

OBJECTIONS

APPLICATION FOR A NEW PREMISES LICENCE:

Taco Bell, Clasper Way, Swalwell, NE16 3BE



**Representations on a Current Application for a Grant/Variation/Review of a Premises
Licence or Club Premises Certificate under The Licensing Act 2003**

Before completing this form please read the Guidance Notes at the end of the form

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We *(Insert name)* Licensing Authority

Wish to make representation about the application for variation/grant for a premises licence/club premises certificate (delete as applicable)

PART 1 – PREMISES OR CLUB PREMISES DETAILS

Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description

Taco Bell, Clasper Way

Post Town Gateshead

Post Code NE16 3BE

Name of premises licence holder or club holding club premises certificate (if known)

Northgate Fast Food Limited

Number of premises licence or club premise certificate (if known)

N/A

PART 2 – DETAILS OF PERSON MAKING REPRESENTATION

Please
Tick ✓

- | | |
|--|-------------------------------------|
| 1) A responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 2) A member of the club to which this representation relates (please complete (A) below) | <input type="checkbox"/> |
| 3) Other persons (Please complete (A) or (B) below) | <input type="checkbox"/> |

(A) DETAILS OF INDIVIDUAL MAKING REPRESENTATION (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other Title (for example, Rev)

Surname

First Names

I am 18 years old or over

Yes ☐ (Please Tick)

Current Address			
Post Town		Post Code	

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER PARTY MAKING REPRESENTATION (e.g Body or Business)

Name and Address

Telephone Number (If any)	
E-Mail address (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION

Name and Address
Licensing Authority
Gateshead Council
Civic Centre
Regent Street
Gateshead, NE8 1HH

Telephone Number (If any)	0191 433 4741
E-Mail address (optional)	Licensing@gateshead.gov.uk

This representation relates to the following licensing objective(s)

Please
Tick ✓

1. **The Prevention of Crime and Disorder**
2. **Public Safety**
3. **The Prevention of Public Nuisance**
4. **The Protection of Children From Harm**



Please state the ground(s) for representation (please read guidance note 1)

The Licensing Authority (in its capacity as a Responsible Authority) have a number of concerns regarding this application to grant a new Licence to allow the sale of alcohol (on and off the premises), the provision of late night refreshment and the display of films.

The principle concern relates to the terminal hour. It is very late and is not similar to other premises of this nature in this part of Gateshead.

It is not considered the schedule is adequate and it does not explain how the premises will operate, for example why films are displayed until 0400 or how the internal area will operate during the night.

More specifically the application references challenge 21, we would expect an application of this nature to operate challenge 25.

There is no mention within the operating schedule of staff training records being held or recording refusals or incidents. These are just some examples of the measures that the Authority would expect to see on an operating schedule for a premises of this nature.

Patrons leaving the premises will be in close proximity to a hotel where people would reasonably expect not to be disturbed during the early hours of the morning again the hours proposed may result in disturbance and public nuisance.

Similar areas of Gateshead have been troubled by 'car meets' these are large volumes of cars usually with young drivers and occupants who often drive in an antisocial manner and are attracted to premises where facilities (refreshments, toilets etc) are provided. This led to a Public Spaces Protection Order being made by the Council in respect of an area of the Metrocentre where issues were regularly occurring. Alcohol was not available in this area and had it been the already prevalent antisocial behaviour could have been worse leading to crime and disorder.

It is considered that the application and in particular the hours of operation proposed will

undermine the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.

The Authority reserves the right to make further submissions in accordance with the relevant legislation and regulations.

Please provide as much information as possible to support the representation

(Please read guidance note 2)

The Authority reserves the right to make further submissions in accordance with the relevant legislation and regulations.

Please
Tick ✓

Have you made any representation relating to these premises before?

☐

If Yes, please state the date of that representation

Day		Month		Year			

If you have made representation before relating to this premises please state what they were and when you made them.

