



LICENSING SUB COMMITTEE AGENDA

Monday, 2 August 2021 at 10.00 am in the Council Chamber - Civic Centre

From the Chief Executive, Sheena Ramsey

Item Business

1 Application for the Variation of a Premises Licence (Pages 3 - 170)

Report of the Strategic Director, Economy, Innovation and Growth

2 Supplementary Information Submitted (Pages 171 - 256)

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TITLE OF REPORT: **Application for the variation of a Premises Licence**
The Half Moon Inn, Ryton Village, Ryton, NE40 3QF

REPORT OF: **Strategic Director; Economy Innovation and Growth:**
Licensing Officer

1. PURPOSE OF THE REPORT

The Sub-Committee is asked to consider the application from Diane Phillips to vary the premises licence for The Half Moon Inn, Ryton Village, Ryton, NE40 3QF

Representations were received from 29 members of the public, 3 of the representations are in support of the application.

2. BACKGROUND

The Application

The application submitted by Diane Phillips ('Applicant') to vary the premises licence for The Half Moon Inn, Ryton Village, Ryton, NE40 3QF is attached at Appendix 1.

The variation application seeks to:

- 1) To extend the licensable area to include the outside area as demonstrated in the plan attached with the application
- 2) To remove condition 4, Annex 3 from the premises licence. The condition is that "No live or recorded music will be relayed to the Beer Garden/outside drinking area.

The Applicant has clarified, if the application was granted, that the outside area would close at 22:00, with the last sale of alcohol from the outdoor bar at 21:30.

The following condition has been agreed with Environmental Health:
'A noise management plan shall be implemented and adhered to, to include all noise sources associated with the premises, noise reduction/mitigation, noise monitoring by competent staff, complaints procedure, staff training and review. The noise management plan shall be submitted to the Local Authority for prior consideration and agreement.'

The application was advertised at the premises and in the local press.

The Licensing Authority may attach conditions to any licence which are appropriate for the promotion of the Licensing Objectives. A copy of the Model Pool of Conditions from Gateshead Council's Statement of Licensing Policy is attached as Appendix 1.1 that relate to the application.

As a result of deregulatory changes that have amended the 2003 Act, no licence permission is required for:

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- a performance of amplified live or recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

Any existing licence conditions (or conditions added on a determination of an application for a premises licence or club premises certificate) which relate to live music or recorded music remain in place, but are suspended between the hours of 08.00 and 23.00 on the same day where the following conditions are met:

- at the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;
- if the music is amplified, it takes place before an audience of no more than 500 people; and
- the music takes place between 08.00 and 23.00 on the same day.

Licence history

On 15 July 2005, a premises licence was granted for The Half Moon Inn, Ryton Village, Ryton, NE40 3QF. This was following an application they had submitted to convert the existing Justices' Licence to a premises licence under the Licensing Act 2003. The conversion application was accompanied by a variation application. The application received objections from residents who objected to the later sale of alcohol and opening times. As a result, the application went to Committee and conditions were agreed and the licence granted.

On 07 December 2009 an application to transfer the premises licence to Ms Diane Phillips was submitted. No objections were received, and the application was granted.

There have been 4 applications to vary the Designated Premises Supervisor submitted since 2005. Diane Phillips became Designated Premises Supervisor following an application on 16 July 2018. No objections were received, and the application was granted.

3. REPRESENTATIONS

The following representations were received:

- Erin McClymont (Appendix 2.1)
- Lesley and Mark Errington (Appendix 2.2)
- Anonymous 1 (Appendix 2.3)
- Ann and Lyndsay Marshall (Appendix 2.4)
- Steven Colbeck (Appendix 2.5)
- Gary Napier (Appendix 2.6)
- Gavin Finlayson (Appendix 2.7)
- Anonymous 2 (Appendix 2.8)
- Kate Teal (Appendix 2.9)
- Karen Forster (Appendix 2.10)
- Daymon Britton (Appendix 2.11)
- Donna Britton (Appendix 2.12)

- Anonymous 3 (Appendix 2.13)
- Anonymous 4 (Appendix 2.14)
- Councillor Chris Buckley (Appendix 2.15)
- Cathy Roberts (Appendix 2.16)
- Mike and Angela Quigley (Appendix 2.17)
- Liz Twist MP (Appendix 2.18)
- Mr and Mrs Hardy (Appendix 2.19)
- Louise Duncan and Nigel Wild (Appendix 2.20)
- Thelma Brown (Appendix 2.21)
- Shelia Eddleston and James Fall (Appendix 2.22)
- L Middlemiss (Appendix 2.23)
- Leila Heidi Ranson (Appendix 2.24)
- Annabel Hayward and Michael Rossington (Appendix 2.25)
- Susan Carter (Appendix 2.26)
- Richard and Audrey Palmer (Appendix 2.27)
- Ben Skill (Appendix 2.28)
- David P. Crawford-Emery (Appendix 2.29)

Additional information submitted by those who have made representations:

- Photograph (Appendix 2.30)
- Photograph (Appendix 2.31)
- Photograph (Appendix 2.32)
- Photograph (Appendix 2.33)
- Photograph (Appendix 2.34)
- Photograph (Appendix 2.35)
- Photograph (Appendix 2.36)
- 8 Videos have also been submitted which show people urinating in the street, shouting and singing, and anti-social behaviour.

4. PARTIES

The Parties to the hearing will be:

- Diane Phillips (Applicant) and Steve Outen (partner) represented by Garth Bowness (Solicitor for the applicant)
- Erin McClymont
- Lesley and Mark Errington
- Anonymous 1
- Ann and Lyndsay Marshall
- Steven Colbeck
- Gary Napier
- Gavin Finlayson
- Anonymous 2
- Kate Teal
- Karen Forster
- Daymon Britton
- Donna Britton
- Anonymous 3
- Anonymous 4
- Councillor Chris Buckley
- Cathy Roberts

- Mike and Angela Quigley
- Liz Twist MP
- Mr and Mrs Hardy
- Louise Duncan and Nigel Wild
- Thelma Brown
- Shelia Eddleston and James Fall
- L Middlemiss
- Leila Heidi Ranson
- Annabel Hayward and Michael Rossington
- Susan Carter
- Richard and Audrey Palmer
- Ben Skill
- David P. Crawford-Emery

5. FOR CONSIDERATION

The areas for consideration by the Sub-Committee are:

- The variation application
- The representations; and
- Whether or not the variation application should be granted.

6. THE POLICY & GUIDANCE

When carrying out its functions the Sub-Committee must have regard to:

- (a) the Statement of Gateshead Council's Licensing Policy, and
- (b) the Amended Guidance (April 2018) issued under Section 182 of the Licensing Act 2003 by the Secretary of State.

Some relevant parts of the Policy and Amended Guidance are reproduced in Appendices 3 and 4. The parties may refer to any part of the Policy and Guidance during the hearing.

An area plan is attached at Appendix 5.

7. FOR DECISION

The Sub-Committee is asked to consider the variation application, decide whether or not it should be granted, and if relevant, attach such conditions as it deems appropriate for the promotion of the Licensing Objectives.

APPENDICES

- | | | |
|----------|------|--|
| Appendix | 1 | Application to vary the Premises Licence |
| | 1.1 | Pool of Model Conditions from Gateshead Council's Licensing Policy |
| | 1.2 | Premise Licence |
| Appendix | 2.1 | Representation from Erin McClymont |
| | 2.2 | Representation from Lesley and Mark Errington |
| | 2.3 | Representation from Anonymous 1 |
| | 2.4 | Representation from Ann and Lyndsay Marshall |
| | 2.5 | Representation from Steven Colbeck |
| | 2.6 | Representation from Gary Napier |
| | 2.7 | Representation from Gavin Finlayson |
| | 2.8 | Representation from Anonymous 2 |
| | 2.9 | Representation from Kate Teal |
| | 2.10 | Representation from Karen Forster |
| | 2.11 | Representation from Daymon Britton |
| | 2.12 | Representation from Donna Britton |
| | 2.13 | Representation from Anonymous 3 |
| | 2.14 | Representation from Anonymous 4 |
| | 2.15 | Representation from Councillor Chris Buckley |
| | 2.16 | Representation from Cathy Roberts |
| | 2.17 | Representation from Mike and Angela Quigley |
| | 2.18 | Representation from Liz Twist MP |
| | 2.19 | Representation from Mr and Mrs Hardy |
| | 2.20 | Representation from Louise Duncan and Nigel Wild |
| | 2.21 | Representation from Thelma Brown |
| | 2.22 | Representation from Shelia Eddleston and James Fall |
| | 2.23 | Representation from L Middlemiss |
| | 2.24 | Representation from Leila Heidi Ranson |
| | 2.25 | Representation from Annabel Hayward and Michael Rossington |
| | 2.26 | Representation from Susan Carter |
| | 2.27 | Representation from Richard and Audrey Palmer |
| | 2.28 | Representation from Ben Skill |
| | 2.29 | Representation from David P. Crawford-Emerly |
| | 2.30 | Additional information submitted by those who have made representations - Photograph |
| | 2.31 | Additional information submitted by those who have made representations - Photograph |
| | 2.32 | Additional information submitted by those who have made representations - Photograph |
| | 2.33 | Additional information submitted by those who have made representations - Photograph |
| | 2.34 | Additional information submitted by those who have made representations - Photograph |
| | 2.35 | Additional information submitted by those who have made representations - Photograph |
| | 2.36 | Additional information submitted by those who have made representations - Photograph |

Appendix	3	Relevant Extracts from Gateshead Council's Licensing Policy
Appendix	4	Relevant Extracts from the Guidance issued under Section 182 of the Licensing Act 2003
Appendix	5	Area Plan

The Half Moon Inn, Ryton, Gateshead NE40 3NU

22nd May 2021

Dear Ms. Sparrow,

The Half Moon Inn

Further to our recent discussions, I enclose slightly revised Application to vary my Premises Licence.

In box L, I have reproduced the hours authorized in the current Premises Licence for the retail sale of alcohol.

Please could you email me to acknowledge safe receipt?

Yours sincerely,

Diane Phillips

Rebecca Sparrow
Licensing Officer
Economy, Innovation and Growth
Gateshead Council
Civic Centre
Regent Street
Gateshead
NE8 1HH

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Diane Phillips

(Insert name(s) of applicant)

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

Premises licence number 00CH 04240
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Half Moon Inn Ryton Village Ryton			
Post town	Gateshead	Postcode	NE40 3QF

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£12,500.00

Part 2 – Applicant details

Daytime contact telephone number	07974 930899		
E-mail address (optional)	diane1630@icloud.com		
Current postal address if different from premises address	12 Sanderling Close Ryton		
Post town	Gateshead	Postcode	NE40 3HE

Part 3 - Variation

Please tick as appropriate

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

Yes

No

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

DD		MM		YYYY			
.

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

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

1) The licensable area varied to include the outside bar at the rear of The Half Moon Inn shown on the enclosed plan ("the Outside Area").

2) Annex 3 Paragraph 4 to be removed from the Premises Licence.

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

N/A

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) Live music in the Outside Area will take place no more than once a month between 1st June and 30th September and at no other times		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12	23-00	Please give further details here (please read guidance note 5) Ambient background music only will be played		
Tue	12	23-00			
Wed	12	23-00	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	12	23-00			
Fri	12	23-00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	12	23-00			
Sun	12	23-00			

G

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

H

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

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	12	23-00	State any seasonal variations for the supply of alcohol (please read guidance note 6)	Both	<input type="checkbox"/>
Tue	12	23-00			
Wed	12	23-00			
Thur	12	23-00		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)	
Fri	12	24-00			
Sat	12	24-00			
Sun	12	24-00			

K

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

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	23:00	
Tue	10:00	23:00	
Wed	10:00	23:00	
Thur	10:00	23:00	
Fri	10:00	00:00	
Sat	10:00	00:00	
Sun	10:00	22:30	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
 Bank Holiday Monday 10:00 to 00:00
 Sundays prior to Bank Holiday Monday 10:00 to 23:30

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

Please tick as appropriate

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

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

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

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

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

- 1) I liaise with local licensees regarding possible local issues.
- 2) Member of Pub Watch

b) The prevention of crime and disorder

- 1) Up to four experienced and registered door staff on duty.
- 2) Challenge 25 policy practiced at all times.
- 3) No customers under the age of 19 is admitted at any time.
- 4) High definition security cameras in operation at all times
- 5) Zero tolerance of any anti social behaviour

c) Public safety

d) The prevention of public nuisance

- 1) The outside bar to close at 21.30 and the beer garden cleared by 22.00
- 2) No drinking allowed at the front of the public house.
- 3) Clear and legible notices at exits and other relevant locations requesting customers to leave the premises quietly and considerably emphasising the need to refrain from shouting, slamming of car doors or the sounding of car horns or any other anti-social behaviour

e) The protection of children from harm

See (b) above

Checklist:

Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	<i>Diane Phillips</i>
Date	17th May 2021
Capacity	Diane Phillips - Applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post town		Post code	
Telephone number (if any)			

APPENDIX 1

LICENSING ACT 2003 - POOL OF MODEL CONDITIONS

CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

1. The Licensee, that is the person in whose name the Premises Licence is issued, shall ensure that at all times when the premises are open for any licensable activity, there are sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the Licence and for preventing crime and disorder.
2. The Licensee shall ensure that on each day that door supervisors are engaged for duty at the premises, their details (names and licence numbers) are recorded in an appropriate book kept at the premises. In conjunction with this record book, the licensee shall also keep an incident book. This record book and incident book must be available for inspection by the Police or Authorised Officer at all times when the premises are open.
3. Glass bottles containing beverages of any kind shall not be left in the possession of any patrons after service and following the discharge of the contents into an appropriate glass or drinking vessel.
4. Glass bottles containing wine may be sold for consumption with a meal taken at a table, by customers who are seated in an area set aside exclusively for patrons taking table meals.
5. No persons carrying open or sealed glass bottles shall be admitted to the premises at any time that the premises are open for any licensable activity.
6. One pint and half pint capacity drinking glasses, and highball (tumbler) drinking glasses, in which drinks are served, shall be of strengthened glass (tempered glassware) or of a material whereby in the event of breakage, the glass will fragment with no sharp edges being left. Alternatively, drinks may be served in non-glassware drinking vessels (e.g. plastic, polystyrene, waxed paper).
(Note. Weights and measures legislation requires the use of "stamped glasses" where "meter-measuring equipment" is not in use.)
7. No glass drinking vessels or glass bottles shall be permitted (in the areas described in the attached schedule and delineated on the approved plan.)
8. No patrons shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.
(Note. This condition shall not apply to patrons who have purchased beverages for consumption off the premises (within the curtilage of the premises licensed area or in the area covered by a Pavement Café Licence) with the express consent of the Licensee, designated premises supervisor or responsible person.)
9. The Licensee and designated premises supervisor shall ensure that there are effective management arrangements in place to enable them to know how many persons there are in the premises at all times when the premises are open for a licensable activity.

