

Public Document Pack

Date of meeting Wednesday, 4th June, 2025
Time 1.00 pm
Venue Astley Room - Castle
Contact Geoff Durham 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

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

Licensing Sub-Committee

AGENDA

OPEN AGENDA

- 1 APPOINTMENT OF CHAIR
- 2 APOLOGIES
- 3 DECLARATIONS OF INTEREST

Appendix A - Natural Justice Guidance Notes

Appendix B - Human Rights Guidance Notes

Appendix C - Procedure to be followed by the Sub-Committee

- 4 APPLICATION TO VARY A PREMISES LICENCE, WHICH HAS RECEIVED RELEVANT REPRESENTATIONS (Pages 9 - 90)

Members: Councillors Wright, J Williams and G 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: 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: Whieldon

If you are unable to attend this meeting and wish to appoint a Substitute to attend on your place you need to identify a Substitute member from the list above who is able to attend on your behalf

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

NOTE: IF THE FIRE ALARM SOUNDS, 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

CORPORATE LEADERSHIP TEAM'S REPORT TO

Licensing Sub-Committee Date of Committee – Wednesday 4th June 2025 Public session

Report Title: Application to vary a premises licence, which has received a relevant representation.

Submitted by: Service Director – Regulatory Services

Portfolios: Finance, Town Centres and Growth

Ward(s) affected: Town ward

Purpose of the Report

To inform the Sub-Committee of an application to vary a premises licence which has received a relevant representation.

Recommendation

That Sub-Committee:

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 variation application 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

On 11 March 2025 an application to vary the premises licence was received from Newcastle Pizza Limited for Caprinos on Liverpool Road. As part of the consultation that ended on 09 April 2025, a representation was received in objection to the application.

1. **Background**

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

Premises: Caprinos
Location: 131 Liverpool Road, Newcastle Under Lyme, ST5 9HD
Licence Number: 18076
Premises Licence Holder: Newcastle Pizza Ltd (Company number 15337442)

1.2 Caprinos has held a premises licence to authorise late night refreshment since 06 July 2018. The hours authorised by the premises licence were Sundays to Thursdays 23:00 until 00:00

and Fridays and Saturdays 23:00 until 01:30. A copy of the current premises licence can be found at **Appendix A**.

- 1.3 On 11 March 2025, a variation application was received to extend the opening hours and the hours for late night refreshment until 03:00 hours on Sundays to Thursdays and until 04:00 hours on Fridays and Saturdays. A copy of this application form and supporting evidence submitted by the applicant following the representation is attached at **Appendix B**.
- 1.4 On 13 March 2025, a relevant representation from the Environmental Protection Team was received in objection to the application. The objection was made regarding the prevention of public nuisance and highlighted that the premises is in a residential area with the nearest residential bedroom being approximately 36 metres away. The objection raises concerns about the late-night noise that might be generated by patrons and delivery drivers and that there is no other late night commercial use in the vicinity until 04:00 hours. A copy of this objection, including additional correspondence between Licensing and Environmental Health, is attached at **Appendix C**.
- 1.5 On 1 April 2025, email correspondence was received from the Planning Department stating that the premises does not have any consent for the advertising signage at the premises or the outbuilding at the rear of the premises. On 7 April 2025 a further email was received from the Planning Department confirming that they will not be making an objection against this application and on 8th April the Planning Enforcement Officer confirmed that he was confident that the applicant would apply for retrospective planning for the matters outlined in his email of 1 April. A copy of the emails from planning can be found at **Appendix D**.
- 1.6 On 17 January 2025 the Licensing Team received notification that Mr SALEEM had registered as the new Food Business Operator (FBO) of the Caprinos and so the licensing team wrote to Mr SALEEM on 20th January requesting an application to transfer the premises licence. This email clearly details the hours authorised by the current premises licence. A copy of this correspondence can be found at **Appendix E**.
- 1.7 On 5 February and 19 February 2025, a Licensing Officer chased the outstanding transfer application, and it was at this point, that it was noticed that the premises was advertising hot food for supply as late as 04:00 hours which is 2 hours and 30 minutes later than their premises licence authorises. In response to this a Licensing Officer telephoned the premises and left a message with a shop worker to say that they must not trade in excess of what their premises licence authorises. A copy of the action log can be found at **Appendix F**.
- 1.8 Later the same day on 19 February 2025 the Licensing Team received a call from the new owner of the premises Mr Saleem, asking if he could stay open until 03:00-04:00 hours until he has had time to complete the transfer and variation applications. Mr Saleem claimed that the business was partnered with Uber Eats, Deliveroo and Just Eat and if he was to close early and not fulfil the orders then it would be bad for business and incur a financial penalty. A copy of the notes taken during the telephone conversation can be found at **Appendix F**. This was later supported by a written request to trade outside of his hours, a copy of the email can be found at **Appendix G**.
- 1.9 On 19 February and 24 February 2025 warning letters were sent to the premises licence holder at the time, being Mr Rafique and also to the new business owner Mr Saleem. The warning letters set out the offence of carrying out licensable activity without authorisation. A copy of the letter and email correspondence can be found at **Appendix H**.

- 1.10 On 24 February 2025 Mr Saleem emailed the Licensing Team to confirm that the trading hours of the premises were corrected as of the 19 February 2025 and that he would apply to transfer the premises licence into his business name. A copy of this email is attached at **Appendix G**.
- 1.11 On 27 February 2025 Newcastle Pizza Ltd (Company number 15337442) applied to transfer the premises licence.
- 1.12 On 24 April 2025 a check of companies house confirms that Mr Muhammad Husham SALEEM is the Sole Director of Newcastle Pizza Limited. A copy of the companies house record can be found at **Appendix I**.
- 1.13 Google street view images of the premises location is attached at **Appendix J**, and a GIS location plan of the premises is attached at **Appendix K**.
- 1.14 The premises is located within the area covered by the Council's recently updated Cumulative Impact Assessment which is attached as **Appendix L**.

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 will be available at the Licensing Sub-Committee hearing.
- 2.3. In making their decision on the application, the Sub-Committee are obliged to have regard to the Statutory Guidance, the Council's own Statement of Licensing Policy and the Council's Cumulative Impact Assessment. 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. **Recommendation**

- 3.1 The Sub-Committee, where it considers that action under its statutory powers is appropriate, may take any of the following steps for the promotion of the four licensing objectives. The steps available to the Sub-Committee are listed in Section 5.1 of this report.
- 3.2 The applicant has offered a compromise by way of a 1 hour reduction from the hours originally applied for. The details of this can be found on **page 16 of Appendix B**. The applicant has also suggested a number of ways in which they would aim to control any noise nuisance from the premises, including operating a delivery only service after midnight on Sundays to Thursdays and after 01.30 hours on Fridays and Saturdays, and using audio recording on the CCTV system (**page 15 Appendix B**) which could be added as licence conditions.

3.3 The conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

3.4 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.

4. **Reasons**

4.1 To ensure that the Council promote the licensing objectives in accordance with their statutory duty.

5. **Options Considered**

5.1 The relevant options considered in relation to this application are:
 (a) to grant the application as applied for;
 (b) to grant the application with modified conditions and/or timings;
 (c) to refuse the grant of this variation application.

6. **Legal and Statutory Implications**

6.1 The power to determine an application to vary a premises licence which falls under Section 35 of the Licensing Act 2003.

6.2 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.

7. **Equality Impact Assessment**

7.1 Not Applicable

8. **Financial and Resource Implications**

8.1 Premises Licence Holder has the right to appeal the decision at the Magistrates Court and if successful could apply for the award of costs.

9. **Major Risks & Mitigation**

9.1 As above

10. **UN Sustainable Development Goals (UNDSG)**

10.1



11. **Key Decision Information**

11.1 Not Applicable

12. **Earlier Cabinet/Committee Resolutions**

12.1 The Licensing Committee has previously resolved to have regards to its Licensing Policy.

13. **List of Appendices**

- 13.1 Appendix A – Premises licence
Appendix B – Variation application and supporting evidence
Appendix C – Objection from Environmental Protection Team
Appendix D – Planning Emails
Appendix E – Food Business Operator Registration Form
Appendix F – Civica APP action log
Appendix G – Email requesting extension of hours
Appendix H – Warning letter and email
Appendix I – Companies House Check
Appendix J – Google Street View
Appendix K – GIS map
Appendix L – Cumulative Impact Assessment

14. **Background Papers**

- 14.1 Licensing Policy 2020-2025
14.2 Licensing Act 2003 Statutory Guidance

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NEWCASTLE·UNDER·LYME
BOROUGH COUNCIL

Newcastle under Lyme Borough Council
Licensing Admin Team
Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL
01782 717717
www.newcastle-staffs.gov.uk

LICENSING ACT 2003
PREMISES LICENCE 18076
018076

PART 1 – Premises Details

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

CAPRINOS
131 Liverpool Road, Cross Heath, Newcastle Under Lyme, Staffordshire, ST5 9HD

Where the Licence is Time Limited the Dates

Licensable Activities Authorised by the Licence

Late Night Refreshment Indoors

The Times the Licence Authorises the Carrying out of Licensable Activities

ACTIVITY	LOCATION	TIMES
Late Night Refreshment	Indoors	
		Monday to Thursday 23:00-00:00
		Friday to Saturday 23:00-01:30
		Sunday 23:00-00:00

The Opening Hours of the Premises

Monday to Thursday	11:00-00:00
Friday and Saturday	11:00-01:30
Sunday	11:00-00:00

PART 2

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

Newcastle Pizza Limited T/A Caprinos Pizza

131 Liverpool Road, Cross Heath, Newcastle Under
Lyme, Staffordshire, ST5 9HD
[REDACTED]
caprinos.stoke@gmail.com

Registered Number of Holder where Applicable (Charity Number, Company Number)

15337442

Name and Address of Designated Premises Supervisor Where the Premise Licence Authorises the Supply of Alcohol

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

ANNEXES

Annex 1

Mandatory Conditions

Mandatory Condition in Force From 28th May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- i. (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. CCTV must be installed and cover all internal areas. 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 immediately to 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.
2. 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

19 March 2025

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.

3. The CCTV system must be maintained so as to be fully operational and recording 24 hours every day.

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

5. There must be a competent 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, Trading Standards or Local Authority Officers. The Premises Licence Holder shall ensure that a written log of any incidents is kept on the premises with all details recorded of dates, times, incident, staff involved etc. Written records of incidents will be retained and shall be made available for inspection on demand by the Police or Local Authority Officer.

6. A written record shall be kept on the premises by the Premises Licence Holder of every person employed on the premises, in a register kept for that purpose. That record shall contain the following: a.) Date and time person starts and finishes each duty

b.) Name, address and date of birth of each member of staff – including delivery drivers c.) Record of vehicle registration numbers used in any delivery service and a copy of vehicle insurance

7. The employee register must be kept fully updated at all times and remain at the licensed premises and be available for inspection upon request by the Police or Local Authority Officer.

