES

### Annex 1

#### **Mandatory Conditions**

##### **Alcohol**

1. No supply of alcohol may be made under the premises licence:

- (a) At a time when there is no designated Premises supervisor in respect on the Premises Licence.
- (b) At a time when the Designated Premises Supervisor does not hold a personal Licence; or
- (c) 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 the Premises Licence must be made, or authorised by a person who holds a Personal Licence

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

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

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises 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 holographic mark, or.
- (b) an ultraviolet feature..

6. The responsible person must 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;.

(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.”.

7. All individual(s) at the premises for the purpose of carrying out a security activity must

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of that Act..

### **Mandatory Condition in Force From 28<sup>th</sup> 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. (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**

**PREVENTION OF CRIME AND DISORDER**

1. No customers carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public. 2. Alcoholic and other drinks shall not be removed from the premises in open containers save for consumption in any external area provided

**PUBLIC SAFETY**

1. Any requirements of Staffordshire Fire and Rescue Officer notified in writing shall be complied with.
2. Any requirements that the Newcastle under Lyme B.C. building control officer notified in writing shall be complied with.

**PREVENTION OF PUBLIC NUISANCE**

1. Clear, prominent and legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

**PROTECTION OF CHILDREN FROM HARM**

1. Any entertainment performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government Miscellaneous Provisions) Act 1982 shall not be provided. 2. Children shall not be permitted after 22.00pm hours.

**Annex 3**

**Conditions attached following a Hearing**

**ANNEX 4 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING**

**Prevention of Public Nuisance**

1. No noise or vibration shall emanate from the premises so as to cause a nuisance to nearby properties.
2. Noise from the premises shall be inaudible at the boundary of the nearest noise sensitive premises.

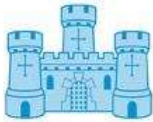
**Annex 4**

**Plans**

ANNEX 5 - PLAN OF THE PREMISES.