How We Collect And Use Information

The information collected, on this form and from supporting evidence, by Gateshead Council will be used to process your application. The information may be passed to other Enforcement Agencies as permitted by law.

We may check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties, or give information to them to check the accuracy of information, to prevent or detect crime, or to protect public funds in other ways, as permitted by law. These third parties include Government Departments and local authorities.

We will not disclose information about you to anyone outside Gateshead Council nor use information about you for other purposes unless the law permits us to.

Gateshead Council is the Data Controller for the purposes of the Data Protection Act 1998. If you want to know more about what information we have about you, or the way we use your information, you can ask at Civic Centre, Regent Street, Gateshead, NE8 1HH

Part 3 – Signatures (Please read guidance note 3)

Signature of representative or representatives solicitor or other duly authorised agent. (See guidance note 4) If signing on behalf of the representative please state in what capacity.

Signature	Licensing Authority	Date	7/6/18
Capacity	Licensing Authority in its capacity as a Responsible Authority		

Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5)

Post Town	Post Code
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Telephone Number (if any)	
E-mail Address (optional)	

Notes for Guidance

1. The ground(s) for representation **must** be based on one or more of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for representation, if applicable.
3. The representation form must be signed.
4. A representative's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this representation.
6. For further information about the Licensing Act 2003 please contact: The Licensing Act Section, Development & Public Protection, Civic Centre, Regent Street, Gateshead Tyne and Wear NE8 1HH
Tel: 0191 433 3918 or 0191 433 3178



Representations on a Current Application for a Grant/Variation/Review of a Premises Licence or Club Premises Certificate under The Licensing Act 2003

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I/We (Insert name) Northumbria Police

Wish to make representation about the application for variation/grant for a premises licence/club premises certificate (delete as applicable)

PART 1 – PREMISES OR CLUB PREMISES DETAILS

Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description	
Taco Bell (formerly Frankie & Benny's) Clasper Way Swalwell	
Post Town GATESHEAD	Post Code NE16 3BE

Name of premises licence holder or club holding club premises certificate (if known)

Northgate Fast Food Ltd

Number of premises licence or club premise certificate (if known)

N/A

PART 2 – DETAILS OF PERSON MAKING REPRESENTATION

- | | |
|--|--------------------------|
| | Please
Tick ✓ |
| 1) A responsible authority (please complete (C) below) | ✓ |
| 2) A member of the club to which this representation relates (please complete (A) below) | <input type="checkbox"/> |
| 3) Other persons (Please complete (A) or (B) below) | <input type="checkbox"/> |

(A) DETAILS OF INDIVIDUAL MAKING REPRESENTATION (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other Title (for example, Rev)

Surname

First Names

I am 18 years old or over

Yes ☐ (Please Tick)

Current Address	<input type="text"/>		
Post Town	<input type="text"/>	Post Code	<input type="text"/>

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER PARTY MAKING REPRESENTATION (e.g Body or Business)

Name and Address

Telephone Number (If any)

E-Mail address (optional)

<input type="text"/>
<input type="text"/>

(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION

Name and Address

Northumbria Police Force Headquarters,
Middle Engine Lane,
Wallsend,
Tyne & Wear,
NE28 9NT

Telephone Number (If any)

101

E-Mail address (optional)

http://www.northumbria.police.uk/contact_us/northumbria_police_headquarters/

This representation relates to the following licensing objective(s)

	Please Tick ✓
1. The Prevention of Crime and Disorder	✓
2. Public Safety	✓
3. The Prevention of Public Nuisance	✓
4. The Protection of Children From Harm	✓

Please state the ground(s) for representation (please read guidance note 1)

Northumbria Police are concerned that the licensing objectives and in particular The Prevention of Crime and Disorder will be undermined should a premises licence be granted as applied for.

Please provide as much information as possible to support the representation

(Please read guidance note 2)

Northumbria Police feel that the hours applied for to permit the sale of alcohol & the opening hours to the public are excessive.