Annex 3

Conditions attached following a Hearing

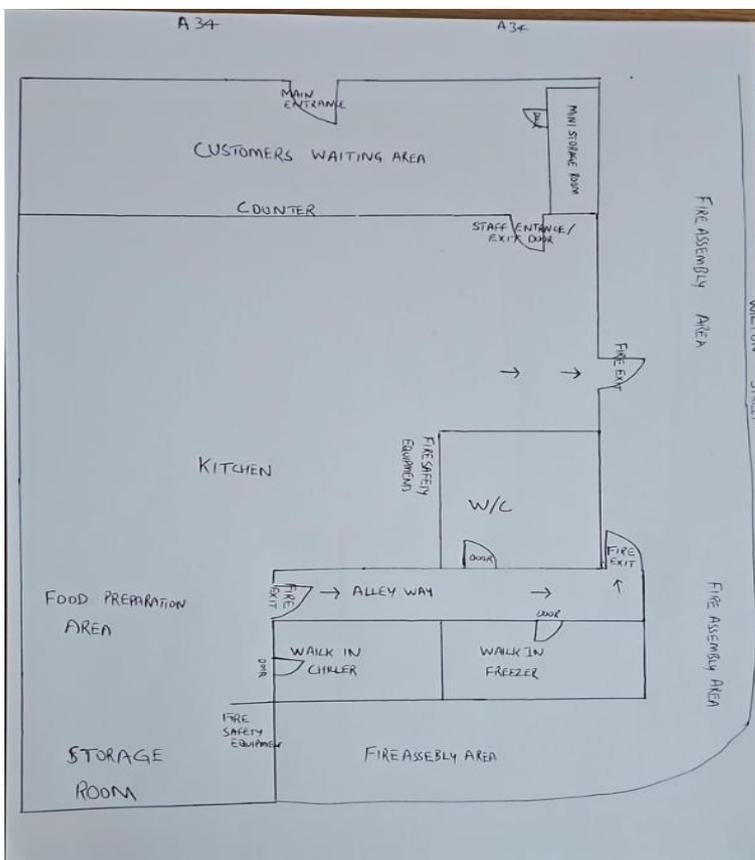
Annex 4

Plans

Annex 4 - Plan(s)

N.S. Barker

Nesta Barker
Head of Regulatory Services



Licensing Act 2003 PREMISES LICENCE SUMMARY	18076 018076
 NEWCASTLE·UNDER·LYME BOROUGH COUNCIL	Newcastle under Lyme Borough Council Licensing Admin Team Castle House Barracks Road Newcastle-under-Lyme Staffordshire ST5 1BL 01782 717717 www.newcastle-staffs.gov.uk

PART 1 – Premises Details

Postal Address of Premises, or if None, Ordnance Survey Map Reference or Description
CAPRINOS 131 Liverpool Road, Cross Heath, Newcastle Under Lyme, Staffordshire, ST5 9HD
Where the Licence is Time Limited the Dates
Licensable Activities Authorised by the Licence
Late Night Refreshment Indoors

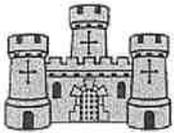
The Times the Licence Authorises the Carrying out of Licensable Activities		
ACTIVITY	LOCATION	TIMES
Late Night Refreshment	Indoors	
		Monday to Thursday 23:00-00:00
		Friday to Saturday 23:00-01:30
		Sunday 23:00-00:00

The Opening Hours of the Premises		
Monday to Thursday	11:00-00:00	
Friday and Saturday	11:00-01:30	
Sunday	11:00-00:00	

PART 2	
Name Registered Address Telephone Number and Email of Holder of Premises Licence	
Newcastle Pizza Limited T/A Caprinos Pizza	131 Liverpool Road, Cross Heath, Newcastle Under Lyme, Staffordshire, ST5 9HD [REDACTED] caprinos.stoke@gmail.com
Registered Number of Holder where Applicable (Charity Number, Company Number)	
15337442	
Name of Designated Premises Supervisor Where the Premises Licence Authorises the Supply of Alcohol	
Personal Licence Number and Issuing Authority of Personal Licence Held by Designated Premises Supervisor Where the Premise Licence Authorises the Supply of Alcohol	

N.S. Barker

Nesta Barker
Head of Regulatory Services



* required information

Section 1 of 18

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

018076

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

muhammad husham

* Family name

Saleem

* E-mail

newcastle@caprinospizza.co.uk

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

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

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

Yes No

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

Registration number

15337442

Business name

Newcastle pizza Limited T/A Caprinos Pizza

If your business is registered, use its registered name.

VAT number

-

479715243

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

4,550

Section 3 of 18

VARIATION

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

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

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 to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

The application is to extend the closing time from 12 AM to 3 AM (Sunday-Thursday) and 1:30 AM to 4 AM (Friday-Saturday). The business is a pizza takeaway with collection and delivery only. No alcohol is sold.

Premises Description: The shop is located on the A34 dual carriageway, surrounded by commercial properties with no nearby residential buildings. It has private parking at the front for customers and delivery drivers. The layout includes a storage area at the back, food preparation in the middle, and customer service at the front. The location minimizes noise disturbance, and private parking prevents road congestion. The business will continue to operate responsibly within licensing guidelines. Premises is covered and monitored by CCTV which can be provided in case of any incidence.

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Continued from previous page...

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

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

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

Continued from previous page...

The premises will continue to operate as a pizza takeaway, providing hot food and non-alcoholic beverages for collection and delivery. There will be no changes to the type of service currently provided. No live or recorded music will be played (e.g., background music for staff and waiting customers). No outdoor seating or food service will take place.

State any seasonal variations.

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

There will be no seasonal variations.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

The premises will not operate outside the requested late-night refreshment hours, and no non-standard timings are required.

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes

No

Section 14 of 18

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.

Provide 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.

There are no adult entertainment services, activities, or other matters at the premises that may give rise to concern in respect of children. The premises operate solely as a pizza takeaway with no provision for gambling, nudity, age-restricted films, or any other activities of concern.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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	<input type="text" value="11:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

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

No, there will be no seasonal variations.

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

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

There will be no non-standard timings. The premises will operate only within the standard hours requested in this application.

7

Continued from previous page...

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

No conditions are requested to be removed as part of this variation application. The proposed variation only seeks to extend the permitted hours for late-night refreshment.

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

I have applied for the premises licence to be transferred into my name on 25th February, as it was previously under the name of the previous owner. However, the previous owner was unable to locate a copy of the premises licence in their records. They have already informed the council via email about this and have requested a copy from the council.

Section 16 of 18

LICENSING OBJECTIVES

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

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

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

The premises will operate as a responsible business, ensuring compliance with all relevant laws and regulations to promote the four licensing objectives:
Staff will be trained to handle customer interactions professionally and to recognize and respond to any issues that could compromise safety or order.

b) The prevention of crime and disorder

A CCTV system will be maintained and operational at all times, covering key areas of the premises to deter and record any incidents.

c) Public safety

Measures will be taken to prevent public nuisance, including minimizing noise levels from staff and customers, and ensuring deliveries and waste disposal do not cause disturbances.

d) The prevention of public nuisance

Clear signage will be displayed to remind customers to respect local residents by keeping noise to a minimum when leaving the premises.

e) The protection of children from harm

No adult entertainment, gambling, or other activities that may pose a risk to children will take place on the premises.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

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 18 of 18

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

DECLARATION

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).

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.

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

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

* Full name

Muhammad Husham Saleem

* Capacity

Director

* Date

07 / 03 / 2025
dd mm yyyy

Add another signatory

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/change-1> to upload this file and continue with your application.

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

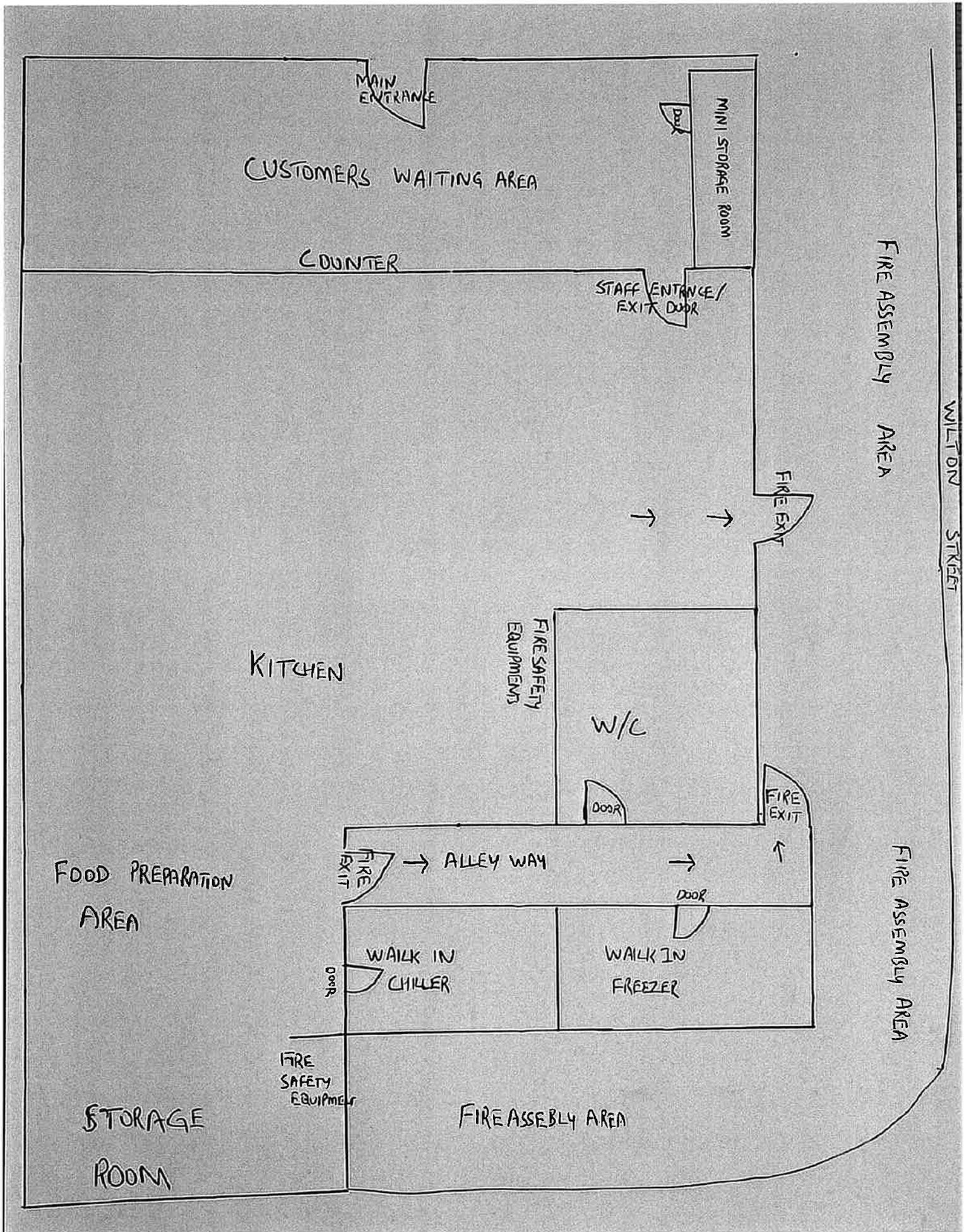
Continued from previous page...