10. The maximum number of persons permitted to assemble on the licensed premises, or relevant part of the licensed premises shall be indicated by a fixed notice bearing the words "Maximum Occupancy" with letters and numbers not less than 20 mm high, conspicuously sited at each relevant part of the premises and at the reception point.
11. All members of staff at the premises including Door Supervisors shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and who is seeking access to the premises or is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
12. A suitably worded sign of sufficient size and clarity shall be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.
13. A conspicuous notice shall be displayed on or immediately outside the premises adjacent to the entrance to the premises which gives details of times when the premises are permitted to be open for any licensable activity.
14. A conspicuous notice shall be displayed on, or immediately outside the premises, or immediately adjacent to the premises, which gives details of any restrictions relating to the admission of children to the premises.
15. A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of the Licensing Authority and in consultation with Northumbria Police. Such a system shall:
 - Ensure coverage of all entrances and exits to the Licensed Premises internally and externally,
 - The till area
 - Ensure coverage of such other areas as may be required by the Licensing Authority and Northumbria Police.
 - Provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained (on tape or otherwise) for a period of 28 days, and shall be supplied to the Licensing Authority or a Police Officer on request.
 - Be in operation at all times the premises are in use.
16. The Premises Licence Holder and Designated Premises Supervisor shall co-operate with any reasonable crime prevention initiative which are promoted by the Licensing Officer at Gateshead Police Station from time to time.
17. The Premises Licence Holder and Designated Premises Supervisor shall comply with any reasonable measures required by the Licensing Authority from time to time relating to preventing the sale of alcohol to children.
18. A 'Challenge 25' policy shall be adopted, ensuring that all members of staff at the premises shall refuse to sell alcohol to anyone who appears to be under the age of 25 and who is seeking to purchase alcohol unless that person provides credible photographic proof of age evidence.

19. Implementing and maintaining a 'Challenge 25' policy, including staff training to prevent underage sales, and ensuring that all members of staff at the premises shall seek credible photographic proof of age evidence from any person who appears to be under the age of 25 and who is seeking to purchase cigarettes and/or alcohol. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a 'PASS' logo.
20. Staff are to be made aware of 'proxy sales' and shall refuse sales of alcohol to adults who they suspect are buying alcohol on behalf of children.
21. Staff shall refuse to sell age restricted products to any adult who they suspect to be passing age restricted products to under age children (i.e. proxy sales). Details of these refusals should also be kept in the ledger.
22. Staff are to be given sufficient training agreed with the Licensing Authority in the control of age-restricted products, refresher training for existing staff and training for all new staff.
23. Accurate training records are to be kept for all staff involved in sales of age-restricted products.
24. A refusals ledger shall be maintained, and made available to Local Authority enforcement officers on request. Refusals to be supported by the CCTV cameras.
25. Staff are to be provided with an unobstructed view of the area immediately outside the shop and entrance.
26. Persons under the age of 18 shall only be allowed to enter or remain on the premises prior to 21:00 hours each day, and only when accompanied by a responsible adult, and with the discretion of the Designated Premises Supervisor.
27. No person carrying open or sealed glass bottles shall be admitted to the premises at any time that the premises are open for any licensable activity.
28. There shall be displayed suitably worded signage of sufficient size and clarity at the point of entry to the premises and in a suitable location at any points of sale advising customers that underage sales of alcohol are illegal and that they may be asked to produce evidence of their age.

CONDITIONS RELATING TO PUBLIC SAFETY

29. Notices detailing the actions to be taken in the event of fire or other emergency, including how to summon the fire brigade shall be prominently displayed and protected from damage and deterioration.
30. Temporary electrical wiring and distribution systems shall not be provided without notification to the licensing authority at least ten days before commencement of the work and prior inspection by a suitable qualified electrician. Premises shall not be opened to the public until the work is deemed satisfactory by the above parties.

31. Where it is not possible to give ten days notification to the licensing authority of provision of temporary electrical wiring and distribution systems, the work shall be undertaken by competent, qualified persons.
32. All temporary electrical wiring and distribution systems shall be inspected and certified by a competent person before they are put to use.
33. An appropriately qualified medical practitioner shall be present throughout a sports entertainment involving boxing, wrestling, judo, karate or similar.
34. Where a ring is constructed for the purposes of boxing, wrestling or similar sports, it must be constructed by a competent person, and inspected by a Building Control Officer of the Council (at the cost of the applicant). Any material used to form the skirt around the ring must be flame retardant.
35. At any wrestling or other entertainment of a similar nature, members of the public shall not occupy any seat within 2.5 metres of the ring.
36. Any Licensee wishing to hold a 'Total Fighting' event on the licensed premises shall first apply to the Council for a variation of this licence and in the event that such application is granted, shall comply with any additional conditions that may be imposed. The term 'Total Fighting' shall include any 'full contact' martial arts involving the combined codes of judo, karate and ju-jitsu, judo, sombo and Olympic wrestling or any other mixed martial arts.
37. At water sports entertainments, staff adequately trained in rescue and life safety procedures shall be stationed and remain within the vicinity of the water at all material times.

CONDITIONS RELATING TO PUBLIC SAFETY IN THEATRES, CINEMAS, CONCERT HALLS AND SIMILAR PLACES

38. The number of attendants on each floor in a closely seated auditorium shall be as set out on the table below:

Number of members of the audience present on a floor	Minimum number of attendants required to be present on that floor
1	One
101	Two
251	Three
501	Four
751	Five
And one additional attendant for each additional 250 persons (or part thereof)	

39. Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.
40. All attendants shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).
41. The premises shall not be used for a closely seated audience except in accordance with a seating plan(s), a copy of which is available at the premises and shall be shown to any authorised person on request.
42. No article shall be attached to the back of any seat which would reduce the clear width of seatways or cause a tripping hazard or obstruction.
43. A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.
44. Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.
45. Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.
46. In no circumstances shall anyone be permitted to:
 - sit in any gangway;
 - stand or sit in front of any exit; or
 - stand or sit on any staircase including any landings.
47. Except as authorised by the premises licence or club premises certificate, no drinks shall be sold to, or be consumed by a closely seated audience except in plastic and paper containers.
48. Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.
49. Any special effects or mechanical installation shall be arranged and stored to minimise any risk to the safety of the audience, the performers and staff.
50. Except with the prior written approval of the Council and subject to any conditions, which may be attached to such approval no special effects shall be used on the premises.

Special effects include:

- dry ice machines and cryogenic fog;
- smoke machines and fog generators;
- pyrotechnics, including fireworks;
- real flame;
- firearms;
- motor vehicles;

- strobe lighting;
- lasers (see HSE Guide 'The Radiation Safety of Lasers used for display purposes' [HS(G)95] and BS EN 60825: 'Safety of laser products');
- explosives and highly flammable substances.

51. Where premises used for film exhibitions are equipped with a staff alerting system the number of attendants present shall be as set out in the table below:

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty	Minimum number of other staff on the premises who are available to assist in the event of an emergency
1 - 500	Two	One
501 - 1000	Three	Two
1001 - 1500	Four	Four
1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	Five plus one for every 500 (or part thereof) persons over 2000 on the premises

52. Staff shall not be considered as being available to assist in the event of an emergency if they are:

- the holder of the premises licence or the manager on duty at the premises; or
- a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his response in an emergency situation; or
- a member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation.

53. Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.

54. The staff alerting system shall be maintained in working order and be in operation at all times the premises are in use.

55. The level of lighting in the auditorium shall be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007 (Maintained Lighting for Cinemas).

CONDITIONS RELATING TO PUBLIC NUISANCE

56. Windows, doors and fire escapes shall remain closed during proposed entertainment events within the premises
57. Noise generated by amplified music shall be controlled by a noise limiting device set at a level determined by the Local Authority Environmental Health Officer, such level being confirmed in writing to the Licensee.
58. Noise limiting devices, once set, cannot be reset or adjusted without consultation with the Local Authority Environmental Health Officer.
59. The lobby doors at the premises shall be kept closed except for access and egress. Door staff shall supervise to ensure that the doors are maintained closed as far as possible when public entertainment is taking place.
60. Clear and legible notices shall be displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents. In particular, the need to refrain from shouting, slamming car doors and the sounding of car horns shall be emphasised.
61. The premises personal licence holder, designated premise supervisor and door supervisor shall monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
62. Noise and vibration from regulated entertainment shall not be audible at the nearest noise sensitive premises
63. There shall be provided at sufficient regular intervals throughout the premises and grounds, litter bins which shall be emptied and waste removed on a frequent basis, and staff and attendants shall as far as reasonably practicable ensure that the public, members and guests do not litter.

CONDITIONS RELATING TO THE PREVENTION OF HARM TO CHILDREN

64. Children under 18 years will not be allowed access to the premises.
65. The club premises certificate holder shall ensure that all attendants (including volunteers and staff) who are to supervise children have been properly vetted (by an enhanced DBS check) and have no convictions that would make them unsuitable to supervise children.
66. There shall be child protection policies agreed with the Licensing Authority and actioned accordingly.

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Licensing Act 2003

Premises Licence

Premises Licence Number **00CH 04240**

Part 1 - Premises Details

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

The Half Moon
Ryton Village
Ryton

Post town

Tyne & Wear

Postcode

NE40 3QF

Telephone number

0191 413 2028

Where the licence is time limited, the dates

Not applicable

Licensable activities authorised by the licence

1. The sale by retail of alcohol
2. The provision of regulated entertainment;

Amplified/unamplified live music performed by no more than two performers, indoors;
Amplified recorded music ancillary to the sale of alcohol, indoors;
Provision of facilities for making music, indoors

The times the licence authorises the carrying out of licensable activities

For the sale by retail of alcohol:

(excluding live entertainment):

Monday to Thursday	10:00 to 23:00 hours
Friday and Saturday	10:00 to 00:00 hours (midnight)
Sunday	10:00 to 22:30 hours

Bank Holiday Monday	10:00 to 00:00 hours (midnight)
Sunday's prior to Bank Holiday Monday	10:00 to 23:30 hours

For the provision of regulated entertainment:

(excluding live entertainment):

Monday to Thursday	10:00 to 23:00 hours
Friday and Saturday	10:00 to 00:00 hours (midnight)
Sunday	10:00 to 22:30 hours

Bank Holiday Monday	10:00 to 00:00 hours (midnight)
Sunday's prior to Bank Holiday Monday	10:00 to 23:30 hours

On New Years Eve from the end of the permitted hours on New Years Eve to the start of permitted hours on the following day.

The provision of live entertainment:

Monday to Thursday	10:00 to 23:00 hours
Friday and Saturday	10:00 to 23:30 hours
Sunday	10:00 to 22:30 hours

Bank Holiday Monday and Sundays prior to Bank Holiday Monday's 11:00 to 00:00 hours

The opening hours of the premises

Monday to Thursday	10:00 to 23:30 hours
Friday and Saturday	10:00 to 00:30 hours
Sunday	10:00 to 23:00 hours

Bank Holiday Monday	10:00 to 00:30 hours
Sundays prior to Bank Holiday Monday	11:00 to 00:00 hours (midnight)

On New Year's Eve from the end of the permitted hours on New Year's Eve to the start of permitted hours on the following day.

Where the licence authorises supplies of alcohol, whether these are **On** and/or **Off** supplies

For consumption on and off the premises

Part 2

Name,(registered) address, telephone number and email (where relevant) of holder of premises licence

Diane Phillips
12 Sanderling Close
Ryton
NE40 3HE
Tel: 0191 281 4001

Registered number of holder, for example company number, charity number (where applicable)

Not applicable

Name, address and telephone number of Designated Premises Supervisor where the premises licence authorises the sale of alcohol.

Diane Phillips
12 Sanderling Close
Ryton
NE40 3HE

Personal Licence number and issuing authority of personal licence held by Designated Premises Supervisor where the premises licence authorises the supply of alcohol.

00CH10222 Gateshead Council

Signature on behalf of the issuing licensing authority

Date Of Issue : 01 August 2018



Environmental Health, Licensing and Enforcement Manager
Development and Public Protection

Supply of alcohol

1. No supply of alcohol may be made under the premises licence;
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his or her personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - i. Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. Drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
 - (a) A holographic mark, or
 - (b) An ultraviolet feature.
6. The responsible person must ensure that –
 - (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

- i. Beer or cider: ½ pint;
 - ii. Gin, rum, vodka or whisky: 25ml or 35ml; and
 - iii. Still wine in a glass: 125ml.
- (b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Prohibition on sale of alcohol below cost of duty plus VAT

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. P is the permitted price,
 - ii. D is the rate of duty chargeable in relation to the alcohol as if duty were charged on the date of the sale or supply of the alcohol, and
 - 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.
 - c. 'Relevant person' means, in relation to premises in respect of which there is in force a premises licence –
 - i. The holder of the premises licence,
 - ii. The designated premises supervisor (if any) in respect of such a licence, or
 - 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.
 - a. Sub-paragraph b below 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.
 - b. 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.

Door Supervision

1. Any person(s) required to be on the premises to carry out a security activity must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of Section 4 of that Act.