Nesta Barker  
Head of Regulatory Services

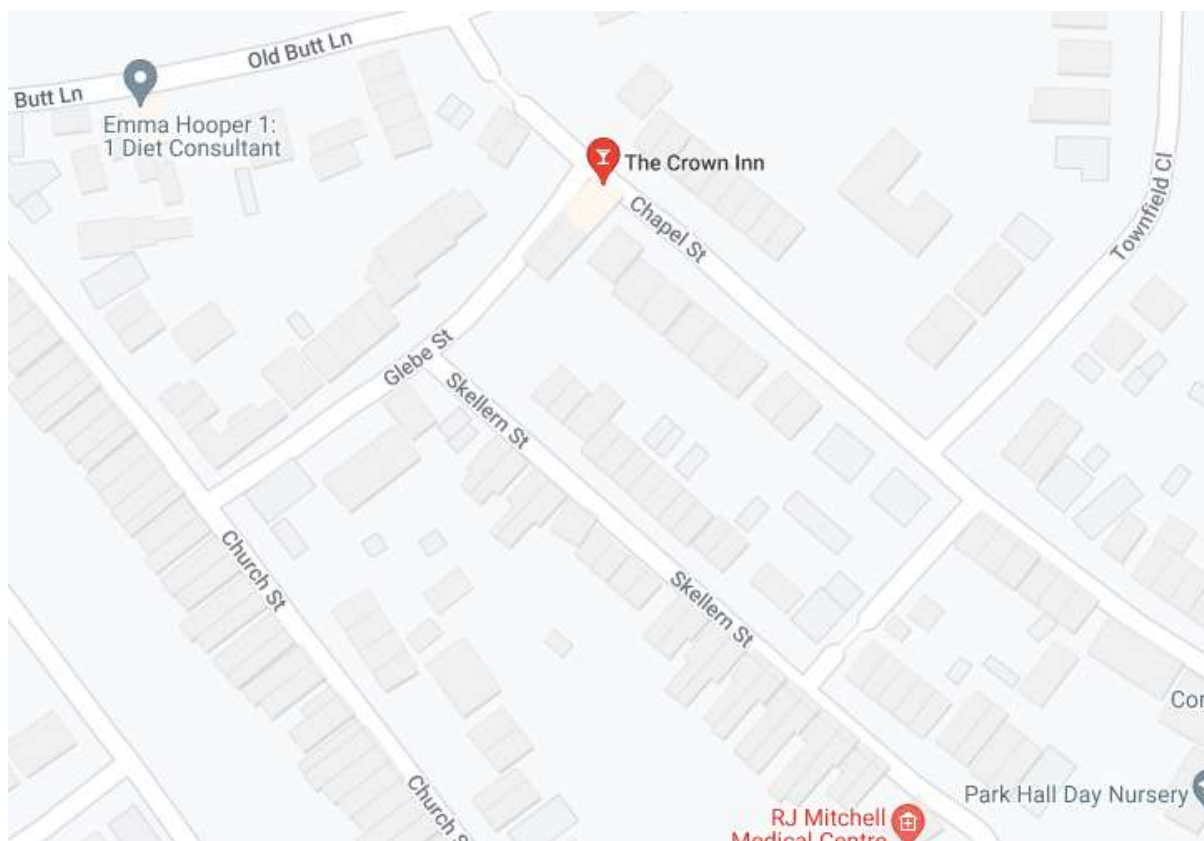
21 October 2022

<b>Licensing Act 2003 PREMISES LICENCE SUMMARY</b>		<b>3085</b>
 <b>NEWCASTLE-UNDER-LYME BOROUGH COUNCIL</b>		<b>Newcastle under Lyme Borough Council Licensing Admin Team Castle House Barracks Road Newcastle-under-Lyme Staffordshire ST5 1BL 01782 717717 <a href="http://www.newcastle-staffs.gov.uk">www.newcastle-staffs.gov.uk</a></b>
<b>PART 1 – Premises Details</b>		
<b>Postal Address of Premises, or if None, Ordnance Survey Map Reference or Description</b>		
<b>CORNER PIN 67 Chapel Street, Talke, Stoke on Trent, ST7 1NN</b>		
<b>Where the Licence is Time Limited the Dates</b>		
<b>Licensable Activities Authorised by the Licence</b>		
<b>Indoor Sporting Events Recorded Music Indoors Supply of Alcohol On and Off Premises</b>		
<b>The Times the Licence Authorises the Carrying out of Licensable Activities</b>		
<b>ACTIVITY</b>	<b>LOCATION</b>	<b>TIMES</b>
Indoor Sporting Events		<b>An additional hour on Christmas Eve and Boxing Day. An additional two hours on New Year's Eve. Monday to Sunday 10:00 to 23:00</b>
Recorded Music	Indoors	<b>An additional hour on Christmas Eve and Boxing Day. An additional two hours on New Year's Eve. Monday to Sunday 10:00 to 23:00</b>
Supply of Alcohol		<b>An additional hour on Christmas Eve and Boxing Day. An additional two hours on New Year's Eve. Monday to Sunday 10:00 - 23:00</b>
<b>The Opening Hours of the Premises</b>		
		<b>An additional hour on Christmas Eve and Boxing Day. An additional two hours on New Year's Eve.</b>
<b>Monday to Sunday</b>		<b>10:00-23:30</b>
<b>PART 2</b>		
<b>Name Registered Address Telephone Number and Email of Holder of Premises Licence</b>		
<b>Hawthorn Leisure Limited</b>		<b>Touchstone Pinewood Business Park, Marston Green, Birmingham, B37 7HG</b>
<b>Registered Number of Holder where Applicable (Charity Number, Company Number)</b>		
<b>08791672</b>		
<b>Name of Designated Premises Supervisor Where the Premises Licence Authorises the Supply of Alcohol</b>		
<b>Claire Louise Clewlow</b>		
<b>Personal Licence Number and Issuing Authority of Personal Licence Held by Designated Premises Supervisor Where the Premise Licence Authorises the Supply of Alcohol</b>		
<b>004287</b>		<b>Newcastle-under-Lyme</b>

*N.S. Barker*

Nesta Barker  
Head of Regulatory Services

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