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.

OFFICE USE ONLY

Applicant reference number	018076
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >





SUPPORTING STATEMENT

Subject- Grant of Premises License for Caprinos Pizza Newcastle-under-Lyme, 131 Liverpool Road, ST5 9HD

Further to the response received from Environmental Health (dated 17th March 2025) in relation to our premises license we would like to provide some evidence to support our request for the extension of operational hours as submitted. Firstly we would like the Environmental Health team to review their objection in line with the below evidence in order for an amicable solution instead of proceeding through a formal hearing which we feel is unnecessary.

As you can appreciate due to the financial situation many businesses are facing due to increased overheads in relation to food supplies, energy bills, staffing etc it has left us no other option but to consider offering our products for the late night trade to ensure we maintain a healthy business model. Of course this has to also take into consideration our neighbours (who are also regular customers) to ensure they are happy. To date there have not been any 3rd party objections received from members of the public in regards to our proposed hours (effecting noise levels) and we have also agreed that after the given hours from our previous late night license that we would solely operate a strict delivery only service.

During the extended later hours we would not have any sort of music playing whether that be indoors or in any delivery vehicles as our aim will be utilise staff vehicles for delivery instead of 3rd party delivery providers to ensure we can control this accordingly. Our CCTV that is operational would have benefit of recording audio and we would be able to put certain measures in place to ensure staff are given strict instructions otherwise they would face disciplinary actions.



We understand that there may be some residential premises at a 36m distance from our site but our operational hours proposed would not affect them as our delivery vehicles would be operating from the front of the building which would block out most of the noise and also the residents would hear more of the public highway traffic noise opposed to just our delivery driver vehicles with that being the main road. For the orders that we do receive in the later hours of the evening these would always be batch delivered to prevent multiple car trips in the first instance.

Nevertheless we have collated multiple examples of many premises operating either to the hours we desire or even greater such as Mc Donald's (operational 24hrs) that have a constant flow of customer vehicles that could be playing loud music to this time of night cited at just 21m from the nearest residential premises.

Given this we feel the local authority needs to take a fair approach and provide us as a business like others with an opportunity to trade during these hours and should we breach any of the conditions or have any critical complaints in the future then this can be reviewed by yourselves accordingly to put restrictions or sanctions in place.

We are happy to compromise on the hours to a mutually agreement as follows:

Sun-Thurs (original proposal) - 23:00-03:00am

Sun-Thurs (revised proposal) - 23:00-02:00am

Fri-Sat (original proposal) - 23:00-04:00am

Fri-Sat (revised proposal)- 23:00-03:00am

Kind Regards

Caprinos Pizza Newcastle

APPENDIX

Best Kebab House 41 George Street, Newcastle Under Lyme, Staffordshire, ST5 1JU

Sun-thurs, 2.30am

Fri-Sat- 3.00am

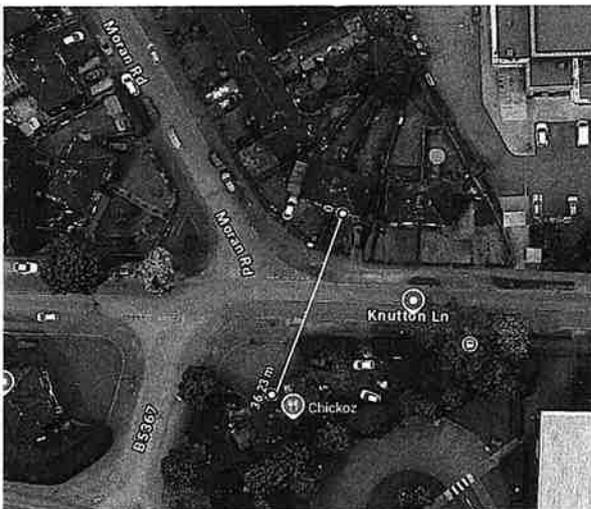
Nearest distance to residential dwelling- 32m



Chickoz, 83 Knutton Lane, Newcastle Under Lyme, Staffordshire, ST5 6ET

7days, 2.30am

Nearest distance to residential dwelling - 36m





Mcdonalds Restaurant, Dimsdale Parade West, Newcastle Under Lyme, Staffordshire, ST5 8HS

Nearest distance to residential dwelling - Until 5am 7days week (24hrs)



8 Berkeley Court, Borough Road, Newcastle Under Lyme, Staffordshire, ST5 1TT

Mon-Thur; 3am

Fri-Sat- 3.30am

Sun- 2am

Nearest distance to residential dwelling 31m





Tigerbite Kidsgrove 4 Market Street Kidsgrove Staffordshire ST7 4AB

3am 7 days week

(Similar Franchise Pizza chain like our business model)

Dominoes, Unit 3, Barracks Road, Newcastle under Lyme, Staffordshire, ST5 1AW

2am 7 days a week

Claire Ryles

From: Caprinos New Castle <newcastle@caprinospizza.co.uk>
Sent: 19 March 2025 14:46
To: licensing
Subject: Re: [UNCLASSIFIED] Application to vary the premises licence - Caprinos 18076
Categories: Claire

CAUTION: This email originated from outside of Newcastle-under-Lyme Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Claire,

Thank you for your email regarding my application to vary the premises licence. I have carefully reviewed the Cumulative Impact Assessment (CIA) policy and the relevant guidance. I would like to outline the measures I will take to mitigate any potential impact and explain why my application should be considered an exception to the policy.

Existing Business Operations & Low Impact on Cumulative Impact Area

My business is an existing, well-established food takeaway that primarily operates as a delivery service, with approximately 95% of orders being deliveries and only 5% collected in person.

There is no seating inside the premises, meaning customers do not remain on-site for extended periods, reducing any potential for congregation or noise-related disturbances.

The shop is located on the main A34 road, a dual carriageway, which is a busy commercial area with other businesses on both sides of the road. There are no immediate residential properties directly facing the premises.

The nearest residential properties are located approximately three houses away behind the premises on Wilton Street, not directly adjacent to or impacted by the business operations.

Measures to Mitigate Impact

Prevention of Public Nuisance

Minimal Walk-In Traffic: Since the majority of orders are delivered, there is very little foot traffic or customer waiting outside the premises.

No Seating, No Gathering: Without dining space, customers collect their orders and leave promptly, ensuring there is no loitering or noise buildup.

Signage & Staff Monitoring: Clear signs will be displayed requesting customers to respect local residents, and staff will be trained to manage any potential disturbances.

Traffic & Noise Management.

Dedicated Parking in Front of the Shop: Delivery drivers park in our designated parking area directly in front of the shop, minimizing traffic congestion and noise spillover into residential areas.

No Impact on Residential Streets: Delivery drivers use only the A34 dual carriageway for transport, avoiding small residential streets and ensuring there is no direct noise impact on nearby homes.

Crime Prevention & Security

CCTV Coverage: The premises is covered by high-quality CCTV monitoring both inside and outside, with recordings retained for 30 days, accessible to the police and council if required.

Well-Lit & Monitored Area: The business is situated in a commercial zone with good street lighting and active business activity, reducing the risk of crime or disorder.

Why This Application Should Be an Exception

While I appreciate the Licensing Committee's concerns regarding cumulative impact, my premises operates in a way that differs from high-risk businesses such as bars, pubs, or late-night restaurants. The key reasons why this application should be considered an exception include:

Predominantly Delivery-Based Business: With only 5% collection orders, the business does not contribute to high foot traffic or customer congregation in the area.

Minimal Impact on Local Residents: The nearest homes are located at the back on Wilton Street, and all business-related traffic remains on the A34 main road, a busy commercial dual carriageway with no direct residential impact.

Strict Noise & Traffic Management: Dedicated parking, controlled customer flow, and a delivery-focused model ensure no additional strain on local infrastructure or noise pollution in residential areas.

Given these factors, I respectfully request that my application be considered on its own merits rather than being automatically restricted by the CIA policy. I am happy to discuss any additional conditions or measures required to support this application.

Thank you for your time and consideration. I look forward to your response.

Kind regards,
Muhammad Husham Saleem

On 17/03/2025 12:11 GMT licensing <licensing@newcastle-staffs.gov.uk> wrote:

[Classification: NULBC UNCLASSIFIED]

Dear Mr Saleem

I have checked the location of your premises and it falls within our cumulative impact area, and our policy regarding this can be found here: [Microsoft Word - Cumulative Impact Assessment 2024 - Draft](#)

Section 8.43 of the section 182 Guidance states that:

'8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for



example, a cumulative impact assessment), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.'

Please could you read the Cumulative impact policy, and then respond with a statement (this can be done by email) explaining any measures which you will take to mitigate the impact, and to explain why you should be an exception to the policy.

Thanks, Claire Ryles

Licensing Enforcement Officer

Environmental Health Department

Newcastle-under-Lyme Borough Council

Tel: (01782) 717717

www.newcastle-staffs.gov.uk

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Claire Ryles

From: Tracy Farrell
Sent: 03 April 2025 16:13
To: licensing
Subject: [UNCLASSIFIED] FW: Full Variation - Caprinos, 131 Liverpool Road, ST5 9HD - Premises licence number 18076

Categories: Claire

[Classification: NULBC **UNCLASSIFIED**]

Good afternoon,

I have reviewed the additional information provided by the applicant.

This does not alter my previous response and the justification given (see email below).

Any intensification of noise in a residential area should be avoided, especially at 3am / 4am when residents would reasonably expect to have undisturbed sleep. I note the applicant stated they will use their own vehicles, but Caprino's is on both Deliveroo and Uber Eats web sites, companies who regularly use mopeds. These are noisy vehicles, and the site would have no control over the behaviour of the delivery drivers.

 Uber Eats
<https://www.ubereats.com/gb/store/caprinos-pizza-newcastle>

Caprinos Pizza (Newcastle) - Uber Eats

5 Jan 2024 · Caprinos Pizza in Newcastle under Lyme is a popular pizzeria know thin-crust and deep-dish pizzas. Customers rave about the BBQ, Mexican Hot Piz

4.6/5 ★★★★★ (2.9K) Cuisine: Pizza Italian American

 Deliveroo
<https://deliveroo.co.uk/menu/stoke-on-trent/newcastle-under-lyme>

Caprinos Newcastle under Lyme - Newcastle-under-Lym

Caprinos Special (Small) Onion, pepperoni, sweetcorn, tandoori chicken, spicy b

This decision has been taken in relation to upholding the licensing objective of : The prevention of public nuisance.

Regards

Tracy

Tracy Farrell
Environmental Protection Interim Manager
Regulatory Services Division
Sustainable Environment and Operations Directorate
Newcastle-Under-Lyme Borough Council
Castle House, Barracks Road, Newcastle under Lyme. ST5 1BL
01782 742585

www.newcastle-staffs.gov.uk

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From: Tracy Farrell <Tracy.Farrell@newcastle-staffs.gov.uk>

Sent: 17 March 2025 13:31

To: licensing <licensing@newcastle-staffs.gov.uk>; Robert Thomas <Robert.Thomas@newcastle-staffs.gov.uk>

Cc: Matthew Burton <Matthew.Burton@newcastle-staffs.gov.uk>

Subject: [UNCLASSIFIED] RE: Full Variation - Caprinos, 131 Liverpool Road, ST5 9HD - Premises licence number 18076

[Classification: NULBC **UNCLASSIFIED**]

Good afternoon Claire,

Thanks for your email.