Annex 2 - Conditions consistent with the operating schedule

1. Alcohol shall not be supplied unless it is paid for before or at the time when it is supplied, except alcohol supplied
 - a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
 - b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
 - c) to a canteen or mess

Annex 3 - Conditions attached after a hearing with the Licensing Authority

1. Alcohol shall not be sold or supplied except during the hours set out in the licence.
2. Condition 1 does not prohibit:
 - a) during the first thirty minutes after the above hours the consumption of alcohol previously supplied
 - b) during the first thirty minutes after the above hours, the taking of alcohol from the premises unless the alcohol is supplied or taken in an open vessel
 - c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to meals
 - d) consumption of the alcohol on the premises by or the taking or supply of alcohol to any person residing in the premises
3. Regulated entertainment shall not be provided except during the hours set out in the licence.
4. No live or recorded music will be relayed to the Beer Garden/ outside drinking area.
5. No noise or vibration from the premises shall be audible at the nearest noise sensitive location.
6. The licensee, that is the person in whose name the premises licence is issued, shall ensure that at all times when the premises are open for any licensable activity, there are sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.
7. The manager of the premises will actively participate in the local Pubwatch scheme.
8. The CCTV system shall be maintained in proper working order, to the satisfaction of the Licensing Authority and in consultation with Northumbria Police. The system shall:-
 - a) Ensure coverage of all entrances and exits to the licensed premises internally and externally
 - b) Ensure coverage of such other areas as may be required by the Licensing Authority and Northumbria Police
 - c) Provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained (on tape or otherwise) for a period of 28 days, and shall be supplied to the Licensing Authority or a Police Officer on request
 - d) be in operation at all times the premises are in use
9. Windows, doors and fire escapes shall remain closed during proposed entertainment events within the premises.
10. Internal and external lighting provided for the purpose of customer and staff safety and for the security of the premises shall be so positioned to not cause nuisance to neighbouring adjoining properties.

11. Provide clear and legible notices displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors and the sounding of car horns shall also be discouraged.
12. The premises personal licence holder and designated premises supervisor shall monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
13. No unaccompanied children shall be permitted on the premises.

Annex 4 - Copy of Plan

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Kirsty Clark Licensing

From: Erin McClymont [REDACTED]
Sent: 14 June 2021 20:52
To: CE Licensing
Subject: Half Moon, Ryton Village License Changes

To Whom it May Concern,

I have recently been made aware of the application for change of license by The Half Moon in Ryton. As a resident of Whitewell Lane I have some major concerns over the proposed changes.

Existing issues with the pub include customers walking over our car (and a fellow neighbours resulting in dents), making significant noise waking up the street and issues with increased traffic/parking. There does not seem to be any concern for local residents with paralytic customers being let out at closing time resulting in unsociable behaviour including fighting and rubbish being left on the street. I am always in support of local businesses and understand that they have had an incredibly tough 18months however they must be conscious of the surrounding residents and I do not believe that the proposed changes are in line with this.

As a parent of young children I am very concerned about the impact of noise if outside live music is allowed in the evening. There is already significant outside noise and music will hugely increase this.

There has been a significant increase in traffic in the area since the pub reopened. Not only does this impact parking for the local residents who rely on street parking but there is also an increase in speeding in the area which is putting our children at risk.

I do not have trust in the landlords that they will implement the changes in licensing responsibly and can only see more problems in the future.

I hope these concerns are considered.

Regards

Erin

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Kirsty Clark Licensing

From: Lesley Errington <[REDACTED]>
Sent: 15 June 2021 10:34
To: CE Licensing
Cc: Councillor Chris Buckley
Subject: Half Moon Inn

To whom it may concern,

I write to you with regards to the pending application from Diane Phillips of the Half Moon Inn (Ryton Village, Ryton, NE40 3QF).

We strongly object to the section of the application which seeks approval for an outside bar, and removal of the restrictions on live or recorded music.

As residents living directly across from the pub, we have been subjected to months of absolute hell. The noise levels are excessive, and the behaviour of its pub goers have been out of order. Urination on our garden wall, fighting, shouting, swearing, and broken bottles smashed on the roadside are all regular occurrences. We have CCTV footage of this all happening. Further, patrons park their cars over both paths of the road in front, and block access for pedestrians in doing so.

This small village pub also has five doormen, which is telling of the type of atmosphere which is created and the behaviour which is expected when it is open. It is completely irresponsible of the pub owners to bring this behaviour to our village, which is meant to be a conservation area. They have already been fined for not adhering to Covid restriction rules, but from our perspective as a neighbour, nothing has improved since. They have total disregard for the residents, and we dread the days on which the pub is open.

Kind regards,

Mark and Lesley Errington

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Kirsty Clark Licensing

From: [REDACTED]
Sent: 15 June 2021 15:04
To: CE Licensing
Subject: Half Moon P.H. Ryton Village , Certificate Variation Application

LETTER OF OBJECTION TO LICENSING VARIATIONS

HALF MOON P.H. RYTON VILLAGE, VARIATION TO CERTIFICATE.

Dear Ms Clark, Thankyou for the information you sent ,it was very helpful. Set out below are my grounds for objecting to the variations proposed to the Half Moon License.

With reference to the above variation application, I wish to object to the proposals set out in the public notice.

Currently the outside area to the rear of the Half Moon is operating under temporary government approval and is much larger than any previous use of this area. Since the temporary use began substantial construction has taken place and the noise generated by the drinkers can be heard throughout the surrounding area.

The Half Moon has operated for many years but its activities and noise have been confined to the building thus minimizing the effect on the surrounding area. Clearly the second variation to allow music in the rear area would exacerbate the nuisance caused to those living in the vicinity of the Half Moon.

Since the Half Moon reopened, there have been numerous issues arising from the behaviour of customers leaving the premises in various states of inebriation. There have been fights, urinating in the streets, drain covers being thrown onto the road, safety bollards removed and thrown into gardens and in the most recent episode 2 completely naked men parading through the village !. This was at a time when families with children were still about.

While these problems do not directly relate to the variations requested, they reflect the current management and clientele of the Half Moon and would no doubt be magnified by the changes proposed. These problems impact upon several of the wider objectives of the Licensing Committee.

1. Crime and disorder are increasing and you may wish to confirm this with the police
2. Public safety is obviously being threatened when incidents such as those described take place

3. It is clear that any extension of music to the outside area will create a public nuisance to the detriment of nearby residents and the wider Conservation Area

4. The idea of families with children having to risk being faced by drunken and, on occasion totally naked youths is not something members would accept.

The limited information provided in the public notice has meant that many residents were unaware of the implications of this proposal and of their right to object

to the committee. Unlike in planning matters, wider public consultation does not seem to be required and this may well limit the number of responses .

I have raised my concerns with my local councillors and have asked that they support the rejection of these variations.

Yours faithfully,

[Redacted signature]

[Redacted address line]

Tel. [Redacted] I would ask that my name and address be redacted from any report to committee

Kirsty Clark Licensing

From: Penny Marshall [REDACTED]
Sent: 16 June 2021 09:48
To: CE Licensing
Subject: Half moon, Ryton Village

To: Licensing Section
Gateshead Council
Civic Centre
Regent St
Gateshead
NE8 1HH

From: Ann and Lindsay Marshall
[REDACTED]

Ryton
NE40 [REDACTED]

We wish to object to the application dated 24 May 2021 by Dianne Phillips of the Half Moon Ryton to vary the conditions of their licence..

We object to

1. The provision of an outside bar
2. The removal of condition 4 Annex 3 "no live or recorded music will be relayed to the beer garden/ outside drinking area from the premises licence

The outside area already generates nuisance noise at busy periods, and the addition of a bar and music would lead to a significant increase in nuisance, particularly to neighbouring properties. We live some 200m away, and can already hear noise from the premises, which is not consistent with the village setting. Removal of the play area and targeting of the youth market has led to a dramatic increase in antisocial behaviour - urinating in the street, shouting, damage to cars - and we believe the provision of outdoor music would exacerbate this.

We urge you to reject the application.

Yours faithfully

Ann and Lindsay Marshall

Sent from my iPad

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Kirsty Clark Licensing

From: steven colbeck [REDACTED]
Sent: 16 June 2021 17:32
To: CE Licensing; stevencolbeck
Subject: application by Diane Phillips dated 24/5/2001

Dear Sir/Madam

I would like to put on record my objection to the application proposed by D Phillips on behalf of The Half moon Public House, Ryton Village, Ryton, NE40 3QF.

The addition of any further changes to the way in which these premises are run would be detrimental to the majority of people who live within the village.

The disruption and noise created by the users and the current management of the half moon is already causing problems within the village, more so to those who live close to the pub, with large groups of mixed youths leaving the public house creating problems with shouting, urinating against houses along Whitewell Lane and Wallace Terrace, fighting and damaging cars along the road and discarding bottles and rubbish into gardens along the way, borne out by the uplift in recent complaints sent to both police and council.

This anti-social behavior, along with the additional noise created by an outside venue would lead to severe disruption and distress to all within the village. With the current licenses in place, the licensee already appears to have no regard for local residents and would not, I am sure, be worried about the disruption the proposed new applications and change of restrictions would bring.

The current noise from the public house is disruptive and anti-social during normal hours, especially over the weekends, when families need to unwind and enjoy family time, any further addition to this would be, at least, sole destroying.

I hope that you take into consideration my concerns and fears for the future of the village and its residents and refuse any changes to the present license status.

Should you wish to discuss my concerns further, please do not hesitate to contact me.

Yours Sincerely

Mr Steven Colbeck
[REDACTED]

Sent from [Mail](#) for Windows 10

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Kirsty Clark Licensing

From: gary napier [REDACTED]
Sent: 16 June 2021 19:37
To: CE Licensing
Subject: Objection to variation in licensing application. Half Moon Public House, Ryton.

Dear Sir / Madam,

I am a retired Northumbria Police officer and I live at [REDACTED] which is located directly opposite the Half Moon public house.

On a regular basis this public house attracts customers whom I have witnessed on several occasions commit both common law and public disorder offences, ranging from loud and disorderly behaviour to urinating in the street, to name but a few breaches of the law.

The public house is situated in a quiet residential area , with a mix of both young families to old age pensioners..

If their application for a variation in their licence were to be approved I strongly believe that the noise and disorder that already emanates from the pub clientele would become worse and even attract more unsavoury characters to a location that is akin to Newcastle Big Market when the Half Moon is open for business..

I therefore vehemently object to their application for a variation to their current alcohol licence.

Yours sincerely

Gary Napier

Sent from my iPad

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Kirsty Clark Licensing

From: Gavin Finlayson [REDACTED]
Sent: 16 June 2021 21:21
To: CE Licensing
Subject: Half Moon variation application 24 May 2021

I am contacting to protest strongly to the above application to extend the external bar area and to allow external music.

The Half Moon since lockdown restrictions have relaxed in last 8 weeks or so has become a hotbed for very young clientele and unrestricted drinking. as a consequence, the noise coming from the beer garden is already unacceptably loud.

I have two very young children and we have had to witness levels of anti social behaviour from clientele leaving the Half Moon which is intolerable and down to no control of volume of drink they are clearly allowing.

Recent highlights have been fights, urinating on village green, two naked boys running through village and regular shouting and swearing as they leave pub and walk through village.

Extending the external bar and piping loud music to such a quiet area doesn't bode well in the management controlling the existing anti social behaviours their pub is causing.

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Kirsty Clark Licensing

From: [REDACTED]
Sent: 16 June 2021 21:05
To: CE Licensing
Subject: Half Moon licence variation 24 May 2021

I am writing to object strongly to the application to vary the licence to extend the external bar area and to relay live/recorded music to the external area.

In the last month since lockdown restrictions have been relaxed the Half Moon has become a hotbed for very young clientele, which based on the behaviours I have seen and had to listen to when they leave and cause mayhem through the village they have been served alcohol well past acceptable limits.

The noise from the beer garden, shouting and swearing does not bode well to extend drinking and pipe loud music in to the external environment.

I have had to witness clientele fighting outside the pub, screaming and shouting though the village, urinating on the village green and the recent highlight two young boys walking naked across village green all ridiculously drunk from the Half Moon.

The noise and behaviours never happened before in my 10 years living here.

Existing

Sent from my iPad

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[REDACTED]
Ryton Village

18.6.2021

Dear Sir.

Having recently heard of
the Half Moons application to
extend the licensable area to include
outside area with outside bar and to have
music in this area I feel I have to object
to the plans. The village is not a place
to have outside music. The noise coming
from this public house already causes a lot
of distress to those living close to the
premises and I feel there will be a lot
of local people objecting to the application.

I hope you will remember the rules
that were set out for the other pub in the
area in the past.

Yours Sincerely Kate Teal

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Kirsty Clark Licensing

From: Karen Forster [REDACTED]
Sent: 18 June 2021 12:20
To: CE Licensing
Subject: Half Moon Ryton Village

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning,

I write to STRONGLY OPPOSE the plans for extended licensing at the Half Moon Pub, Ryton Village.

I am shocked that these plans are even being considered as the level of noise and antisocial behaviour is already at extreme levels, particularly on Friday and Saturday nights, screaming, shouting, loud music .

The Half Moon Pub is located in a quiet residential street, in the heart of Old Ryton Village, which is inhabited by a large number of elderly residents and families with young children .

I live in Wallace Terrace which is an access road to and from the Half Moon , since reopening it's doors , my car has been vandalised, there is regularly vomit on the footpath outside , beer bottles and other articles thrown onto my garden or left on the road , we caught two lads urinating on the gable wall at the end of the street, they were with a large group , clearly drunk and aggressive , intimidating.

I am having to sleep with my front Windows closed to stop the noise of shouting , screaming and swearing as they make their way up the street , this is affecting my mental health , ability to sleep , I feel anxious and frightened .

Many of the customers the Half Moon is attracting are clearly underage , consequently they are unable to handle the large amounts of alcohol served to them

If these plans proceed we, collectively will be forced to get the help of the local press to highlight this ridiculous and unacceptable application .

Yours sincerely
Karen Forster

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Kirsty Clark Licensing

From: [REDACTED]
Sent: 18 June 2021 22:35
To: CE Licensing
Cc: CE Environmental Health
Subject: Half Moon Inn, Ryton Village

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

I am writing in relation to The Half Moon Inn, Ryton Village applying for a music license for their venue.