The area is popular with people staying at near-by hotel for "stag / hen parties" enjoying activities involving alcohol consumption. Police figures show 71% of incidents reported at a near-by hotel being reported between 00:00hrs – 05:00hrs.

There are number of licensed premises in the area where these premises are located. The hours permitted to sell alcohol at the existing premises range between 10:00hrs – 00:30hrs. The availability of alcohol beyond the above mentioned hours is likely to result in customers leaving after closing time, displacing to these premises and staying in the area until early hours in the morning. This is likely to result in further incidents and impact negatively upon the licensing objectives.

The applicant requests to sell alcohol off the premises after 23:00hrs and provide late night refreshment both indoors and outdoors. It is not clear what the operator's intentions are and how the licensable activities will be carried out. The application fails to demonstrate how the licensing objectives will be supported should alcohol and food deliveries beyond 23:00hrs be made.

Please refer to section 8.23 of Gateshead Council Statement of Licensing Policy : "The Licensing Authority will generally not permit the sale of alcohol from 'takeaway' premises that are licensed for late night refreshment, due to the inherent potential for late night alcohol fuelled crime, disorder and anti-social behaviour and the difficulties of addressing such behaviour where the consumption

of the alcohol and associated behaviour takes place away from the premises themselves, often in residential areas".

Where it is reasonable to expect that a small percentage of alcohol will be sold off the premises, the sale and delivery of alcohol after 00:00hrs is likely to have a detrimental effect on the prevention of crime and disorder. Gateshead Metropolitan Borough Council area is protected by Public Spaces Protection Order made in an effort to reduce the risk of crime and anti-social behaviour, disorder, nuisance and annoyance and its continuance, occurrence or reoccurrence. The order identifies that persons being intoxicated and drinking alcohol in public places which are not licenced premise have caused a detrimental effect to the quality of life of those living in the locality.

Northumbria Police wish to object to the application in its current form. It is believed, that should the premises licence be granted as applied for, the licensing objectives under the licensing Act 2003 - the prevention of crime & disorder, the prevention of public nuisance, public safety and protection of children from harm will be undermined.

Please
Tick ✓

Have you made any representation relating to these premises before?

☐

If Yes, please state the date of that representation

Day		Month		Year			

If you have made representation before relating to this premises please state what they were and when you made them.

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Part 3 – Signatures (Please read guidance note 3)

Signature of representative or representatives solicitor or other duly authorised agent. (See guidance note 4) If signing on behalf of the representative please state in what capacity.

Signature	Alan Pitchford	Date	7 th June 2018
Capacity	A/Chief Inspector 7342		

Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5)

Ivana DRAPER (6544)
Licensing Co-ordinator Northumbria Police
Central Area Command (Gateshead)
Eldon Square, Floor 1
Central Management Office
Eldon Court, Percy Street

Post Town	Post Code
Newcastle upon Tyne	NE1 7JB

Telephone Number (if any)	Tel: 0191/221 9234 or 101 x64234
E-mail Address (optional)	licensing@northumbria.pnn.police.uk

Notes for Guidance

1. The ground(s) for representation **must** be based on one or more of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for representation, if applicable.
3. The representation form must be signed.
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I/We (Insert name) Alice Wiseman

Wish to make representation about the application for variation/grant for a premises licence/club premises certificate (delete as applicable)

PART 1 – PREMISES OR CLUB PREMISES DETAILS

Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description

Clasper Way
Swalwell

Post Town
Gateshead

Post Code
NE16 3BE

Name of premises licence holder or club holding club premises certificate (if known)

Taco Bell

Number of premises licence or club premise certificate (if known)

PART 2 – DETAILS OF PERSON MAKING REPRESENTATION

- | | Please
Tick ✓ |
|--|--------------------------|
| 1) A responsible authority (please complete (C) below) | ✓ |
| 2) A member of the club to which this representation relates (please complete (A) below) | <input type="checkbox"/> |
| 3) Other persons (Please complete (A) or (B) below) | <input type="checkbox"/> |

(A) DETAILS OF INDIVIDUAL MAKING REPRESENTATION (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other Title (for example, Rev)