Following my objection to this application (below), I have no further comments, but the following information may be useful for the committee.

The proposal is approx. 36m direct line to a residential bedroom.



It would be reasonable to assume that these houses would choose, and likely need to have these windows open, particularly in the summer for ventilation purposes..



There is no other late night commercial use in the vicinity open until 4am, and the background noise level would be very low.

Therefore, even doors, patrons voices and particularly delivery drivers (such as "Deliveroo" etc,) would have a detrimental impact on amenity.

Regards

Tracy

Tracy Farrell
Environmental Protection Interim Manager
Regulatory Services Division
Sustainable Environment and Operations Directorate
Newcastle-Under-Lyme Borough Council
Castle House, Barracks Road, Newcastle under Lyme. ST5 1BL
01782 742585

www.newcastle-staffs.gov.uk

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Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Newcastle-under-Lyme Borough Council.

From: licensing <licensing@newcastle-staffs.gov.uk>

Sent: 17 March 2025 12:03

Page 46

To: Tracy Farrell <Tracy.Farrell@newcastle-staffs.gov.uk>; Robert Thomas <Robert.Thomas@newcastle-staffs.gov.uk>

Cc: Matthew Burton <Matthew.Burton@newcastle-staffs.gov.uk>

Subject: [UNCLASSIFIED] RE: Full Variation - Caprinos, 131 Liverpool Road, ST5 9HD - Premises licence number 18076

Importance: High

[Classification: NULBC **UNCLASSIFIED**]

Dear Tracy (cc Rob & Matt)

Thank you for your email regarding the application vary the premises licence to extend the hours at Caprinos.

I have checked the location of the premises and it falls within our cumulative impact area, and our policy regarding this can be found here: [Microsoft Word - Cumulative Impact Assessment 2024 - Draft](#)
The Policy was recently amended and now includes the late night refreshment.

I am going to contact the applicant to inform him that his premises sits with the cumulative impact area. Applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy. I will ask the applicant to provide this and share the response with you if/when he comes back to us.

So that we can ensure that the representation from Environmental Protection can withstand any scrutiny at the hearing please could I ask that you add a little more detail to your objection ? Also could you consider and include in your response:

- 1) Are there any conditions which could be attached to the licence to limit the risk of nuisance ?
- 2) Would you consider allowing the premises to operate for deliveries only past a certain time ?
- 3) Could there be any negotiation on timings at all ?

I have checked a handful of premises in/around the area (on the same road) and the timings (as advertised on google can be found below:

Pizza Hut 10am
KFC 12 midnight
Papa Johns until 02:00 Thursdays – Sundays
Newcastle Express 01:45 Fridays – Saturdays
McDonalds – open 24 hours

We look forward to receiving your amended objection, please be reminded that the closing date for representations is 09/04/2025

Thanks, Claire Ryles

Licensing Enforcement Officer
Environmental Health Department
Newcastle-under-Lyme Borough Council
Tel: (01782) 717717

www.newcastle-staffs.gov.uk

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From: Tracy Farrell <Tracy.Farrell@newcastle-staffs.gov.uk>

Sent: 13 March 2025 09:12

To: licensing <licensing@newcastle-staffs.gov.uk>

Subject: [UNCLASSIFIED] RE: Full Variation - Caprinos, 131 Liverpool Road, ST5 9HD - Premises licence number 18076

[Classification: NULBC **UNCLASSIFIED**]

Good morning Claire,

Thank you for consulting the environmental protection team regarding this application.

In relation to upholding the licensing objective of the prevention of public nuisance, the environmental protection team OBJECTS to this variation.

The site is in a residential area with no other late-night economy past midnight.

Regards

Tracy

Tracy Farrell
Environmental Protection Interim Manager
Regulatory Services Division
Sustainable Environment and Operations Directorate
Newcastle-Under-Lyme Borough Council
Castle House, Barracks Road, Newcastle under Lyme. ST5 1BL
01782 742585

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From: licensing <licensing@newcastle-staffs.gov.uk>

Sent: 11 March 2025 08:58

To: Police Licensing (licensinghq@staffordshire.pnn.police.uk) <licensinghq@staffordshire.pnn.police.uk>;

Jim Finn <james.finn@staffordshire.pnn.police.uk>; Trading Standards <licensing@staffordshire.gov.uk>;

Fire Service <Nsdg.protect@staffordshirefire.gov.uk>; Planning Applications

<planningapplications@newcastle-staffs.gov.uk>; Paul Lejman <Paul.Lejman@newcastle-staffs.gov.uk>;

Sonya Austin <Sonya.Austin@newcastle-staffs.gov.uk>; sscb.admin@staffordshire.gov.uk;

Environmental_Health <Environmental_Health@newcastle-staffs.gov.uk>; Michelle Hopper

<Michelle.Hopper@newcastle-staffs.gov.uk>; publichealth@staffordshire.gov.uk; Home Office HQ
(alcohol@homeoffice.gov.uk) <alcohol@homeoffice.gov.uk>

Cc: Matthew Burton <Matthew.Burton@newcastle-staffs.gov.uk>

Subject: [UNCLASSIFIED] Full Variation - Caprinos, 131 Liverpool Road, ST5 9HD - Premises licence number 18076

Importance: High

[Classification: NULBC **UNCLASSIFIED**]

Dear All

Please find attached a full variation application for the above premises.

The amendments requested are: **Extension of late night refreshment hours Sundays to Thursdays until 03:00 hours and Friday and Saturdays until 04:00 hours.**

There is no change to the plan of the premises requested BUT I have requested a new plan due to the poor quality of the one which we hold on file.

Also we recently received an application to transfer the premises licence from RAFIQUE to NEWCASTLE PIZZA LTD and so can confirm that the person making this application is the correct person.

Last date for reps is 09/04/2025

Thanks, Claire Ryles

Licensing Enforcement Officer
Environmental Health Department
Newcastle-under-Lyme Borough Council
Tel: (01782) 717717

www.newcastle-staffs.gov.uk

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Classifier Attachment List:

[Full Vary_Caprinos_18076.pdf - No Marking]

[Premises licence issued July 2018.docx - NULBC UNCLASSIFIED]

[Public notice.docx - NULBC UNCLASSIFIED]

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Claire Ryles

From: Paul Lejman
Sent: 08 April 2025 09:07
To: licensing
Subject: [UNCLASSIFIED] RE: Full Variation - Caprinos, 131 Liverpool Road, ST5 9HD - Premises licence number 18076

Categories: Claire

[Classification: NULBC UNCLASSIFIED]

Morning Claire

I am confident that the applicant (through his appointed agent Sags) will be submitting retrospective planning applications for the breaches in planning that I have witnessed so I won't personally be making any objection to the late licence application that you are determining.

Thank you for making me aware of the late licence for this venue as this put extra pressure on the applicant getting the planning enforcement issues addressed and the necessary planning application process ball rolling.

Regards

Paul

Paul Lejman

Planning Enforcement Officer
Newcastle-under-Lyme Borough Council
01782 717717
www.newcastle-staffs.gov.uk

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From: licensing <licensing@newcastle-staffs.gov.uk>
Sent: 07 April 2025 15:18
To: Paul Lejman <Paul.Lejman@newcastle-staffs.gov.uk>
Cc: Planning Applications <planningapplications@newcastle-staffs.gov.uk>
Subject: [UNCLASSIFIED] RE: Full Variation - Caprinos, 131 Liverpool Road, ST5 9HD - Premises licence number 18076
Importance: High

[Classification: NULBC UNCLASSIFIED]

Dear Paul

Noted thanks – so just to confirm will you be putting an objection in or not ? As the closing date for representations is this Wednesday 9th April 2025

Thanks, Claire Ryles

Licensing Enforcement Officer
Environmental Health Department
Newcastle-under-Lyme Borough Council
Tel: (01782) 717717

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From: Paul Lejman <Paul.Lejman@newcastle-staffs.gov.uk>
Sent: 01 April 2025 09:44
To: licensing <licensing@newcastle-staffs.gov.uk>
Subject: [UNCLASSIFIED] RE: Full Variation - Caprinos, 131 Liverpool Road, ST5 9HD - Premises licence number 18076

[Classification: NULBC UNCLASSIFIED]

Morning Claire

I've looked at Caprinos on Friday and there's a couple of issues from a planning point I've picked up on, I have spoken to Mr Saleem on a face to face basis who has confirmed that he is going to use an agent who works with the planning department on a regular basis in sorting out the planning issues.

The issues I've highlighted to him is that he has no advertising consent for any of his signage on display at the venue, Also he has built an outbuilding to house a large commercial freezer unit which will need consent.

He seemed a bit nervous and kept mentioning his late license application and whether these planning issues will affect his application and decision. I have stated that these planning applications will be need to be submitted promptly.

Best regards

Paul

Paul Lejman

Planning Enforcement Officer
Newcastle-under-Lyme Borough Council
01782 717717
www.newcastle-staffs.gov.uk

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From: licensing <licensing@newcastle-staffs.gov.uk>
Sent: 11 March 2025 08:58
Page 52

To: Police Licensing (licensinghq@staffordshire.pnn.police.uk) <licensinghq@staffordshire.pnn.police.uk>; Jim Finn <james.finn@staffordshire.pnn.police.uk>; Trading Standards <licensing@staffordshire.gov.uk>; Fire Service <Nsdg.protect@staffordshirefire.gov.uk>; Planning Applications <planningapplications@newcastle-staffs.gov.uk>; Paul Lejman <Paul.Lejman@newcastle-staffs.gov.uk>; Sonya Austin <Sonya.Austin@newcastle-staffs.gov.uk>; sscb.admin@staffordshire.gov.uk; Environmental_Health <Environmental_Health@newcastle-staffs.gov.uk>; Michelle Hopper <Michelle.Hopper@newcastle-staffs.gov.uk>; publichealth@staffordshire.gov.uk; Home Office HQ (alcohol@homeoffice.gov.uk) <alcohol@homeoffice.gov.uk>

Cc: Matthew Burton <Matthew.Burton@newcastle-staffs.gov.uk>

Subject: [UNCLASSIFIED] Full Variation - Caprinos, 131 Liverpool Road, ST5 9HD - Premises licence number 18076

Importance: High

[Classification: NULBC UNCLASSIFIED]

Dear All

Please find attached a full variation application for the above premises.

The amendments requested are: **Extension of late night refreshment hours Sundays to Thursdays until 03:00 hours and Friday and Saturdays until 04:00 hours.**

There is no change to the plan of the premises requested BUT I have requested a new plan due to the poor quality of the one which we hold on file.

Also we recently received an application to transfer the premises licence from RAFIQUE to NEWCASTLE PIZZA LTD and so can confirm that the person making this application is the correct person.