To attract more young people to the premises and fuelling them with alcohol will only make a bad situation worse.

I have attached images to show you how things were on Friday 18th... This is a standard Friday and Saturday night in our village.

The village has always been a very respectable area and we take pride in where we live. The attitude of The Half Moon Inn is destroying what was once a quiet and safe place to live.

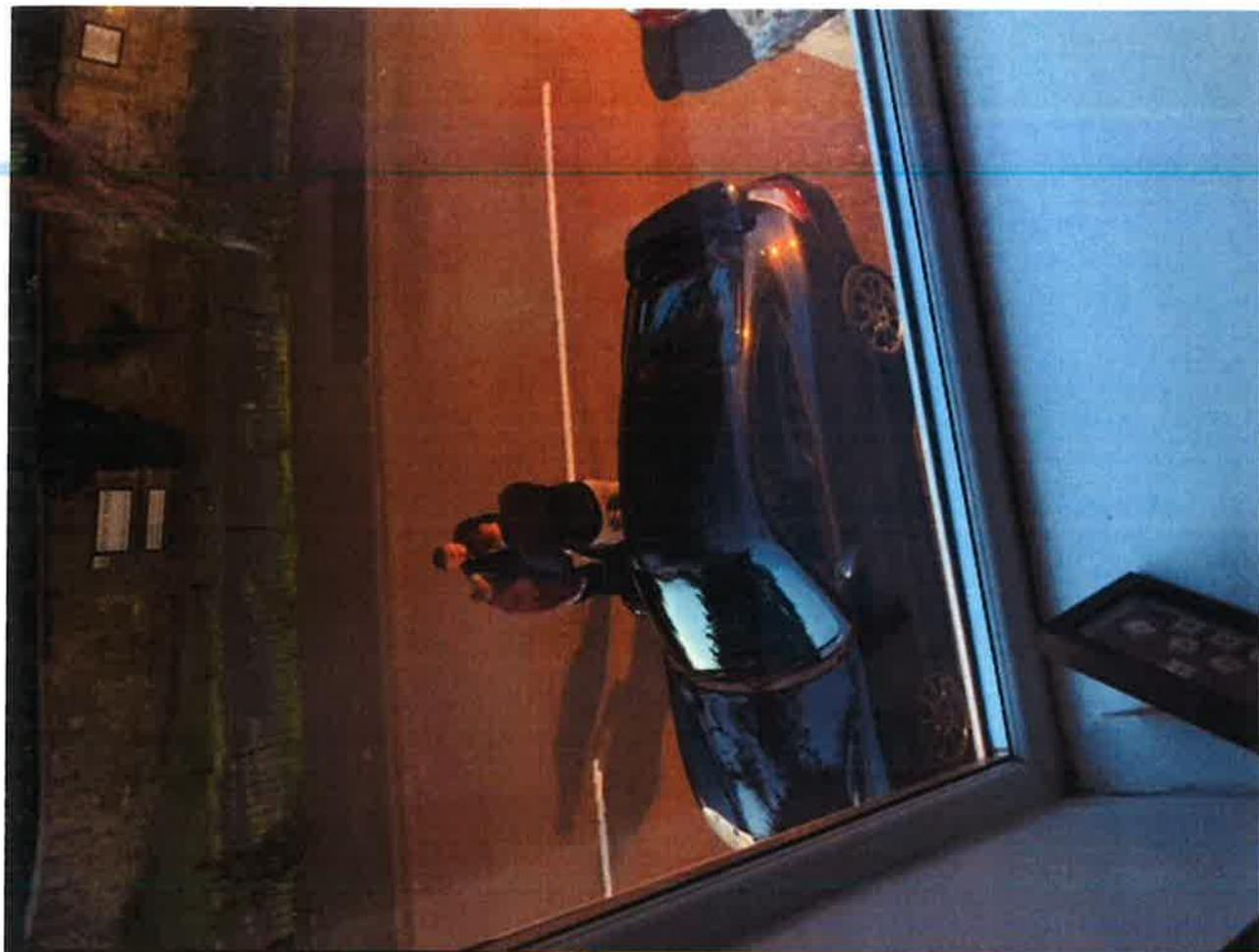
We have very drunk people urinating on our property, and invading our space.

Yours Faithfully,

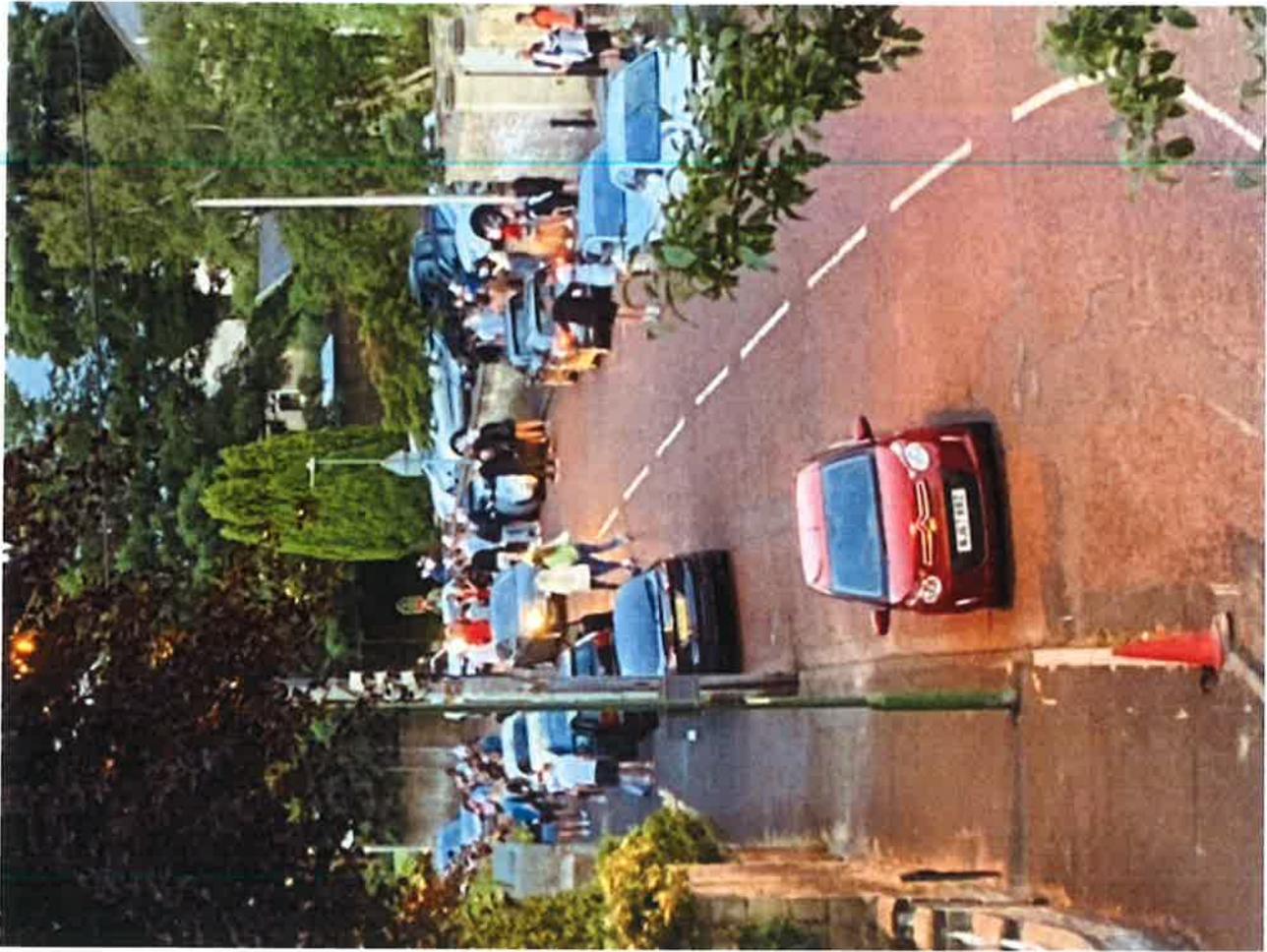
Daymon
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Email sent from my iPhone, sorry for brief messages.









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Kirsty Clark Licensing

From: Donna Britton [REDACTED]
Sent: 18 June 2021 23:09
To: CE Licensing
Cc: enviromentalhealth@gateshead.gov.uk
Subject: Objection to a proposal
Attachments: image0.jpeg; Video.mov; image1.jpeg; image2.jpeg; image3.jpeg; image4.jpeg; image5.jpeg; image6.jpeg; image7.jpeg; image8.jpeg; image9.jpeg; image10.jpeg; image11.jpeg; image12.jpeg; image13.jpeg

Follow Up Flag: Follow up
Flag Status: Flagged

Hi,

This is an objection to the proposal for the half moon in Ryton village.

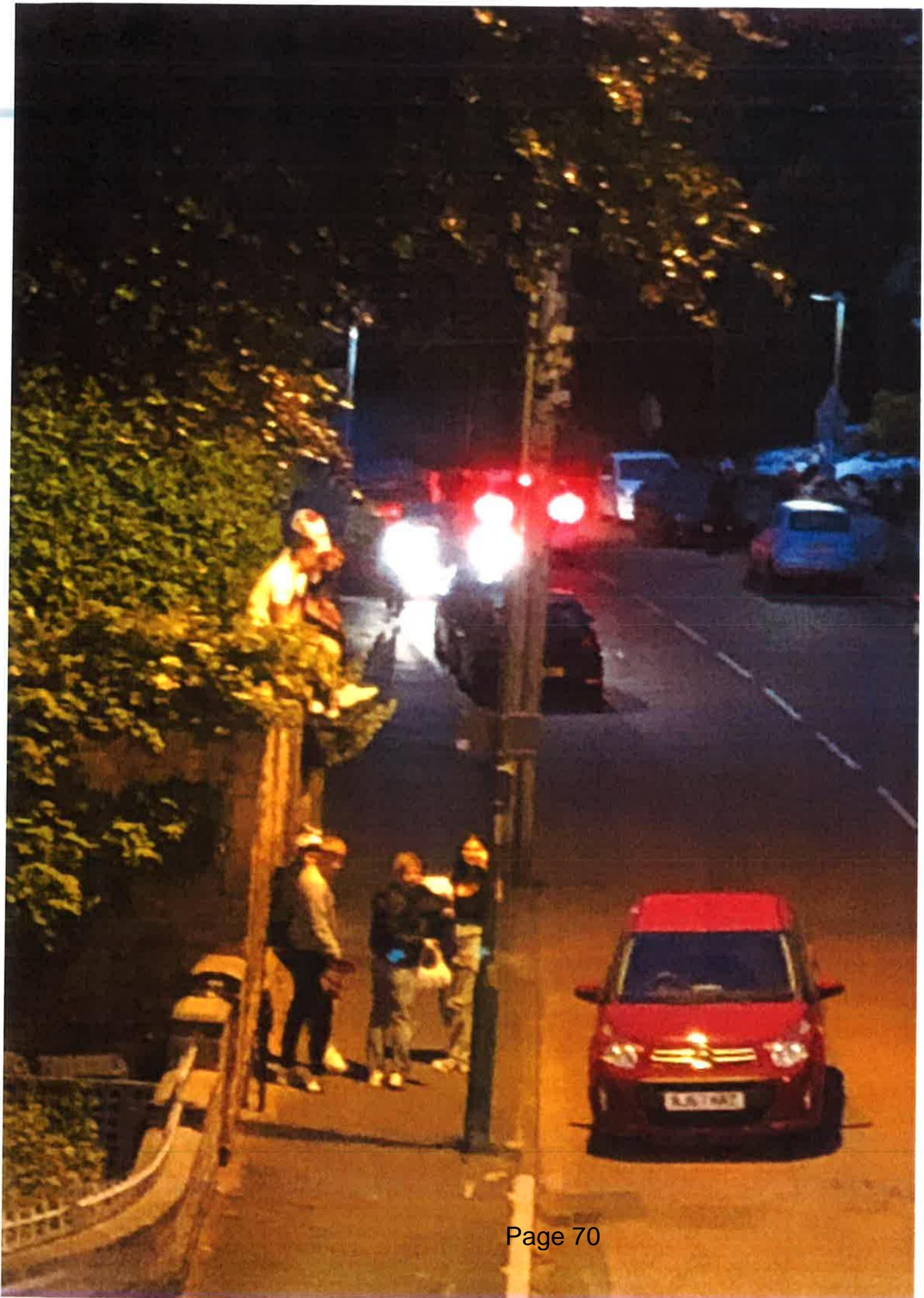
I object to the full proposal as I'm concerned In Regards to the proposal they have asked for. I live on [REDACTED] amd have witnesses disgusting behaviour tonight along with my children seeming the whole thing. I'm attaching photos that my whole family (children) have seen tonight (Friday 18th June) not only am I dealing with noise, people leaning on my cars parked on the side of the road, people throwing cones and just missing my 3 cars, bad language, fighting and male, female urinating right outside my living room window.

