

**Rebecca L Sparrow**

---

**From:** CE Licensing^  
**Sent:** 14 December 2018 12:09  
**To:** CE Licensing^  
**Subject:** Objection to new premises licence application- Michelangelo's  
  
**Switch-MessageId:** cda0075d360f45dbad7a69ea266d24be

Dear Sir/Madam

The Licensing Authority (in its capacity as a Responsible Authority) have concerns that the licensing objectives, in particular the prevention of crime and disorder would be undermined if the application for a new premises licence were granted for Michelangelo's.

As detailed in Gateshead Council's Statement of Licensing Policy the Licensing Authority considers:

- the effective and responsible management of premises
- instruction, training and supervision of staff; and
- the adoption of best practice

to be amongst the most important control measures for the achievement of all the licensing objectives. For this reason, the Licensing Authority will expect these elements to be specifically considered and addressed within an applicant's operating schedule

The Licensing Authority therefore wish to place a holding objection to this application to allow for discussions to take place with the applicant and his Solicitor and for further enquires to be made.

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

Licensing Authority (acting as a Responsible Authority)



**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) **Jason McNaught**

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**

<b>Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description</b> Michelangelo Hotel and Ristorante Stella Road	
<b>Post Town</b> Blaydon on Tyne	<b>Post Code</b> NE21 4JU

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

Paolo Pieri

**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)                                   | <input 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 checked="" 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 Jason McNaught Principal Revenues Officer Business Rates Civic Centre Regent Street Gateshead NE8 1HH
---

Telephone Number (If any)	0191 4334729
E-Mail address (optional)	businessrates@gateshead.gov.uk

**(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION**

Name and Address
------------------

--

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

This representation relates to the following licensing objective(s)

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

Please  
Tick ✓



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

Mr P Pieri is making the application for a licence for the premises.

Since 2005 there have been a variety of companies claiming to be running the premises, however the application infers that there is a commonality throughout.

The effect of the companies is to accrue debt then dissolve, after which a new company takes over the property.

It is now more than 5 years since a payment was made directly to the council in respect of business rates for these premises.

Since 2005 the companies in occupation have systematically avoided paying the statutory business rates liability. This income is used to fund national services and local services as it is currently split 50/50 between Central Government and Gateshead Council. A breakdown of the balances that were lost to the taxpayer are as follows; -

<b>Company/ Director</b>	<b>Period of Liability</b>	<b>Balance W/O</b>
<b>Paolo Pieri</b>	01.04.05-23.03.08	£ 5,287.26
t/a Hotel Michelangelo		
<b>Pappa Nonnos Ltd</b>	24.03.08-28.09.09	£15,454.19
n/k		
<b>Michelangelo (Northern) Ltd</b>	29.09.09-30.11.10	£16,993.67
Amanda Graham , Andrew Sparks		
<b>Giacomos Events Ltd</b>	01.12.10-14.05.12	£21,516.37
Giacomo Pieri		
<b>Polpetone Ltd</b>	15.05.12-18.12.14	£12,540.41
Giacomo Pieri		
<b>Lindos Catering Ltd</b>	19.12.14-25.08.16	£28,068.22
Giacomo Pieri		
<b>Magnum Hospitality Ltd</b>	26.08.16-02.01.18	£15,058.16
John James Bennett		
<b>Vinci Management Ltd</b>	03.01.18 – present	£19,781.38
John James Taylor		
<b>Total debts owed to Council</b>		<b>£134,699.66</b>

The sustained non-payment of rates demonstrates that the 'various companies' who have registered for business rates have not been ran in a fit and proper manner. The council has made numerous efforts to discuss the payment of business rates and is willing and able to offer flexible payment arrangements in order to help any business to make affordable and sustainable payments, however, these efforts have been continually ignored. This demonstrates that there is and has been a continual absence of effective and responsible management of the premises.

Paragraph 5.1 of the Council's Statement of Licensing Policy states that *'Anyone who is or who seeks to be authorised under the Act to carry out licensable activities in the Borough of Gateshead should be aware of the other legislation, policies and guidance that may apply to their business. Failure to comply with other legislation and/or regulatory regimes can indicate that a licensee is irresponsible, which may call into question their ability to adequately promote the Licensing Objectives.'*

It is clear that both the previous and current ratepayers of the premises have failed to comply with their obligations to pay business rates under the Local Government Finance Acts of 1988 and 1992 which demonstrates the irresponsible nature in which both the previous and current ratepayers have ran their business.

Evidence from the liquidator reports also indicates that debts were also accrued with HMRC. As such, the loss from the public purse contributes towards a reduction in the provision of governmental functions to support the community.

Gateshead Council Business Rates are now at the stage of making an application for the liquidation of Vinci Management Ltd and Magnum Hospitality Limited.

**Please provide as much information as possible to support the representation**

(Please read guidance note 2)

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		Date	21/11/18
Capacity	PRINCIPAL REVENUES OFFICER		

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)	

**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