Last date for reps is 09/04/2025

Thanks, Claire Ryles

Licensing Enforcement Officer
Environmental Health Department
Newcastle-under-Lyme Borough Council
Tel: (01782) 717717

www.newcastle-staffs.gov.uk

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Classifier Attachment List:

[Full Vary_Caprinos_18076.pdf - No Marking]

[Premises licence issued July 2018.docx - NULBC UNCLASSIFIED]

[Public notice.docx - NULBC UNCLASSIFIED]

Claire Ryles

From: Anna Adams
Sent: 07 April 2025 10:51
To: licensing
Subject: [UNCLASSIFIED] 25/00003/LIC 131 Liverpool Road, Cross Heath

[Classification: NULBC UNCLASSIFIED]

Good morning,

I have checked the planning history and there do not appear to be any planning conditions/ restrictions on the above premises in relation to hours of opening. There were no planning objections to a previous licensing application ref: 18/00011/LIC.

Therefore, there are no planning objections to the current licensing application.

Kind regards

Anna Adams
Planning Officer
Newcastle-under-Lyme Borough Council
01782 717717
www.newcastle-staffs.gov.uk

Please Note: I work Monday, Tuesday and Wednesday only.

Have Your Say - Satisfaction with Planning Services. [Please follow this link to have your say](#)

We will publish the results from this survey via this [webpage](#)

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 Please consider the environment before printing this e-mail.

Claire Ryles

From: licensing
Sent: 20 January 2025 11:09
To: newcastle@caprinospizza.co.uk
Subject: [UNCLASSIFIED] Muhammad husham saleem - L1U 18076 Caprinos SRU: 165450
Attachments: App to Transfer premises.docx; Consent to transfer.doc

Importance: High

[Classification: NULBC UNCLASSIFIED]

Dear Mr Saleem

We are in receipt of your food business registration form for Caprinos Pizza. We note that the premises benefits from a licence to authorise late night food (Sunday to Thursday until 00:00 and Friday to Saturday 23:00 until 01:30).

The licence is currently held under the name of **Mr Shezhad Rafique**. If you have now taken over the business (and want to sell food after 23:00 hours) then you will need to apply for a transfer of the premises licence. I have attached the application forms to this email. You will need to complete the application form and the previous owner (Mr Shezhad Rafique) will need to complete the consent form.

Once complete please email them to licensing@newcastle-staffs.gov.uk

You will also need to pay the fee of £23.00 by calling 01782 717717. Once you have sent in the completed form and paid the fee then we will process the application and send you a new premises licence which will be held in your name / your limited company name.

If you have any questions about the application process please let us know.

New FBO received 17/01/2025

Company name:
Newcastle pizza limited
Company number:
15337442

Address:
131 Liverpool Road

Newcastle
ST5 9HD

Designated Contact:
Muhammad husham saleem
Director


newcastle@caprinospizza.co.uk

Thanks, Claire Ryles

Licensing Enforcement Officer
Environmental Health Department
Newcastle-under-Lyme Borough Council
Tel: (01782) 717717



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Classifier Attachment List:

[App to Transfer premises.docx - No Marking]

[App to Transfer premises.docx - No Marking]

[Consent to transfer.doc - NULBC UNCLASSIFIED]

[Consent to transfer.doc - NULBC UNCLASSIFIED]

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
5	AZT	Telephone Call Made to chase o/s transfer shop - left message with staff member 01782 625777		05/02/2025		CRY
6	AZT	Telephone Call Made to chase o/s transfer, once again left message with staff member 01782 625777. During telephone conversation I noticed website advertising food until 04:00 hours and so I told the staff member that this was beyond their authorised hours and that they needed to close at the time stated on their premises licence		19/02/2025		CRY
7	AAA	Telephone Call Received @ 14:48 hours from new owner [REDACTED] asking for us to give permission for their 'usual hours' until he gets back in country - see notes 19/ 2/2025 14:48 hours CRY		19/02/2025		CRY
		Call from new business owner Muhammad Husham Saleem to say that he is currently out of the county and has recieved a message from the staff to say that they need to close as per the timings on their premises licence BUT he is unable to do this as they currently offer delivery services through Just Eat, Deliveroo and Ubereats and because he is out of the country he is unable to change the times for which he can accept orders. He asked to be given a 'grace period' until he returns to the country on 24/02/2025. I said that I could not give him permission to break the law and that to serve after hours would be a criminal offence. He asked for my email to send over some supporting information which I provided.				
8	AZT	Telephone Call Made to current PLH [REDACTED] NANM @ 16:34 hours No answer		19/02/2025		CRY
9	AZE	E-Mail sent to compliance at Just eat - see notes and edm 19/ 2/2025 16:39 CRY		19/02/2025		CRY

Good Afternoon

I have a premises within our Borough Council area which is operating outside it's licensable hours in relation to the provision of late night refreshment and are advertising on your App for hours that exceed the licence.

The premises is Caprinos Pizza - Newcastle-under-Lyme, 131 Liverpool Road, Newcastle, ST5 9, UK.

Their licence allows the provision of late night refreshment to the following terminal hours:

Sunday to Thursday 12midnight

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
		Friday and Saturday	01:30hours			
		On your App they are listed with the following closing times:				
		Delivery				
		Sunday	02:30hours			
		Monday to Thursday	01:30hours			
		Friday and Saturday	03:30hours			
		Collection				
		Sunday	02:45hours			
		Monday to Thursday	01:45hours			
		Friday and Saturday	03:45hours			

As you will know, it is an offence under the Licensing Act 2003, Section 136 to provide late night refreshment between the hours of 23:00 and 05:00 in the UK without a licence and therefore we request that action is taken to amend the account so that they are unable to provide late night refreshment outside of their licensable hours.

If you are not the correct point of contact, are you able to provide a contact email so that the matter can be dealt with as a matter of priority please?

If you require any further information please do not hesitate to contact me.

Kind regards

Melanie Steadman
Licensing Enforcement Officer
Newcastle-under-Lyme Borough Council
01782 717717

www.newcastle-staffs.gov.uk

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10	AZE	E-Mail sent to Deliveroo - see notes and edm		19/02/2025	CRY	
11	AZE	E-Mail sent to compliance at Uber		19/02/2025	CRY	

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
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eats - see text and edm
 19/ 2/2025 16:03 CRY

Good Afternoon

I have a premises within our Borough Council area which is operating outside it's licensable hours in relation to the provision of late night refreshment and are advertising on your website and app for hours that exceed the licence.

The premises is Caprinos Pizza (Newcastle), 131 Liverpool Road, Newcastle, ST5 9, UK.

Their licence allows the provision of late night refreshment to the following terminal hours:

Sunday to Thursday	12midnight
Friday and Saturday	01:30hours

On your website they are listed with the following closing times:

Sunday	02:30hours
Monday to Thursday	01:30hours
Friday and Saturday	03:30hours

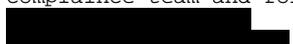
As you will know, it is an offence under Licensing Act 2003, Section 136 to provide late night refreshment between the hours of 23:00 and 05:00 in the UK without a licence and therefore we request that action is taken to amend the account so that they are unable to provide late night refreshment outside of their licensable hours.

If you are not the correct point of contact, are you able to provide a contact email so that I can notify you of the details please?

If you require any further information please do not hesitate to contact me.

Kind regards

Melanie Steadman
 Licensing Enforcement Officer
 Newcastle-under-Lyme Borough Council
 01782 717717

12	AAB	Email Received from Just Eat with correct email address for UK complaine team and forwarding 	20/02/2025	20/02/2025	MST	
		20/ 2/2025 9:01 MST				

My pleasure Melanie.

Kind regards,

Vincent

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
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Vincent Koorstra
Senior Ethics & Compliance Manager

E: [REDACTED]
M: [REDACTED]

Piet Heinkade 61
1019 GM Amsterdam
The Netherlands

On Thu, 20 Feb 2025 at 09:50, Melanie Steadman
<Melanie.Steadman@newcastle-staffs.gov.uk> wrote:
Good Morning Vincent

Thank you for your prompt response and for passing the message on to
the relevant team at Just Eat.

I will await their reply.

Kind regards

Melanie Steadman
Licensing Enforcement Officer
Newcastle-under-Lyme Borough Council
01782 717717

www.newcastle-staffs.gov.uk

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From: Vincent Koorstra [REDACTED]
Sent: 19 February 2025 17:33
To: Melanie Steadman [REDACTED]
Cc: [REDACTED] Claire Ryles
[REDACTED] TS Compliance UK [REDACTED]
Subject: Re: Late Night Refreshment Limitations

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
		CAUTION: This email originated from outside of Newcastle-under-Lyme Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.				
		Dear Melanie,				
		I've copied in our UK Compliance team. They should be best placed to address the matter you raised.				
		Kind regards,				
		Vincent				
		Vincent Koorstra Senior Ethics & Compliance Manager				
		E: [REDACTED]				
		W: www.justeattakeaway.com				
		Piet Heinkade 61 1019 GM Amsterdam The Netherlands				
13	AZO	Warning letter sent to current PLH Shehzad Rafique)who has actually left premises now but pending transfer) PSL No. 786301270		24/02/2025		CRY
14	AZE	E-Mail sent with copy of warning letter on email to [REDACTED]		24/02/2025		CRY
15	AZO	Copy of warning letter sent direct to premises PSL No. 786301331		24/02/2025		CRY
16	AZE	E-Mail sent with copy of warning letter to Newcastle Caprinos		24/02/2025		CRY
17	AZR	Review - check for response ? has transfer application been made ? YES	26/02/2025	05/03/2025		CRY

Claire Ryles

From: Hasham Saleem [REDACTED] <[REDACTED]>
Sent: 24 February 2025 10:18
To: licensing; newcastle@caprinospizza.co.uk
Subject: Re: [UNCLASSIFIED] RE: Urgent Request for Extension – Business Operating Hours SRU: 165450

Categories: Claire

CAUTION: This email originated from outside of Newcastle-under-Lyme Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Claire,

Thank you for your email. I had made changes to the trading hours from the 19th of February, shortly after our phone conversation. You can verify the updated hours on all platforms, including Just Eat, Uber Eats, Deliveroo, and the Caprinos website. Additionally, our Google page reflects the correct trading hours.

I sincerely apologize as it was a genuine mistake. I also regret the delay in my response, as the emails were sent to the business email address, which I had unfortunately missed.

Regarding the premises license transfer, I have been in contact with the current license holder, Shehzad Rafique, who has completed the consent form. I have also filled out the "Application to transfer premises license to be granted under the Licensing Act 2003", which I intend to submit today. However, I need clarification on the following points before proceeding:

How should I send a copy of the application to the Chief Officer of Police?

How should I send a copy to the Home Office Immigration Enforcement?

The rest of the form is complete and ready for submission. I would appreciate your guidance on these two points so I can finalize the process.

Looking forward to your response.