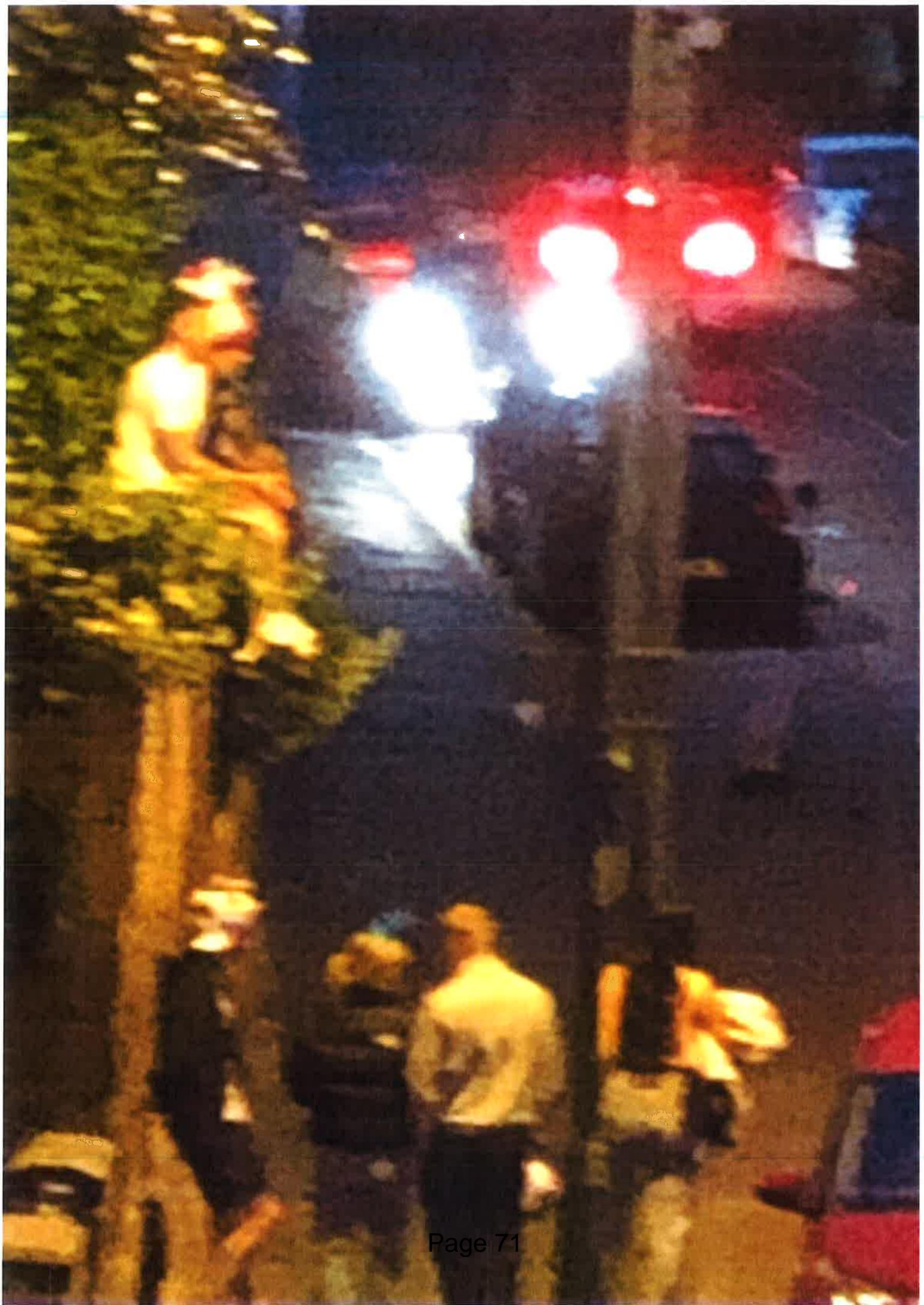
I'm absolutely disgusted by the behaviour of the people and the owners of the pub. My children are scared and won't go to bed when this is going on because of the noise and disgusting behaviour.

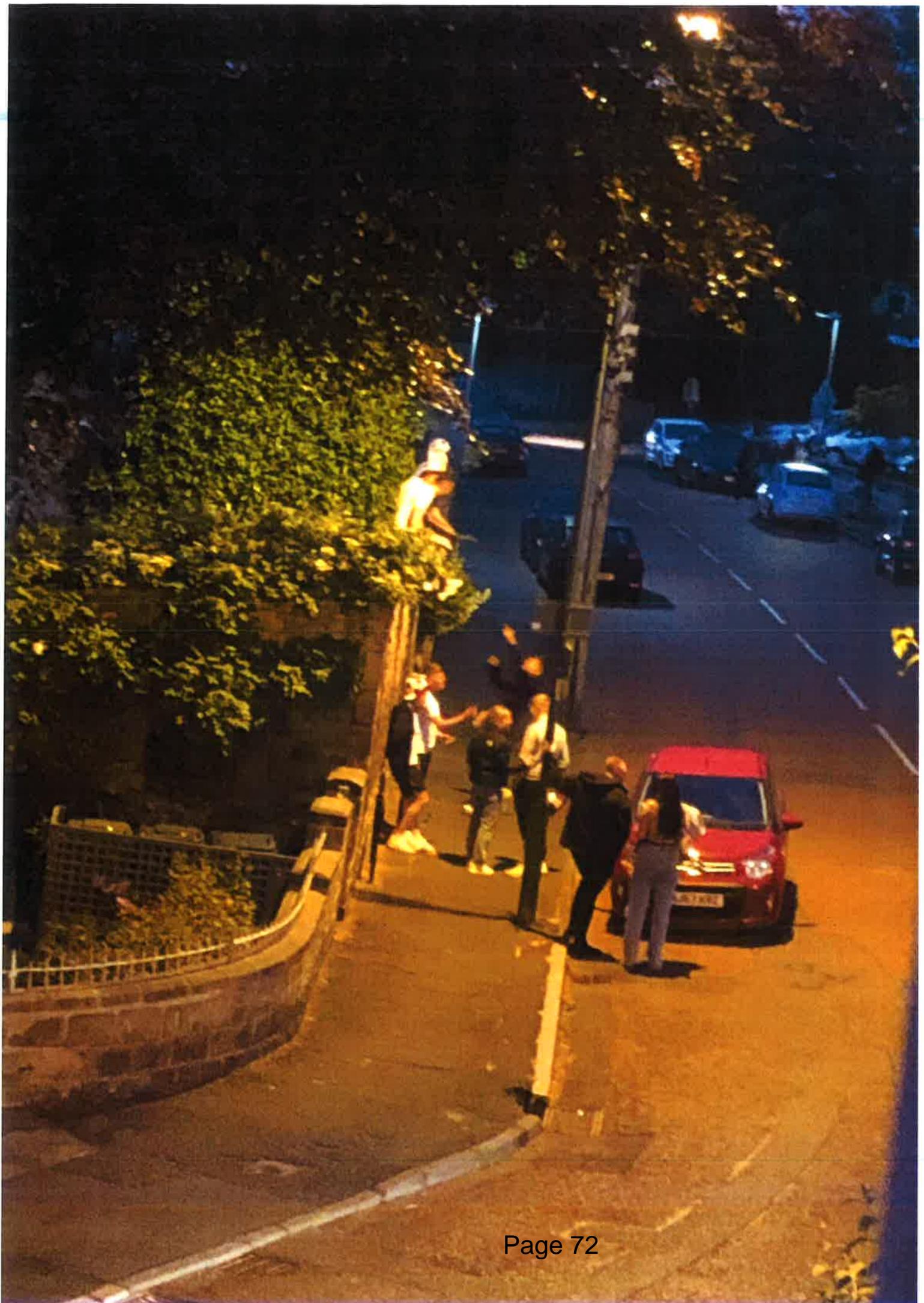
Please see attached photos, some of these photos are on private land and I will be in touch with the owners tomorrow.

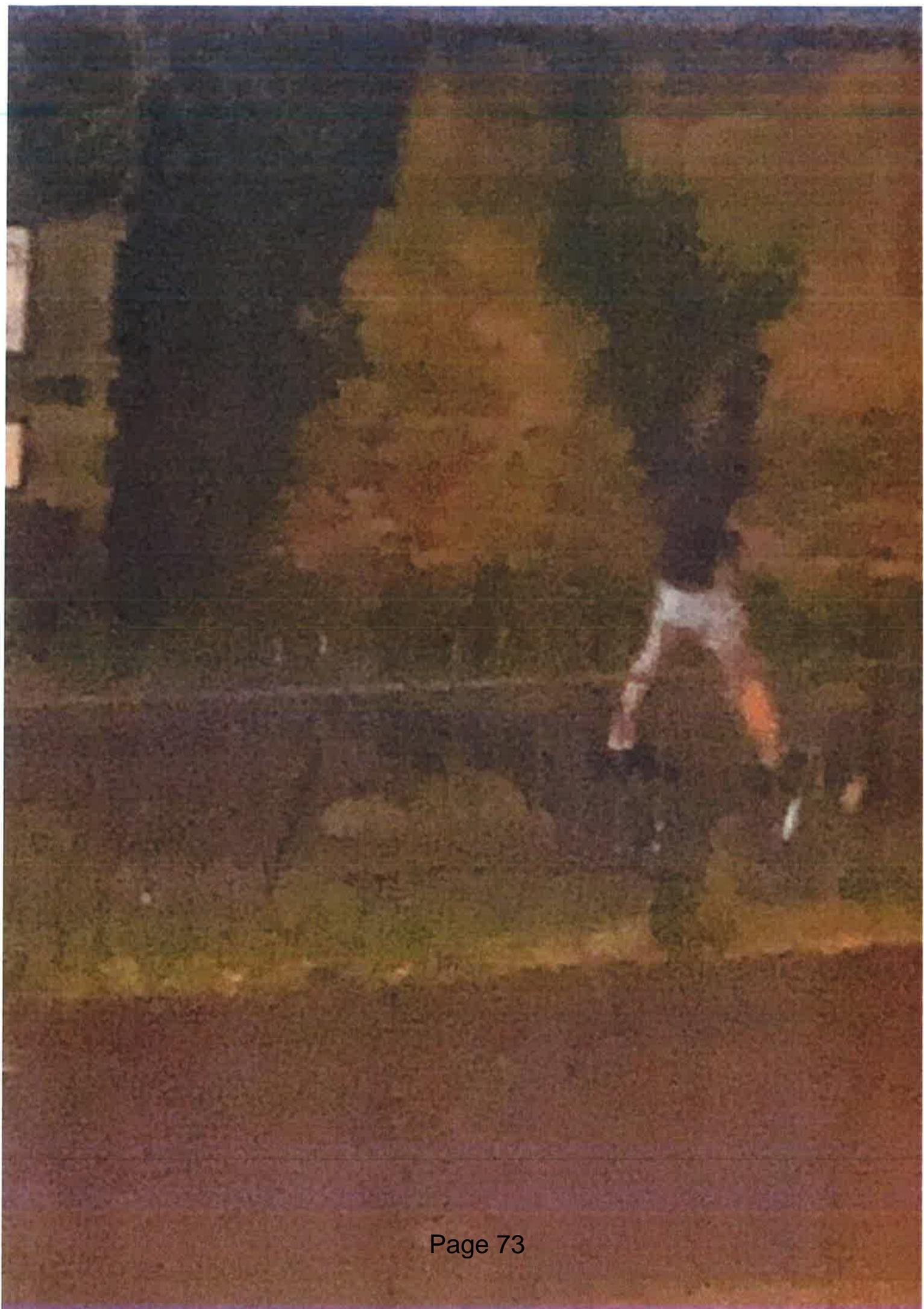
We have a lot of elderly people in this village amd you can not think this is acceptable.