Surname

First Names

I am 18 years old or over

Yes ☐ (Please Tick)

Current Address			
Post Town		Post Code	

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER PARTY MAKING REPRESENTATION (e.g Body or Business)

Name and Address

Telephone Number (If any)	
E-Mail address (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION

Name and Address Alice Wiseman Director of Public Health Gateshead Council Regent Street Gateshead NE8 1HH
--

Telephone Number (If any)	0191 433 2777
E-Mail address (optional)	

This representation relates to the following licensing objective(s)

	Please Tick ✓
1. The Prevention of Crime and Disorder	<input type="checkbox"/>
2. Public Safety	<input checked="" type="checkbox"/>
3. The Prevention of Public Nuisance	<input type="checkbox"/>
4. The Protection of Children From Harm	<input type="checkbox"/>

Please state the ground(s) for representation (please read guidance note 1)

This representation is made in my capacity as Director of Public Health for the Borough of Gateshead.

The Director of Public Health in Gateshead is concerned that the extension of the operating hours at Taco Bell are not in accordance with the promotion of the licensing objectives.

Since 2013 Directors of Public Health have been 'responsible authorities' under the Licensing Act 2003. The role of the Director of Public Health is to help promote the health and wellbeing of the local populations they serve. The Public Health approach to reducing harms arising from alcohol misuse is to encourage and promote responsible drinking and protect young people from related harm. This is an expansive remit that influences a wide range of circumstances, including local licensing arrangements. Similarly, the licensing regime is concerned with the promotion of the licensing objectives, which collectively seek to protect the quality of life for those who live, and work in the vicinity of licensed premises, and those who socialise in licensed premises.

Public health's concern is the increased trading hours until 4am and the potential for increased harm, not least when this is a 'drive through' premise. International evidence suggests that making it less easy to buy alcohol, by reducing the number of outlets selling it in a given area and the days and hours when it can be sold, is an effective way of reducing alcohol-related harm (NICE, PH24). Control policies in this area (regulating availability) reflect the theory that if alcohol is less easy to obtain, alcohol consumption and harm will decrease (Public Health England, 2016).

Alcohol outlet density (AOD) is a key concern in this ward where the density of alcohol outlets is 8.8 per 1000 head of population, significantly higher than the average of 2.9 alcohol outlets per 1000 head of population for Gateshead. The evidence suggests that higher levels of AOD are associated with:

- More frequent alcohol consumption
- Increased overall alcohol consumption
- Greater average levels of drinking among students
- Alcohol-related violence
- Self-reported injuries

Research sites that longer serving hours cause greater alcohol consumption (EWPS, 2015).

Public Health would also require Challenge 25 to be a condition of the licence.

Please provide as much information as possible to support the representation

(Please read guidance note 2)

Rising consumption has been attributed to the increased affordability, availability and promotion of alcohol, along with a greater social acceptance of regular drinking and a tolerance of drunkenness. Increased availability of alcohol has come about through the progressive relaxation of the licensing regime. The contributory role that alcohol plays in a wide range of adverse social consequences is also increasingly recognised with links to crime, social disorder, fire fatalities, violence, domestic violence, child

neglect and work-related problems. Poorer populations and communities experience a disproportionately greater level of alcohol-attributable harm (AFS and SHAAP, 2011)

My objection to this variation is supported by the growing knowledge of the role of alcohol in a wide range of acute and chronic disorders, and a greater understanding of its negative social impacts. Licensing is and always has been a whole population intervention which should be employed to protect our population from harm.

Please
Tick ✓

Have you made any representation relating to these premises before?

☐

If Yes, please state the date of that representation

Day		Month		Year			

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Signature of representative or representatives solicitor or other duly authorised agent. (See guidance note 4) If signing on behalf of the representative please state in what capacity.

Signature		Date	07/06/2018
Capacity	Director of Public Health		

Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5)	
Post Town	Post Code

Telephone Number (if any)	
E-mail Address (optional)	

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