Best regards,
Muhammad Husham Saleem

Sent from [Outlook for Android](#)

From: licensing <licensing@newcastle-staffs.gov.uk>
Sent: Monday, February 24, 2025 2:56:09 PM
To: Hasham Saleem [REDACTED] <[REDACTED]> newcastle@caprinospizza.co.uk
<newcastle@caprinospizza.co.uk>
Subject: [UNCLASSIFIED] RE: Urgent Request for Extension – Business Operating Hours SRU: 165450

[Classification: NULBC UNCLASSIFIED]

Dear Mr Hasham

Thank you for the email explaining your circumstances however, we are not in a position to authorise that you serve hot food / drinks for any time except the hours authorised by your premises licence. To exceed your authorised hours is a clear offence under the Licensing Act 2003. Please read through the attached warning letter carefully which sets out the hours for which you are authorised and the maximum penalties upon conviction should you stray outside of these hours.

We have informed Uber Eats, Deliveroo and Just Eat that you have been operating outside of the hours for which you are authorised and so I expect that you will receive some contact from them directly.

I suggest that you take immediate action to rectify the situation, apply for the transfer of the premises licence and if you wish to serve later consider applying for a variation of the hours.

We are now monitoring the premises and if we catch you operating outside of the hours authorised we will begin proceedings to prosecute you under section 136 of the Licensing Act 2003.

If you need any assistance with anything then do please let us know.

Thanks, Claire Ryles

Licensing Enforcement Officer
Environmental Health Department
Newcastle-under-Lyme Borough Council
Tel: (01782) 717717

www.newcastle-staffs.gov.uk

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From: Hasham Saleem [REDACTED]
Sent: Wednesday, February 19, 2025 4:12 PM
To: licensing <licensing@newcastle-staffs.gov.uk>
Subject: Urgent Request for Extension – Business Operating Hours

CAUTION: This email originated from outside of Newcastle-under-Lyme Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Claire Ryles,

I hope you are well.

I am the director of Newcastle Pizza Limited T/A Caprinos Pizza, located at 131 Liverpool Road, Newcastle-under-Lyme, ST5 HD. I recently spoke with you over the phone about my situation and follow up with you via email as I was told.

I have been out of the country since January 22nd due to a trip to Saudi Arabia, followed by Pakistan. My stay in Pakistan was extended as my father has been unwell. I have attached proof of travel, including my initial return ticket for February 19th and the revised ticket for February 24th, as I had to postpone my return due to his condition.

Due to this, I was unable to stay in touch with my staff and did not see or complete the form sent by the council. I was only informed a few hours ago via a staff message that a warning has been issued to close the shop at midnight instead of the usual 2 AM. As I mentioned on the call, I cannot access the UberEats and Just Eat portals from here, and leaving them open without fulfilling orders would negatively impact our business. Unfortunately, I also cannot share login details due to sensitive financial information.

I sincerely apologize for the lack of communication, as I was unable to check emails or manage business activities due to my personal circumstances. Given this situation, I kindly request additional time to complete the required application and for permission to continue operating during our usual hours. I will prioritize filling out the form and submitting it within 24 hours.

I appreciate your understanding and assistance in this matter. Please let me know if any further information is required.

Best regards,

Sent from Mail for Windows 10

From: licensing <licensing@newcastle-staffs.gov.uk>

Sent: Wednesday, February 19, 2025 2:58:33 PM

To: [REDACTED]

Subject: [UNCLASSIFIED] licensing @newcastle

[Classification: NULBC UNCLASSIFIED]

FYI

Thanks, Claire Ryles

Licensing Enforcement Officer
Environmental Health Department
Newcastle-under-Lyme Borough Council
Tel: (01782) 717717

www.newcastle-staffs.gov.uk

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Classifier Attachment List:

Claire Ryles

From: licensing
Sent: 19 February 2025 16:58
To: [REDACTED]
Cc: Claire Ryles
Subject: Caprinos, Newcastle-under-Lyme

Good Afternoon Mr Rafique

We currently have concerns over the premises Caprinos, Newcastle-under-Lyme to which you are associated as the premises licence holder.

The licence allows the provision of late night refreshment to the terminal hours of:

Sunday to Thursday 12midnight
Friday and Saturday 01:30hours

We have reason to believe that late night refreshment is being offered to the following terminal hours:

Monday to Thursday 02:00hours
Friday and Saturday 04:00hours
Sunday 03:00hours

As you will know, it is an offence under Licensing Act 2003, Section 136 to provide late night refreshment between the hours of 23:00 and 05:00 in the UK without a licence and therefore we request that action is taken to amend the account so that they are unable to provide late night refreshment outside of their licensable hours. If you are still associated with the premises then you should take action to amend all online delivery/collection services i.e. Deliveroo, Uber, etc. to the correct licensable hours and you **MUST** not operate outside of the hours on your licence.

As you are still listed as the premises licence holder any action against such offences will be taken against you. Should we gather any evidence over the next few days then we will be looking to bring you in for an interview under caution.

If you are no longer associated with the premises then as the current premises licence holder you can surrender the premises licence by reply to this email. Please note, although the surrender of the licence will immediately remove your association to the premises there is a 28 day period following the surrender where any other person can then reinstate the licence by making a transfer application so it will be up to any current person managing the premises to contact us as a matter of priority to make the correct application.

If you have any questions in regard to this matter please contact the licensing team as soon as possible.

Kind regards

Melanie Steadman
Licensing Enforcement Officer
Newcastle-under-Lyme Borough Council
01782 717717

www.newcastle-staffs.gov.uk

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Case Officer: Claire Ryles
Email: licensing@newcastle-staffs.gov.uk
Reference: SRU: 165450
Date: 24 February 2025



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

Caprinos
131 Liverpool Road
NEWCASTLE
ST5 9HD

Dear Caprinos

Licensing Act 2003 – Section 136 Carrying out a licensable activity of providing late night refreshment without authorisation at Caprinos, 131 Liverpool Road, Newcastle Under Lyme, ST5 9HD

The Licensing Department have received information that your premises has been operating and serving hot food / drinks until 04:00 hours at the weekend, which is 2 hours and 30 minutes in excess of what you are authorised. You have also been exceeding your authorised hours during the week days by 1 hour and 30 minutes.

With immediate effect, you must stop selling hot food and drink at the terminal hours stated on your premises licence which are as follows:

The Times the Licence Authorises the Carrying out of Licensable Activities		
ACTIVITY	LOCATION	TIMES
Late Night Refreshment	Indoors	Sunday to Thursday 23:00-00:00
		Friday and Saturday 23:00-01:30

If you want to apply to extend your licensing hours then you can apply to do so by completing an application to vary the premises licence and information regarding this process can be found on our website

The Council are now monitoring your premises and if you are witnessed selling hot food or drink after the hours stated on your premises licence then we will seek to prosecute you for carrying out licensable activity without a premises licence and the maximum penalty upon conviction is an unlimited fine and/or 6 month imprisonment.

A copy of this letter has been sent to Staffordshire Police Licensing Department.

Yours faithfully

Claire Ryles
Licensing Enforcement Officer
01782 717717
Licensing@newcastle-staffs.gov.uk

Find and update company information

[Companies House does not verify the accuracy of the information filed](http://resources.companieshouse.gov.uk/serviceInformation.shtml#compInfo)
(<http://resources.companieshouse.gov.uk/serviceInformation.shtml#compInfo>)
[Advanced company search \(/advanced-search\)](#)

NEWCASTLE PIZZA LIMITED

Company number **15337442**

[Follow this company](#)

[File for this company](https://beta.companieshouse.gov.uk/company/15337442/authorise?return_to=/company/15337442)
(https://beta.companieshouse.gov.uk/company/15337442/authorise?return_to=/company/15337442)

Overview

[Filing history](#)

[People](#)

[More](#)

Registered office address

131 Liverpool Road, Newcastle-Under-Lyme, England, ST5 9HD

Company status

Active

Company type

Private limited Company

Incorporated on

9 December 2023

Accounts

First accounts made up to **31 December 2024**
due by **9 September 2025**

Confirmation statement

Next statement date **8 December 2025**
due by **22 December 2025**

Last statement dated **8 December 2024**

Nature of business (SIC)

Find and update company information

~~Companies House does not verify the accuracy of the information filed~~
(<http://resources.companieshouse.gov.uk/serviceInformation.shtml#compInfo>)
[Advanced company search \(/advanced-search\)](#)

NEWCASTLE PIZZA LIMITED

Company number **15337442**

[Follow this company](#)

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(https://beta.companieshouse.gov.uk/company/15337442/authorise?return_to=/company/15337442/officers)

[Overview](#)

[Filing history](#)

[People](#)

[More](#)

- [Officers](#)
- [Persons with significant control \(/company/15337442/persons-with-significant-control\)](/company/15337442/persons-with-significant-control)

Filter officers

Current officers

[Apply filter](#)