Donna Britton
Sent from my iPhone











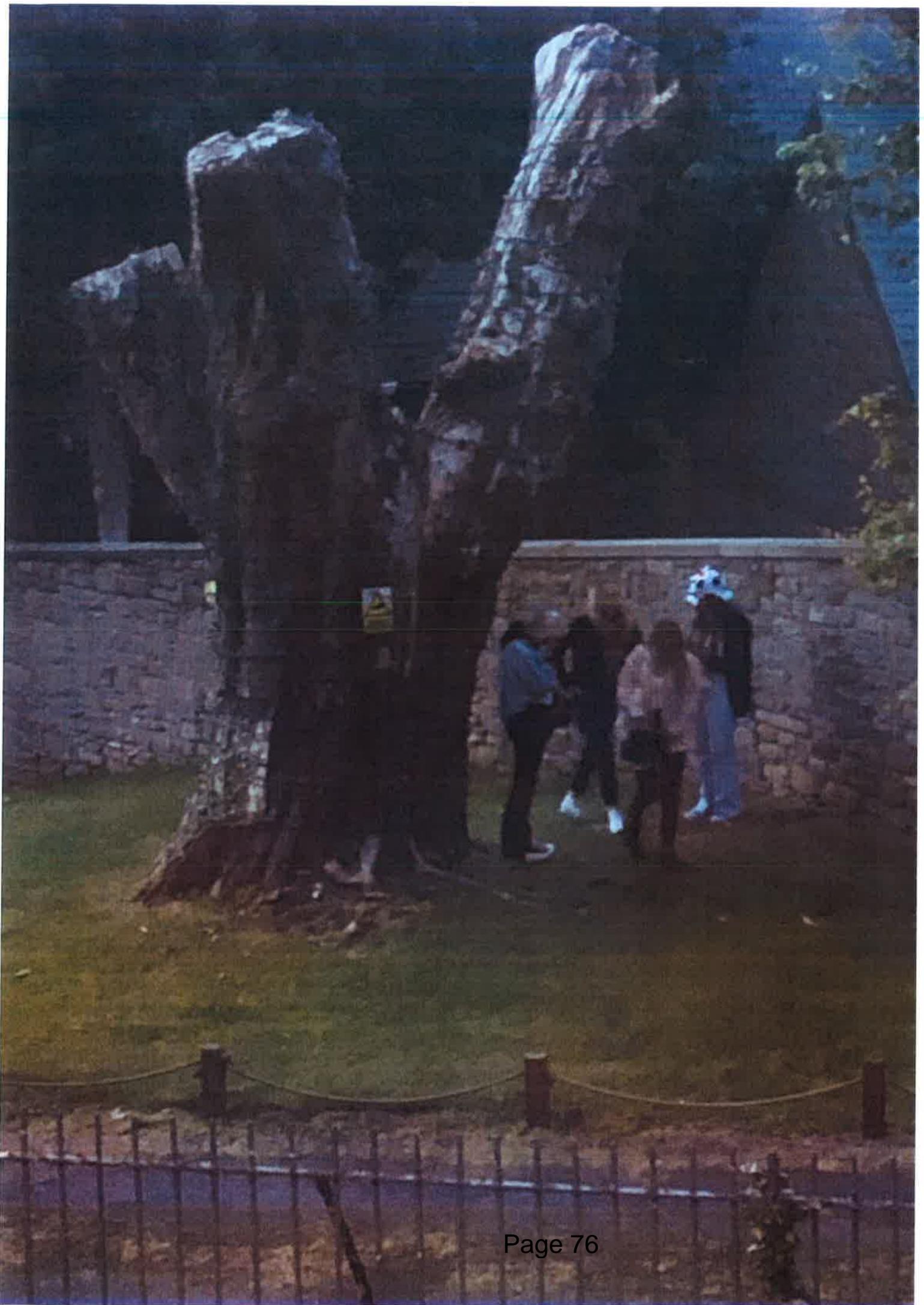


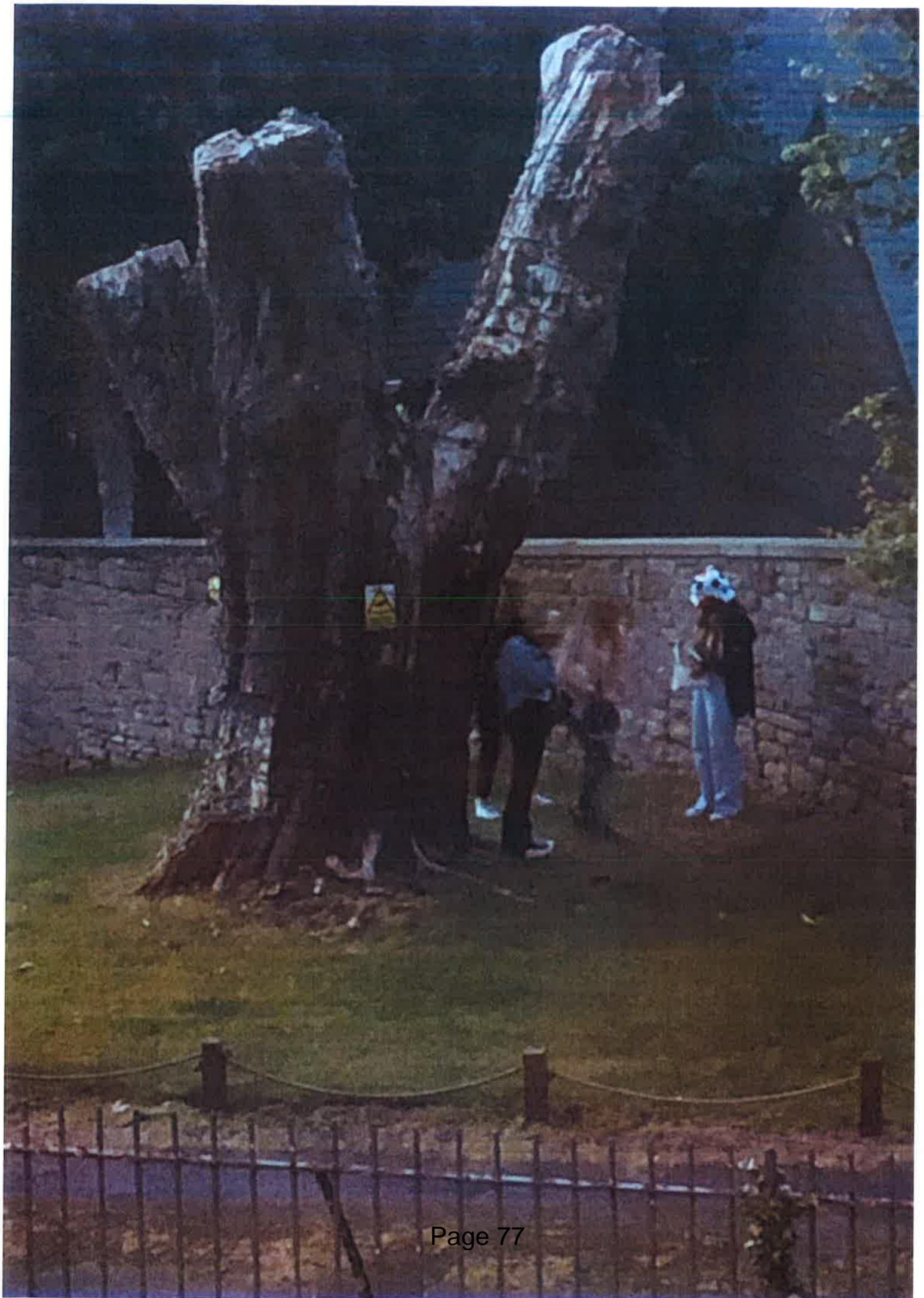
PRIVATE ROAD

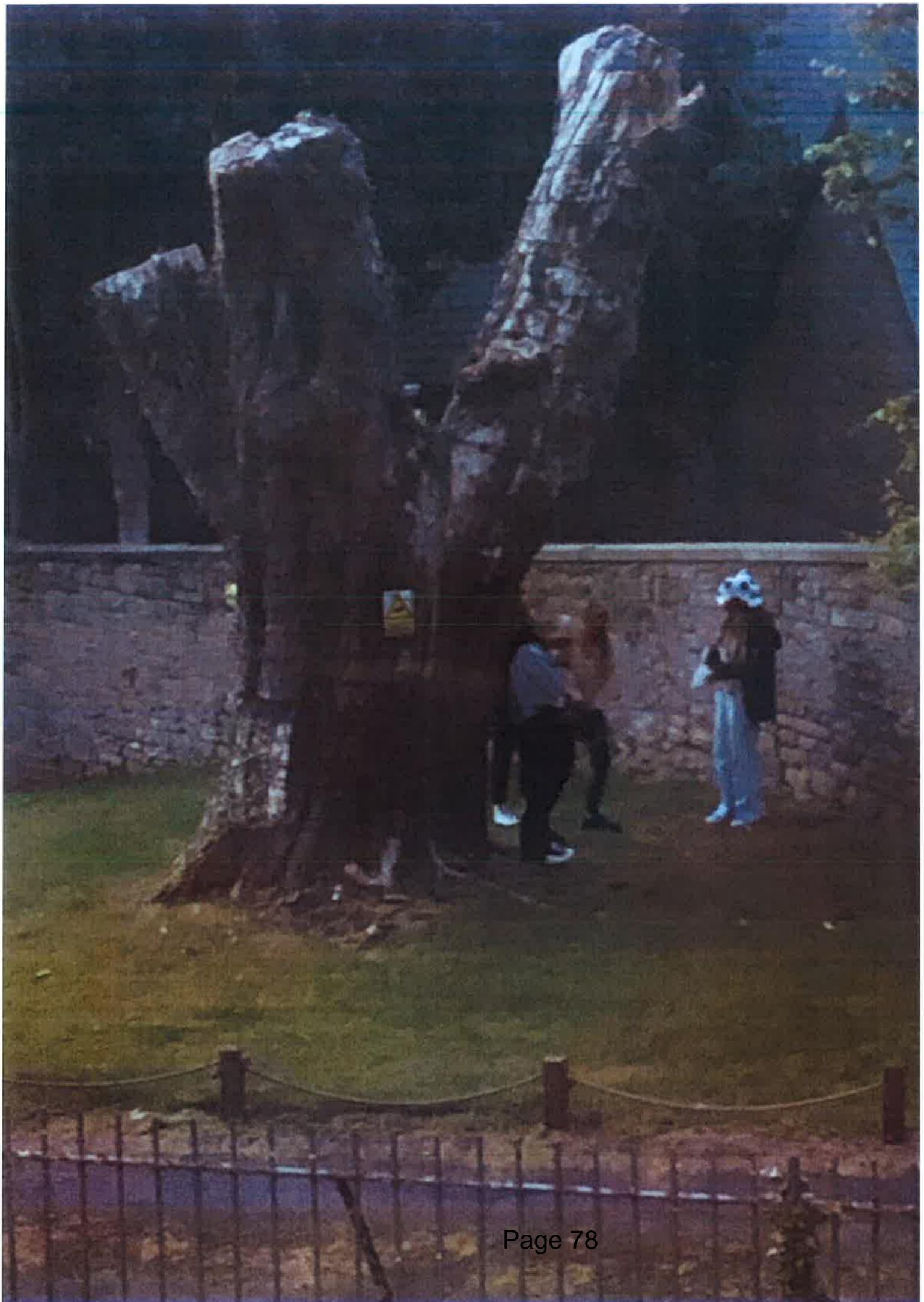
No Public Thoroughfare

**PLEASE RESPECT
OWNERS PRIVACY**

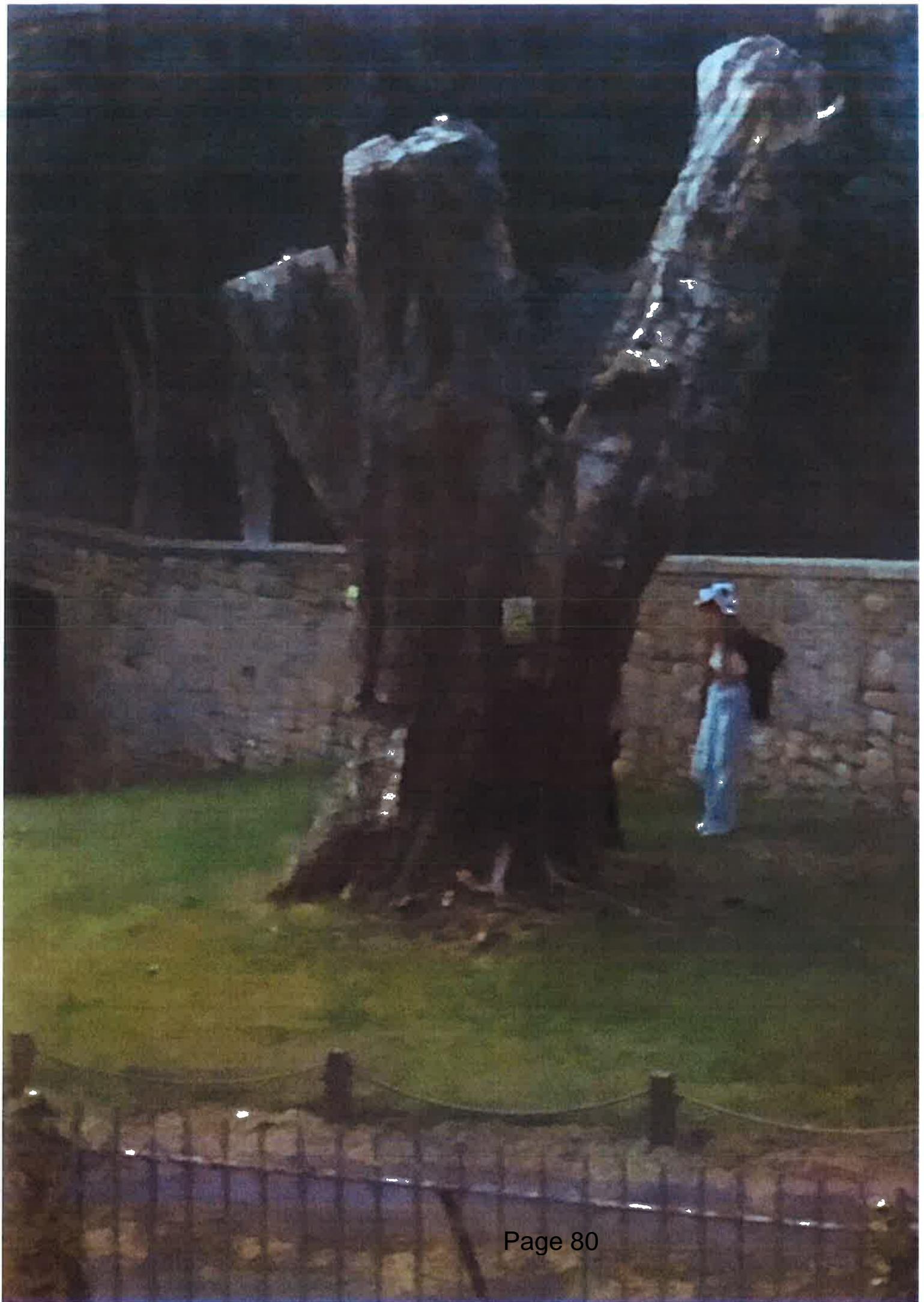
















Kirsty Clark Licensing

From: [REDACTED]
Sent: 18 June 2021 17:20
To: CE Licensing
Subject: Diane Phillips - half moon ryton village

Follow Up Flag: Follow up
Flag Status: Completed

I am writing this email to object against the proposed application from the above,

I'm a local resident at [REDACTED] and even without music playing from the beer garden the pub is very noisy, clearly audible from my house,

I've previously witnessed people taking drugs outside my house on their way back from the pub and most recently have witnessed numerous drunkards urinating in the street,

There is zero police presence in the village and it's becoming unsafe and anti social,

There is broken glass in the street putting children and pets at risk,

Please do not disclose my personal details as I would like to remain anonymous.

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Kirsty Clark Licensing

From: [REDACTED]
Sent: 18 June 2021 17:36
To: CE Licensing
Subject: Application by Diane Phillips at the Half Moon, Ryton

Follow Up Flag: Follow up
Flag Status: Completed

With reference to the above requesting

1. To extend the licensable area to include the outside area as demonstrated in the plan accompanying application there is to include an outside bar.
2. To remove condition 4, Annex 3 namely "No live or recorded music will be relayed to the Beer Garden / Outside drinking area" from the premises licence.

I strongly object to this application as these premises are extremely noisy ordinarily and this results in regular nuisance behaviour from the patrons. We have endured damage to our vehicles & in summer we can't open windows due to noise levels which can result in lack of sleep. There has also been vandalism & theft from our gardens, drunken patrons urinating on the pavement. This establishment has been closed by the police for flouting Lockdown regulations. Therefore I do not trust this applicant to control the patrons. I wish for this application to remain anonymous for the likelihood of repercussions.

Kind regards

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Kirsty Clark Licensing

From: Councillor Chris Buckley
Sent: 20 June 2021 11:27
To: CE Licensing
Cc: Councillor Alex Geddes; Councillor Freda Geddes
Subject: The Half Moon Inn

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom it May Concern,

I am writing to make representations on the application by Diane Phillips of the Half Moon Inn in Ryton to extend the licensable area to include the beer garden and the outside bar which has been constructed without planning permission. I also wish to object to the removal of condition 4 annex 3 from the license.