1 officer / 0 resignations

SALEEM, Muhammad Husham

Correspondence address **77 Ashlands Road, Stoke-On-Trent, England, ST4 6QR**

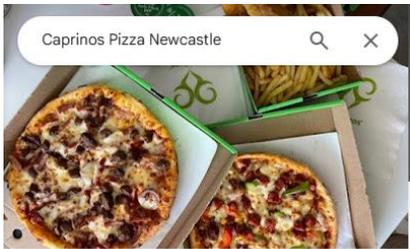
Role Active **Director**

Date of birth **July 1989**

Appointed on **9 December 2023**

Nationality **Pakistani**

Country of residence **England**



Caprinos Pizza Newcastle

4.1 ★★★★★ (205) • £10-20
Pizza delivery

Overview Menu Reviews About

- Directions
- Save
- Nearby
- Send to phone
- Share

ORDER ONLINE

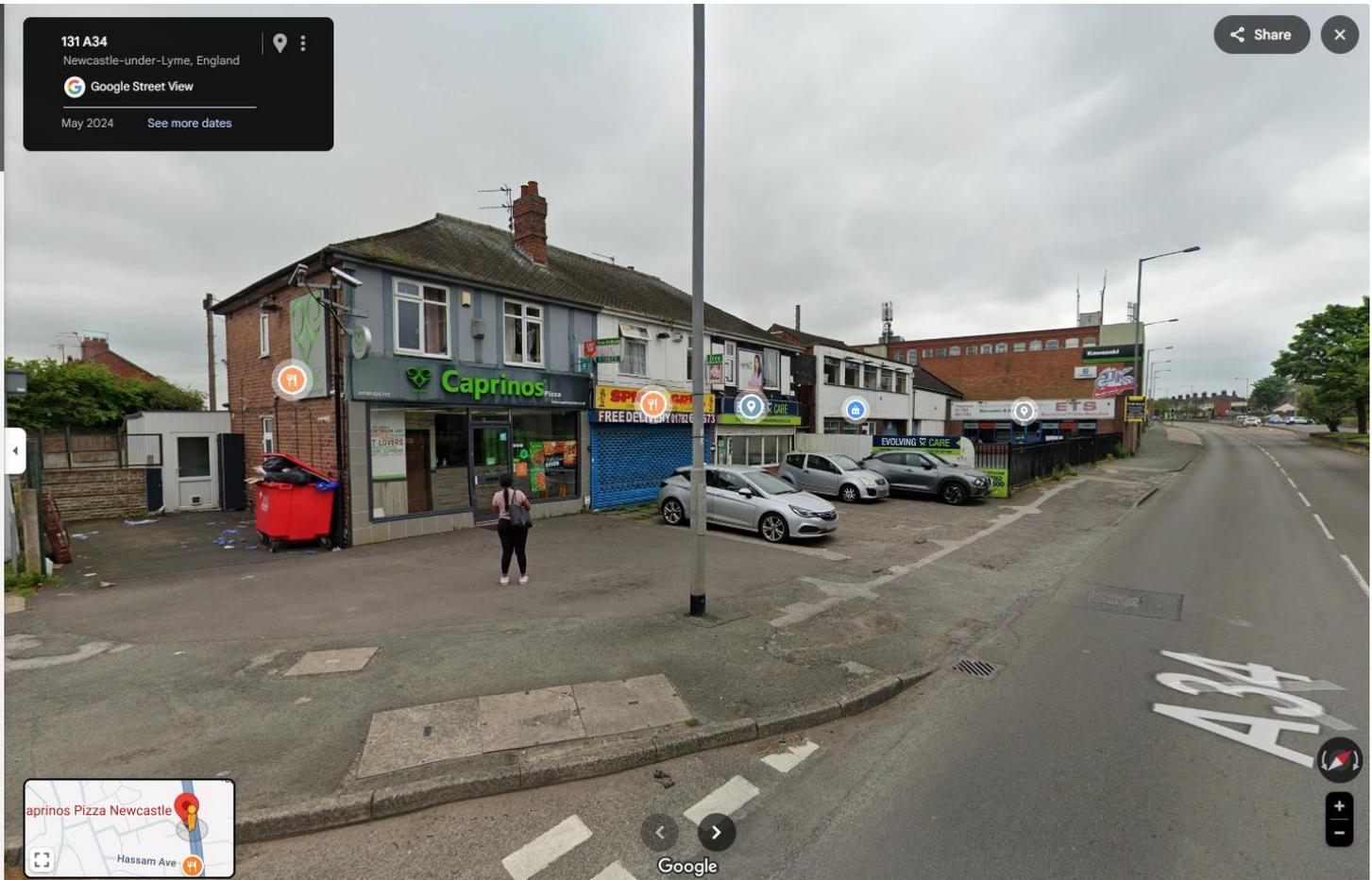
✓ Takeaway · ✓ Delivery

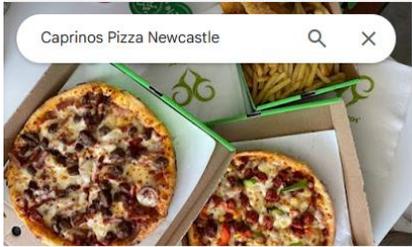
131 Liverpool Rd, Newcastle-under-Lyme, Newcastle ST5 9HD

Open now

- Thursday 11 am-12 am
- Friday 2 pm-1:30 am
- Saturday 11 am-1:30 am
- Sunday 11 am-12 am
- Monday 11 am-12 am

131 A34
Newcastle-under-Lyme, England
Google Street View
May 2024 See more dates





131 A34
Newcastle-under-Lyme, England

Google Street View

May 2024 See more dates

Caprinos Pizza Newcastle

4.1 ★★★★★ (205) • £10-20
Pizza delivery

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ORDER ONLINE

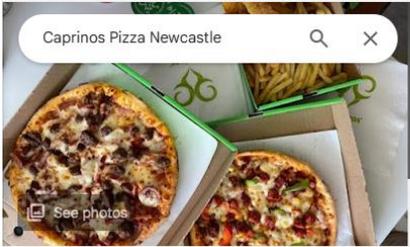
✓ Takeaway · ✓ Delivery

131 Liverpool Rd, Newcastle-under-Lyme, Newcastle ST5 9HD

Open now

Thursday	11 am-12 am
Friday	2 pm-1:30 am
Saturday	11 am-1:30 am
Sunday	11 am-12 am
Monday	11 am-12 am





Caprinos Pizza Newcastle
4.1 ★★★★★ (205) · £10-20
Pizza delivery

Overview Menu Reviews About

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ORDER ONLINE

✓ Takeaway · ✓ Delivery

131 Liverpool Rd, Newcastle-under-Lyme, Newcastle ST5 9HD

Open now ^

Thursday	11 am-12 am
Friday	2 pm-1:30 am
Saturday	11 am-1:30 am
Sunday	11 am-12 am
Monday	11 am-12 am



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Appendix K – GIS map



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Cumulative Impact Assessment

Author: Licensing Administration Team Manager

Contact: licensing@newcastle-staffs.gov.uk

Version: 2.0

Last Updated: 14th July 2024

Contents

What is Cumulative Impact?	2
Background	2
Cumulative Impact Assessment Details	2
Assessment of Applications	3
Review of the CIA	4
Appendix A – Plan of Area	5
Appendix B – Town Centre Data	6
Appendix C – Whole Borough Data	9

What is Cumulative Impact?

Cumulative impact is “*the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.*” For example where there is a high density of licensing premises selling alcohol or supply hot food that may give rise to crime and disorder or nuisance.

Background

The concept of “Cumulative impact” has been described within the s.182 Licensing Act 2003 Guidance and used by licensing authorities within their statements of licensing policy (SLP) since the commencement of the 2003 Act. ‘Cumulative impact assessments’ were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. In general terms and effect they replaced Cumulative Impact Policies (CIP), however there was no statutory transition or conversion process.

A cumulative impact assessment (CIA) may be published by licensing authorities to help them limit the number or types of licence applications granted within a specified area. They can do this where there is an evidential basis that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.

Before adopting a CIA the authority must establish the evidential basis that one is required, and consult upon its scope and extent with the same persons that must be consulted over the SLP.

Cumulative Impact Assessment Details

A consultation was undertaken between March and April 2024. Following the consultation period, having received evidence from Staffordshire Police and the Council’s Environmental Health department, the Licensing Committee (the Committee) determined that there was an evidential basis to implement a CIA and extend both the area and scope to be covered.

The area covered by the previous CIA has been extended. The plan of the new area is attached at **Appendix A**. The assessment will relate to all premises and business types within the specified area that have a premises licence or a club premises certificate which will be carrying on or proposing to carry on the following licensable activities:

- The sale or supply of alcohol on or off the premises;
- The provision of late night refreshment
- The provision of any regulated entertainment

The Committee came to this decision following statistical data provided by Staffordshire Police showing that levels of crime and Anti-Social Behaviour had reduced in 2023-24 from 2022-23, however it had not reduced to the levels seen pre and during the pandemic in the area known as the ‘Town Centre’. They also stated that the CIA was a key tool in supporting the licensing objectives and in helping keep the area a safe place to live, work and visit. Additionally, it is the Police’s view that

without a CIA it may lead to a proliferation of licensed premises which would likely have a detrimental effect on the safety of the town.

The evidence provided by Staffordshire Police and the Council's Environmental Health department suggested that premises that offer, or propose to offer, late night refreshment may add to the cumulative impact of premises within the night time economy and those premises should be included.

The Police data provided covered the three periods detailed below and relates to Crime and Anti-social behaviour. The data that relates to the 'Town Centre' is attached as **Appendix B**, and the data for the Whole Borough is attached as **Appendix C**:

- April 2021-March 2022
- April 2022-March 2023
- April 2023-March 2024

Full data that was presented to the Committee in making their decision can be found on the Council website at: <https://modern.gov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=435&MId=4086>.

The Committee decision was that to grant any further premises licences or club premises certificates, or variations of existing permissions, within the area detailed in Appendix A, would be inconsistent with the authority's duty to promote the licensing objectives.

Assessment of Applications

The evidence underpinning the publication of this CIA will generally be suitable as the basis for a decision to refuse an application or impose conditions. However it does not change the fundamental way that the Council must make decisions under the 2003 Act. Therefore, each decision subject to the CIA still needs to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. Importantly, the publication of this CIA does not remove the Council's discretion to grant applications for new licences or applications to vary existing licences, where they are considered appropriate in the light of the individual circumstances of the case.

In publishing this CIA the Council is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described. The Council must have regard to the assessment when determining or revising its SLP. It is therefore expected that, in respect of each relevant application in the area concerned, the licensing authority will be considering whether it is appropriate to make a representation to its committee as a responsible authority in its own right. As stated above, the CIA does not change the way that licensing decisions are made. It is therefore open to the licensing authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and a licensing authority decides to grant an application it will need to provide the applicant, the chief officer of police and all parties who made relevant representations with reasons for granting the application and this should include any reasons for departing from their own policy.

This CIA does not relieve responsible authorities (or any other persons) of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing

objectives. Anyone making a representation may base it on the evidence published in the CIA, or the fact that a CIA has been published. However, it remains incumbent on all responsible authorities and other persons to ensure that their representations can withstand the scrutiny to which they would be subject to at a hearing. As with all licensing applications under the 2003 Act, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

Whilst this CIA does not apply directly to Temporary Event Notices, the Secretary of State's Guidance to the Licensing Act 2003 states that it is open to the Police and Environmental Health officers to refer to this assessment and the evidence contained within it when objecting to a TEN. The authority believes this is a right and proper approach as extension of hours within the Cumulative Impact Assessment Area can have a direct impact on the promotion of the licensing objectives.

Review of the CIA

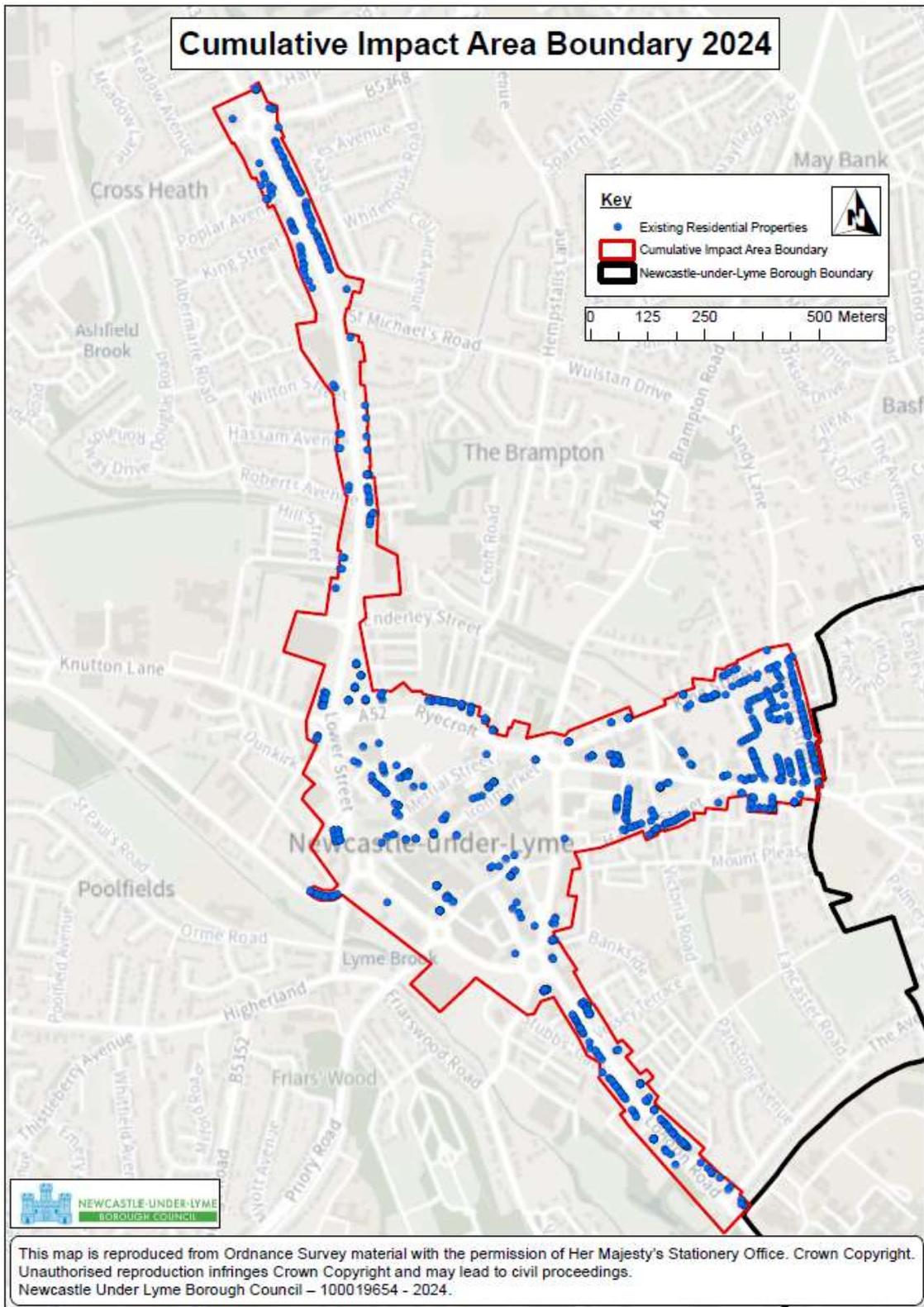
This CIA is a standalone live document and is capable of being amended, following the required consultation process and without the need for the Council to review and consult upon the SLP document.

The licensing authority must, within three years, consider whether it remains of the opinion set out in this assessment. In order to decide whether it remains of this opinion it must again consult the appropriate persons. If having consulted the Council decides that it is no longer of the opinion set out in the CIA, it must publish a statement to that effect. The statement must make clear that any reference to the CIA in its licensing policy statement no longer applies. The licensing authority should remove any reference to the CIA within its SLP at the earliest opportunity.

If having consulted the Council decides that it remains of the opinion set out in the assessment, it must revise the CIA to include a statement to that effect and set out the evidence as to why it remains of that opinion. It will be important for any evidence included in the revised CIA to be robust and relevant to the current problems described. This will likely involve the collation of fresh or updated evidence of cumulative impact. The Council must also at this stage publish any other material change to the assessment. For example if the types of premises or area described in the assessment have changed due to a shift in the nature of the problems being experienced, or where there is evidence of the emergence of a new type of problem.

In each case the three year period for reviewing a CIA begins with the original date of the publication of the CIA or the date that a CIA was last revised. Where the SLP as a whole is due for review, under the five year review period under the Act and this occurs before the end of the three year CIA review period, the Council may use this as an opportunity to carry out a review of the evidence in support of the CIA. However, the Council is free to carry out consultations and reviews of the CIA (and/or SLPs) at more regular intervals if considered appropriate.

Appendix A – Plan of area covered by CIA



Appendix B - Town Centre (known by Police as IB60 and IB61)

Crime (Newcastle Town)

The following comparative reports of crime are summarised.

Information is taken from The Brain police recording system 01/04/2021 – 01/04/2024. This information covers the area of Newcastle Town NB61.

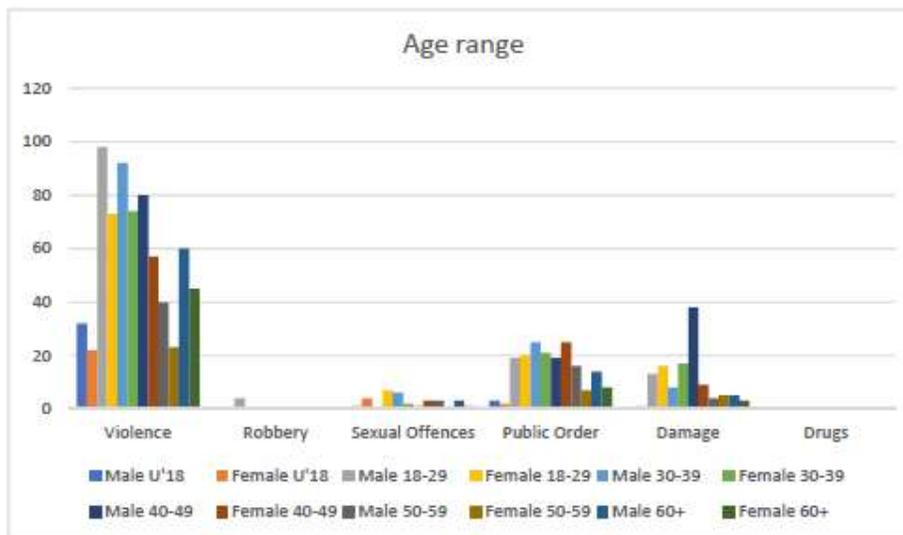
CRIME	2021-2022	2022-2023	2023-2024	+ / - (Compared to previous 12 months)	+ / - % (As a percentage)
VIOLENCE (includes less serious violent crime with injury, more serious violent crime with injury and other violence against the person)	318	419	365	-54	-13%
ROBBERY	17	13	4	-9	-105%
SEXUAL OFFENCES	15	43	22	-21	-64%
PUBLIC ORDER	106	172	133	-39	-25%
CRIMINAL DAMAGE	99	112	101	-11	-10%
DRUGS POSSESSION	12	32	29	-3	-9%

Victims by age range 1/4/2023 – 1/4/2024

Reference to licensing aims of public safety and protection of children

Offence	Male U'18	Female U'18	Male 18-29	Female 18-29	Male 30-39	Female 30-39
Violence	32	22	98	73	92	74
Robbery	0	0	4	0	0	0
Sexual Offences	1	4	0	7	6	2
Public Order	3	2	19	20	25	21
Damage	0	1	13	16	8	17
Drugs	0	0	0	0	0	0

Offence	Male 40-49	Female 40-49	Male 50-59	Female 50-59	Male 60+	Female 60+
Violence	80	57	40	23	60	45
Robbery	0	0	0	0	0	0
Sexual Offences	1	3	3	0	3	1
Public Order	19	25	16	7	14	8
Damage	38	9	4	5	5	3
Drugs	0	0	0	0	0	0



Anti-Social Behavior (Newcastle Town)

Information is taken from The Brain police recording system 01/04/2021 – 01/04/2024. This information covers the area of Newcastle Town NB61.

Anti-social behavior is classified into three collective groups:

Community

Likelihood of a general and nonspecific effect on an area whether towards businesses, visitors, or residents. Likely to be more than one person / group effected.

Examples of which are begging, street drinking, littering, etc

Personal

Direct, Indirect or intended effect on an individual or business

Examples of which – Foul / abusive language, drunken behavior, behavior causing harassment, alarm or distress.

Environmental

Likelihood of impact on environmental issues.

Examples such as – excessive noise, fly-tipping, burning of waste.

ASB	2021-2022	2022-2023	2023-2024	+ / - (Compared to previous 12 months)	+ / - % (As a percentage)
ASB (includes community nuisance, personal nuisance and environmental)	463	390	320	-70	-19%

Appendix C - Whole Borough

Crime (Newcastle Borough)

The following comparative reports of crime are summarised.

Information is taken from The Brain police recording system 01/04/2021 – 01/04/2024. This information covers the area of Newcastle Borough Local Policing area.

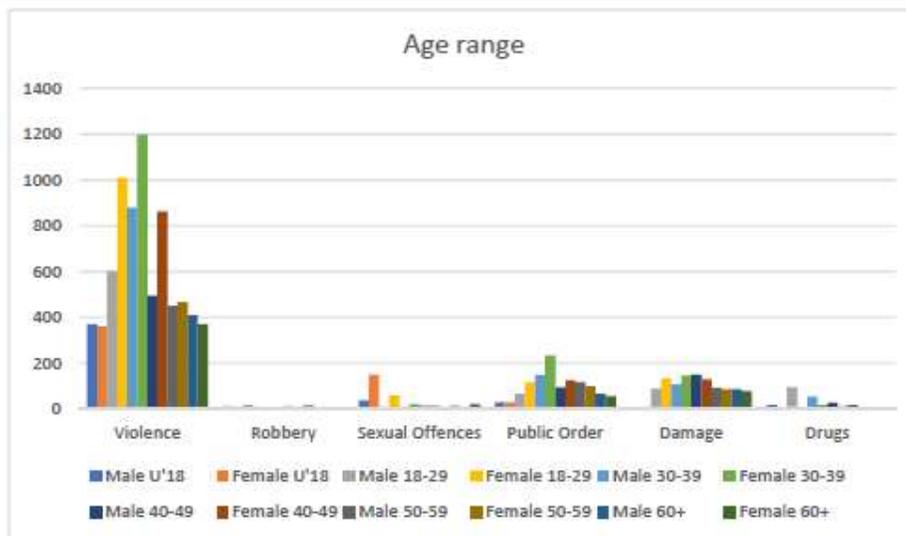
CRIME	2021-2022	2022-2023	2023-2024	+ / - (Compared to previous 12 months)	+ / - % (As a percentage)
VIOLENCE (includes less serious violent crime with injury, more serious violent crime with injury and other violence against the person)	3701	4475	3671	-804	-18%
ROBBERY	65	87	39	-48	-76%
SEXUAL OFFENCES	230	265	234	-31	-12%
PUBLIC ORDER	581	867	745	-122	-15%
CRIMINAL DAMAGE	879	918	746	-172	-20%
DRUGS POSSESSION	139	155	146	-9	-6%

Victims by age range 1/4/2023 – 1/4/2024

Reference licensing aims of public safety and protection of children

Offence	Male U'18	Female U'18	Male 18-29	Female 18-29	Male 30-39	Female 30-39
Violence	371	360	602	1010	879	1199
Robbery	12	0	16	1	4	3
Sexual Offences	38	149	6	57	10	21
Public Order	30	30	67	119	148	233
Damage	0	2	89	134	107	145
Drugs	18	0	95	8	54	18

Offence	Male 40-49	Female 40-49	Male 50-59	Female 50-59	Male 60+	Female 60+
Violence	495	864	452	467	408	370
Robbery	12	5	15	3	6	0
Sexual Offences	13	13	8	14	4	22
Public Order	96	125	118	100	66	55
Damage	149	129	92	87	87	79
Drugs	29	11	16	4	6	0



ASB (Newcastle Borough)

The following information provides a comparative of ASB across the whole of Newcastle Borough when viewed against the Town Centre.

ASB	2021-2022	2022-2023	2023-2024	+ / - (Compared to previous 12 months)	+ / - % (As a percentage)
ASB (includes community nuisance, personal nuisance and environmental)	2940	2408	1668	-740	-36%

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