Both of these aims are clearly in breach of the licensing objectives. In particular the prevention of public nuisance and the prevention of crime and disorder.

The Half Moon Inn is a small village pub not a city centre bar. It is surrounded on all sides by residential properties and the surrounding area is overwhelmingly residential in character. The test for these two licensing objectives should be set accordingly in this context.

The removal of condition 4 annex 3 is self evidently a breach of the objectives on public nuisance in the context of this pubs residential setting. The burden should be on the applicant to show they have fulfilled the objective. No noise assessments have been undertaken and this has not been taken to planning for a consideration of the impact of residential amenity or for conditions to be placed upon the area. You will have received complaints from all the near neighbours of excessive noise from the beer garden and that in and of itself should be sufficient to reject this out of hand.

The extension of the licensable area fails to support the objectives on nuisance and crime and disorder it is frankly excessive given the pubs residential context. Residents who have objected can go into great detail explaining the continued issues they face with low level nuisance and disorder. Police are regularly called to attend when customers trespass on property, urinate in public and generally make a nuisance of themselves.

Extending the licensing area and having an outside bar will drive customers to that area rather than keeping them inside which will result in more noise for neighbours whilst they are there. It is also an inducement to stay longer and drink more which will only exacerbate the problems this premises is already causing.

The premises can use Temporary Event Notices when circumstances call for the use of the outside bar. It is excessive to have this as part of the pubs normal routine and the application should be refused.

Regards

Chris

Chris Buckley
Councillor for Ryton, Crookhill and Stella Ward
Gateshead Council
Phone: 07718696514
Email: cllr.cbuckley@gateshead.gov.uk

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Kirsty Clark Licensing

From: Cathy Roberts [REDACTED]
Sent: 21 June 2021 07:41
To: CE Licensing
Subject: Half Moon Pub Ryton VARIATION Application

Follow Up Flag: Follow up
Flag Status: Completed

I refer to the application relating to the above pub.

Ryton Old Village is a conservation area and I believe that the playing of music outside will adversely alter the nature and character of the area.

It will disturb those who live near the pub and make their gardens and outside spaces unusable during the opening hours of the pub.

Overall, I believe it is inappropriate for what is a quiet residential area.

Yours sincerely,

Cathy Roberts,

[REDACTED]
Ryton Old Village,

Tyne and Wear.

NE40 [REDACTED]

Sent from my iPad

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Kirsty Clark Licensing

From: [REDACTED]
Sent: 21 June 2021 09:18
To: CE Licensing
Subject: Licence Change Application - Diane Phillips, Half Moon Pub Ryton
Attachments: 20210618_220815.mp4

Follow Up Flag: Follow up
Flag Status: Flagged

Below comments to be kept strictly anonymous unless this is not permitted as part of the application process

Mike & Angela Quigley
[REDACTED]

Ryton

Tyne & Wear

NE40 [REDACTED]

Ref: Application by Diane Phillips. Half Moon, Ryton Village, Ryton NE40 3QF

Dear Licensing Officer,

We would like to register our strong objection to the proposed changes to the licence conditions for the above premises. Our detailed comments are as follows:

1. To extend the licensable area to include the outside area as demonstrated in the plan accompanying the application. There is to include an outside bar.

- The noise levels from these premises have already reached nuisance levels and are regularly of a level which is very intrusive despite our house being five houses away from the premises and are not appropriate for the setting in which these premises sit, this being a residential area with many young families;
- The premises are already having to utilise "portaloos" as clearly the toilet facility provision within the premises is inadequate to deal with the level of trade which clearly now exceeds normal capacity. Despite this, there are frequent occasions where customers leaving these premises see fit to urinate on public pavements and garden walls in the adjacent area. (Please see attached video footage of customer urinating in public within plain sight of a house with two young female children);
- It needs to be ascertained whether the current level and manner of trade is within the requirements for health and safety and fire regulations;
- There is frequent loud and aggressive drunken behaviour from customers leaving the premises and nothing seems to be done to manage this or indeed to refuse service to customers who are clearly already drunk, in contravention of licensing regulations;
- Any extension to the current, already unacceptable situation would be highly inappropriate given the current levels of disturbance and nuisance and would only serve to make a bad situation worse for the local community.

2. To remove condition 4, Annex 3 namely “No live or recorded music will be relayed to the Beer Garden/outside drinking area” from the premises licence.

- As stated above the current levels of noise from these premises already exceed what is acceptable or reasonable. The addition of outside music would only increase noise levels and it is reasonable to assume that customers would then be even noisier in order to make themselves heard over the music;
- Existing music nights inside these premises are already way too loud and disturbing to the neighbourhood. The permitting of outside music would only serve to turn the outside drinking area into some sort of informal “nightclub” which is clearly not acceptable for the context in which this pub sits;
- No efforts have been made to keep noise from customers to a reasonable or acceptable level and it can only be concluded that this would continue despite even higher levels of disturbance.
- We have been woken on numerous occasions by anti-social behaviour and now must sleep with the windows shut at weekends which is very uncomfortable during warmer weather.

In summary, the local community is already suffering a high degree of noise, disturbance and anti-social behaviour resulting from these premises. It is said that these premises were closed down on three occasions by the Police during lockdown periods for being in contravention of social distancing requirements. That this application has been made at all, clearly indicates a complete lack of recognition or concern for the consequences to neighbours and the local community. We therefore sincerely hope that you will refuse this application in the interests of the harmony of our neighbourhood and the wider community.

We would appreciate being informed of the outcome of this application process once it has been concluded.

Many thanks,

Mike & Angela Quigley

Kirsty Clark Licensing

From: TWIST, Liz <liz.twist.mp@parliament.uk>
Sent: 21 June 2021 11:17
To: CE Licensing
Subject: Objection

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Licensing

I am contacting you to object to the extension of the licence at The Half Moon Inn, Old Ryton Village.

Over the past weeks, the office has been contacted by a number of constituents in relation to The Half Moon Inn. These constituents have reported incidents of anti-social behaviour, indecency and alleged criminal activity, and have raised numerous concerns from the local community about the impact of the extension of the licence.

I cannot in good conscience support an extension of this current license, while the community is experiencing significant disruption from it.

I therefore wish to officially log my objection to an extension.

Lee-Ann Moir
Caseworker

E: moirl@parliament.uk



Constituency Office: 0191 414 2488
Office of Liz Twist MP, St Cuthbert's Community Hall, Shibdon Road, Blaydon, NE21 5PT

Westminster Office: 0207 219 2221
Office of Liz Twist MP, House of Commons, London, SW1A 0AA

www.liztwist.co.uk | [@LizTwistMP](https://twitter.com/LizTwistMP)

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Licensing Department.

As nearby residents to the public house The Half
Moon Inn, Old Ryton Village, we vehemently OBJECT
to the application made by Diane Phillips to vary the
Premises licence. If permission is granted, this would
escalate current anti social behaviour, already unbearable
noise disruption and community grievances towards the
pub tenfold. Local residents are already selling their
beloved homes and leaving the once peaceful village due
to the disturbing occurrences in and around the pub vicinity.
This is a conservation area and has no place for outdoor
live and recorded music — Kind Regards,

Mr and Mrs Hardy



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Louise Duncan and Nigel Wild,

[REDACTED] Ryton,

Tyne and Wear.

NE40 [REDACTED]

[REDACTED]
Date: 16/06/2021

To The Licensing Section, Gateshead Council,

We are writing to object strongly to the VARIATION applications to the premises licence at the Half Moon, Ryton Old Village NE40 3QF.

Already the level of noise from the outside seating and drinking area is unreasonably loud. Playing live or recorded music outside will significantly increase the level of noise to an intolerable level.

We have always had good relations with the several tenants of the Half Moon over the 20 years we have lived next door but one to the pub. We have always accepted that on special occasions, such as Bank Holidays, they may have events which include outdoor music. This is fine occasionally but it is exceptionally loud and not something we could tolerate on a daily basis.

We are equally opposed to the installation of a permanent outdoor bar. Many pubs have large beer gardens with outdoor seating and manage perfectly well with the indoor bar.

Currently the Half Moon is operating on restricted opening times, this will, no doubt, revert to much longer hours in the near future. As the Half Moon seems to be catering for an exclusively young audience it seems like there is a party going on most nights, thankfully, at present, without music.

There is a degree of antisocial behaviour at present with some people leaving the premises highly intoxicated, occasionally lying on the pavement comatose

or vomiting. Noise from car door slamming and loud music from car sound systems frequently accompanies people arriving and leaving the premises.

We have concerns that the residential nature of the area, where we live cheek by jowl with the pub, will be dominated by various kinds of antisocial behaviour exacerbated by intoxication and a sense that this is acceptable.

We want the Half Moon to thrive and to be an important and respected part of the community, we are concerned that the requested changes in arrangements at the Half Moon will lead to a deterioration in the longstanding relationship between the Pub and local residents. We are concerned the levels of noise and antisocial behaviour will be amplified if the VARIATIONS are approved.

Yours on behalf of Louise Duncan and Nigel Wild



[Redacted]
Ryton Village
The above
[Redacted]
June 16th 2021.

Dear Sam / Hodan,

I write to you to express my objection to the planning application of The High Noon to extend to an outside bar, outside music, although I'm led to believe an outside bar is already being used.

I live opposite The High Noon and have done for over 30 years and during that time have had no problems. However during lockdown and the beer ban being used, it has been an nightmare.

The alcohol has changed from families to youngsters who have no shame for people living in the

Village. The noise is bad enough without the addition of music. We have had to put up with drinking, foul language, illegal parking, litter, and men urinating on our walls.

It says it all when "Bouncers" have to be employed although sometimes they seem to be the problem rather than the answer.

I am aware business owners have to make a living but I don't see why all the residents expense the price have attended on too occasions that I know of which again speaks volumes.

I hope you give very careful consideration to the application and the fears of the local residents.

Yours faithfully
Shelina Birkon

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[REDACTED]
Ryton
NE40 [REDACTED]
14/6/2021

Dear Sir or Madam.

Re: Half Moon Inn, Ryton Village, NE40 3QF. Licensing Variation application.

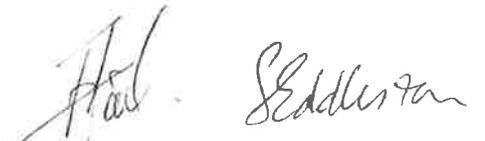
We wish to object strongly to this whole application. Since the increased use of outdoor space at this venue, there have been whole afternoons and evenings when we have not been able to have full use and enjoyment of our own outdoor space because of crowd noise. Additional noise from outdoor music and entertainment would be intolerable.

These premises are in the Conservation area, part of Ryton Old Village. Historically the venue had parking facilities. Already, the increased parking since ease of lockdown has led to obstruction of road and pavements in an unsafe manner, near the already dangerous junction of Peth Lane, Village East and Holborn Lane. Vehicles remain overnight and well into the next morning.

Littering of the nearby pavements and green spaces has increased, especially beer bottles, discarded masks and plastic drinks containers. None of this enhances the surroundings and it goes against the character of the village. An increase in customer traffic to an outdoor bar and music venue would only worsen the situation.

It would be interesting to know if the licensee has plans to take responsibility for, and mitigate, the effect of their proposed changes. Local communication has been absent. We believe the premises have historically breached other licensing terms. If these variations are allowed, we have no confidence that whatever conditions might be imposed would be adhered to.

Thank you for this opportunity.
Yours faithfully


Sheila Eddleston & James Brian Fail.

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[REDACTED]
Ryton Village
NE70 [REDACTED]

Licensing Section
Gateshead Council

To whom it may concern

I wish my objection to be considered to the proposed variations of 24/5/21 by Diane Phillips of Half Moon Pub, Ryton Village

I have been a resident in the village for 49 years and have lived opposite 2 pubs in the heart of the village (my choice) and have never had cause to voice my opinion before.

The demise of these premises with the main focus of particular young clientele they are promoting is quite shocking. I have witnessed disgusting behaviour, including, fighting, litter, noise during and after closing time. People urinating in the street and against peoples property. The fact they are now asking for music to be relayed outside is now further insult to injury. I have had to listen



to their music and live music, when it
was played inside their premises, inside my home
Goodness only knows what it will be
like for residents if it is relayed outside!
What consideration if any, is given to
residents of a once quiet and lovely village.

Yours sincerely
L. Middleton

13th 6. 2021

[REDACTED]
Ryton Village East
Old Ryton Village
NE40 [REDACTED]

REF TO THE ENCLOSED LICENCE APPLICATIONS.

To Whom it may concern,

I am writing to express my extreme concern & disgust.

I recently moved into [REDACTED] which is situated in the centre of Old Ryton Village East and falls within the local conservation area.

I am horrified at the amount of constant disruption & disgraceful behaviour inflicted upon the local community by the clientele of the Half Man pub and the fact that the licenceses apparently made no attempt to take responsibility to curb or address this issue.

The noise levels emanating from the premises is totally unacceptable both during the week and weekends. The behaviour exhibited by the young customers is out of control. Just this evening I witnessed 4 young drunks remove all their clothing & stream naked down the main Road, (I have a picture of one of them) other bad behaviour includes; shouting and foul language, drunken behaviour, violence and physical fighting on street, drug pushing, used cans found on road and pavements, litter empty cans & bottles in gardens, inconsiderate parking, drink driving and racing cars up and down the road.

As a consequence I strongly oppose the above application and feel that the licenceses deserve to lose their license for inconsiderate and irresponsible management and lack of respect shown to their local neighbourhood.

During covid and lockdown they have continued to pack their pub garden, overcrowding with very little attention to social distancing etc

I am horrified by the behaviour I have witnessed and the disruption the local community are having to endure. This is simply not fair, and the local residents will not put up with this.

I look forward to your response including your future actions regarding the matters I have raised.

Yours

Leila Heidi Ranson.

[REDACTED]

15.6.2021

Licensing at Gateshead Council
Civic Centre, Regent Street
Gateshead NE8 1HH

Re: Application made by the Half Moon Ryton Village Ryton NE40 3QF

For premises licence and club premises certificate VARIATION applications: 1. To extend the licensable area to include the outside area as demonstrated in the plan accompanying the application. There is to include an outside bar. 2. To remove condition 4, Annex 3 namely "No live or recorded music will be relayed to the Beer Garden/outside drinking area" from the premises licence.

Dear Licensing Committee,

We are writing to contest the above application by the Half Moon Pub in Ryton.

Since April this year when, following lockdown, pubs re-opened for outdoor drinking, there has been much bad behaviour by this pub's customers who have been allowed to leave the premises completely inebriated.

Customers are often so drunk that there is noise from shouting and fighting during the day and in the evenings, and in addition there have been numerous occasions when young men have been seen urinating in the street against our house and our neighbours' houses. We recently witnessed young men removing a drain cover and council traffic cones and throwing them into the middle of the road, creating a hazard for drivers and leaving the uncovered drain as a hazard to pedestrians.

There have also been bottles left on the pavement subsequently smashed causing a hazard to dogs, small children, and other pedestrians. We routinely have to clear up detritus on the street left by the pub's customers. One neighbour has had drunk young men jumping on the roof of his car.

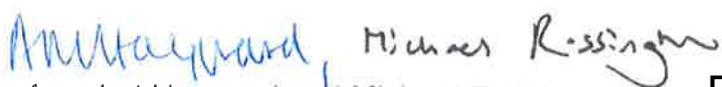
Furthermore, young men have been seen removing their clothes and running naked down the street. Other neighbours have witnessed drug taking/dealing and found used condoms on the village green.

We are totally dismayed at the behaviour of the licensees of the pub, who we feel are not doing anything to stop this behaviour and are allowing their customers to drink so much that they are a danger to themselves and a source of intimidation to local residents. Therefore, we do not feel it would be appropriate for them to be granted the right to a permanent outdoor bar, nor a music licence for the outside area. There are many local residents whose peace and quiet would be disturbed if there were to be loud, live music relayed to the pub's outdoor area. We feel strongly that this pub is not currently managed in a responsible way.

We are also worried that Covid social distancing is not being managed properly, although we have not been in the pub's drinking area so we cannot confirm whether social distancing is controlled or not.

This pub is located in a close-knit, peaceful residential area amongst a community who look out for one another and are loyal to their village. We feel strongly that this application should be refused.

Yours faithfully,


Annabel Hayward and Michael Rossington

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[REDACTED]
Ryton Village
Tyner Wear

NE40 [REDACTED]
[REDACTED]

To Whom It MAY CONCERN

I would like to lodge my objection to the proposed changes that Diane Phillip owner of The Half Moon pub Ryton Village has applied for

"PLEASE LEAVE OUR VILLAGE PUB ALONE"

Why on earth would we want to listen to loud music on a Sunday afternoon
Just keep the music inside the pub please

Since the re-opening of the pub after lockdown I have noticed a decline in the state of the streets

Glasses, bottles and paper are just discarded for someone else to pick up.

It was always a lovely peaceful place to live

The clientele who now frequent the pub don't live here and have no regard for

our village.

Cars are often parked on both sides of Peth Lane making access very difficult. If anyone in my road needed an ambulance (Lots of elderly people live here) or a fire appliance they wouldn't get one as neither would get into the street.

They have a large fire pit in the beer garden which I believe is an accident waiting to happen. There are wooden structures all around and woodland to the rear of the property. If you look at their FB page you will see it all really appears to have an outside bar.

There was once a horse left tethered to the front of the pub. I hear Harry's stories from other residents about the "antics" of the customers.

So please leave the "music" inside. It wouldn't just be music, people

would be crying and shouting to
be heard above the music adding to
the noise.

Kind Regards
Mrs Susan Carter

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Kirsty Clark Licensing

From: Richie Palmer [REDACTED]
Sent: 21 June 2021 07:20
To: CE Licensing
Subject: Half Moon Inn - Ryton

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning

i tried to call your number on Friday but no one was available to take the call so I left a voice message.

I am writing in regard to the application from Diane Phillips to:-

1. Extend the licensable area to include outside area.....
2. To remove condition 4, annex 3.....

We would like the application/applications to be given favourable consideration based on the following :-

My wife and I purchased [REDACTED], Ryton Village, NE40 [REDACTED] on 31st March 2021. Our property is directly adjacent to the Half Moon and we share a drive with the pub.

I need to say for the record that we did not know and had never met Diane Phillips before we moved into our new home.

Since the reopening of pubs, we have been into the beer garden on a number of occasions and must say that the set-up in place is second to none. There has obviously been significant investment in the beer garden in order to comply with all the recent regulations imposed due to Covid-19 regulations.

I understand that Lisa Bainbridge, GMBC Environmental Health Officer has indicated that she will be objecting to point 2 for a number of reasons.

I have seen a copy of an email she has sent to Mrs Phillips which would suggest that she has little or no idea of how the pub operates. She writes that the pub has large number of people frequenting it seven days a week when the pub is only open Thursday - Sunday and closed Monday - Wednesday. It has been closed on the last two Bank Holiday Mondays in line with the policy to only open four days a week. She also suggests that the beer garden should close at 10.00pm which it actually does and there are very clear notices within the property which show that.

There is a sentence in which Mrs Bainbridge refers to complaints about "noise in the beer garden, noise in the street after closing time, people fighting, streaking, vomiting, urinating in the street and glass on the floor making residents feel unsafe to walk past the pub".

Of all the above I can only relate to one incident which was about urinating in the street. I actually spoke to the young lad and pointed out that there were plenty of toilets in the beer garden and his behaviour was unacceptable.

The rest of the sentence makes Ryton Village appear like The Bigg Market in Newcastle in the late 70's and early 80's and is somewhat exaggerated in our opinion.

We have not witnessed any of the other things mentioned. The pub uses plastic glasses so it is unlikely that any broken glass in the street would have come from the beer garden. The young men who police the

gates do not allow anything to be removed from the beer garden. They do a fine job as far as we are concerned. They are polite, considerate and a credit to the business.

If Mrs Bainbridge has photographic or video evidence of any or all of the above, I stand to be corrected but can only speak from our personal experiences.

She also writes that the noise from people chattering is significant in its own right. Our experience since moving is completely different to that suggestion and must say we really consider that statement to be total and utter nonsense.

My wife works from home and uses our conservatory as an office. The conservatory is less than 10 metres from the entrance to the beer garden.

She has the doors and windows open on hot days and not once has she been distracted or disturbed by any noise from the beer garden. She sometimes works till 8.00pm and is in Teams meetings at least 50% of her working day as Manager of the Special Educational Needs Department for the Sunderland Authority.

Our property is closer to the Half Moon than any property in Ryton Village and that being the case I think that our views should be taken very seriously and given great consideration.

Since moving here we have been somewhat surprised that some of the residents seem to have an agenda against the pub.

I would go so far as to say it is tantamount to a vendetta, has been ongoing for some time, and I suspect that this is more to do with personality clashes and differences of opinion other than any truly legitimate concerns.

We are new to the area, have no axe to grind with either the pub owner or the residents, and just want to put forward a different perspective to what is being detailed to Mrs Bainbridge.

Music relayed to the beer garden does not have to be particularly loud for patrons to enjoy it so I see no reason to not allow this to happen.

In our opinion the application should be allowed without any conditions attached. I reiterate that at present there is no significant noise or anti-social behaviour from patrons of the beer garden which disturbs us. There will always be some noise at throwing out time from any establishment with a fixed closing time which is just a fact of life that people living beside a pub should recognise and accept as we have.

This a local village pub which provides service for young and old alike. Pubs are closing all over the country and Ryton has recently lost The Ryton Hotel.

The Half Moon is providing a service that is needed in the village and also employing a significant number of people which is no bad thing.

All things considered we would encourage the Licensing Section to pass the application.

We believe that GMBC should be actively encouraging local business's not creating obstacles for them.

Sadly, these days, some people seem to want to complain at everything and anything. it seems to us that some would probably never be happy unless a pub which has been in existence for many, many years was to close or at very least have restrictions imposed that would impact on the patron's enjoyment and the profitability of the operation.

The pub was there when people bought property next to it and hopefully it will continue to grow and flourish long after the residents of today (ourselves included) have long gone.

In closing I would put on the record that we have no family, financial, or emotional interests in the Half Moon Inn. We are submitting this email purely as newly moved residents who saw the pub as an attraction, not a problem, when we bought the house.

Could you please let me know that you have received this mail. Thank you.

Best regards

Richard and Audrey Palmer

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Kirsty Clark Licensing

From: Tracey Johnson
Sent: 21 June 2021 16:21
To: Kirsty Clark Licensing; Rebecca L Sparrow
Cc: CE Licensing
Subject: FW: Half moon Inn licencing

FYI

Tracey Johnson
Assistant Manager - Trading Standards & Licensing
Economy, Innovation and Growth,
Civic Centre,
Regent Street
Gateshead
NE8 1HH

☎ 0191 4333934
07925 306840
✉ traceyjohnson@gateshead.gov.uk

Please note that the Civic Centre is closed to members of the public for the foreseeable future and that Staff in accordance with Government guidance are where possible working from home. Unfortunately, this does mean that it will impact on some of the services we can provide at this time.

If you are a business wanting more information in relation to Covid Secure measures or you are concerned that a Gateshead business or venue is not following the Government's covid-safe regulations, then we would like to hear from you.



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From: Tracy Johnson (CWL) <TracyJohnson@Gateshead.Gov.UK>
Sent: 21 June 2021 16:17
To: Tracey Johnson <TraceyJohnson@Gateshead.Gov.UK>
Subject: Fwd: Half moon Inn licencing

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From: Ben Skill [REDACTED]
Sent: Monday, June 21, 2021 4:12 pm
To: Tracy Johnson (CWL)
Subject: Half moon Inn licencing

To whom it may concern,

I am getting in touch in regards to the variation of licence for The Half Moon Inn, Ryton village. It has come to my attention that there has been some objections to this from local residents and I felt it was important that I have my honest and unbiased opinion.

I have lived in [REDACTED] for some months now and since the reopening of the pub I can only commend the efforts of the staff to, not only abide to lockdown restrictions, but also maintain a present atmosphere for local residents and customers alike.

I am aware there has been concerns about the noise at times and supposed antisocial behaviour outside of the pub upon close. In my experience I would say the general chit chat from the beer garden over the 4 days a week it is open is minimal and what you would expect from a thriving local pub. In regards to any behaviours outside the pub after 10pm when the gates are shut I would wholeheartedly commend the door staff that are employed on thier ability to get all customers out quickly and quietly. Once that has been done I am unsure on the responsibility of the staff at the Half Moon in regards to customers after 10pm.

I hope you take this email into account when considering the variations to the licence as not allowing it to go ahead would be an example of another business being kicked when it was down after a troublesome period in time for all small business owners

Regards,

Mr Ben Skill

Kirsty Clark Licensing

From: David [REDACTED]
Sent: 21 June 2021 17:32
To: CE Licensing
Subject: Half Moon Inn, Ryton Village Application to vary Premises License

For the URGENT attention of :

Licensing Act Section
Development & Public Protection
Gateshead Council
Civic Centre
Gateshead
NE8 1HH

Dear Sirs,

I am writing to express my dismay and concern that the above application has not been brought to my attention by the Council. I understand that comments and observations to the application have been invited to be submitted by 21st June 2021. In view of the very short time span afforded to me, thus, I wish to submit my comments via email, and trust that these will be entered on the file and seen by the licensing officers and committee members.

I am an immediate neighbour to these premises, sharing a long boundary with the rear of the pub, and directly overlooking the beer garden at the rear.

I wish to notify my COMPLETE SUPPORT for the application. I have lived at [REDACTED] for almost 25 years, and in that time we have not once suffered any concern or inconvenience from the activities of the pub. I believe the public house has been in that position for more than 100 years, and thus it is clear that we and all other neighbours knew that it was there when we purchased or rented our houses. We see the presence of the pub as a positive asset in the village, and are glad to enjoy it's amenity. We hear voices and sounds from the activities in the garden some times and it does not concern us at all, we enjoy the ambience that this provides.

In the time we have been in Ryton Village, three other pubs in the village have failed and closed down, The Jolly Fellows, The Ryton Country Park Hotel and the Ryton Hotel. The fourth pub, the Olde Crosse also has closed down several times and has seen a chequered history of repeated failure. A few years ago, after an extended period of closure it was saved as a Community Asset by a Community Share Issue to buy it, with many local people buying shares to support the issue (including the local MP and several local Councillors), yet even manned partly by volunteers the pub still closed down, and now it is being rented to another private tenant, God help them...

The ONLY pub that has consistently remained open in the Village is The Half Moon. I believe that this is as a direct result of good management and consistently meeting the licensing objectives, and it is vitally important that the community and the Council does everything in it's power to nurture and assist the survival of this important asset to our Village.

The local community, local Councillors and local MP all saw fit in the value of retaining a public house in the Village, and it would be extraordinarily contentious and a prejudicial conflict of interest of any of those parties or shareholders to seek to influence against or object to this Application.

I have been approached by some local neighbours who expected that I would want to object to the Application. They alleged that they had seen examples of fighting, drunkenness, nudity, urination, vomiting and broken glass outside the pub and in it's vicinity. I said that I had not seen any examples of such behaviour, and asked them to provide some sort of proof or photographs evidencing that incidents had occurred, and that they had

been linked to the pub. My driveway is a few meters from the pub, and not once in 25 years have I had to clear up any glass, vomit, urine or blood from the street outside. The neighbours allegations were all hearsay and fantasy, apart from a few lies and waffle I have been told were fed to the local police for the benefit of their logs. The accusers were unable to show proof of any of their allegations. It became apparent that these vexatious neighbours were attempting to start a whispering campaign of attrition against the pub. I would strongly suggest that you put any objectors to proof if such allegations have been made. Considering I alone share the whole rear boundary of the pub's beer garden with my grounds, and have a direct view of what is going on at the rear of the pub, if anyone would know about such behaviour it would be me, and it simply has not happened!

If there is likely to be any public meeting or virtual meeting to consider the Application before granting it, I wish to use this email to formally notify that I would like to speak at the meeting.

Yours faithfully

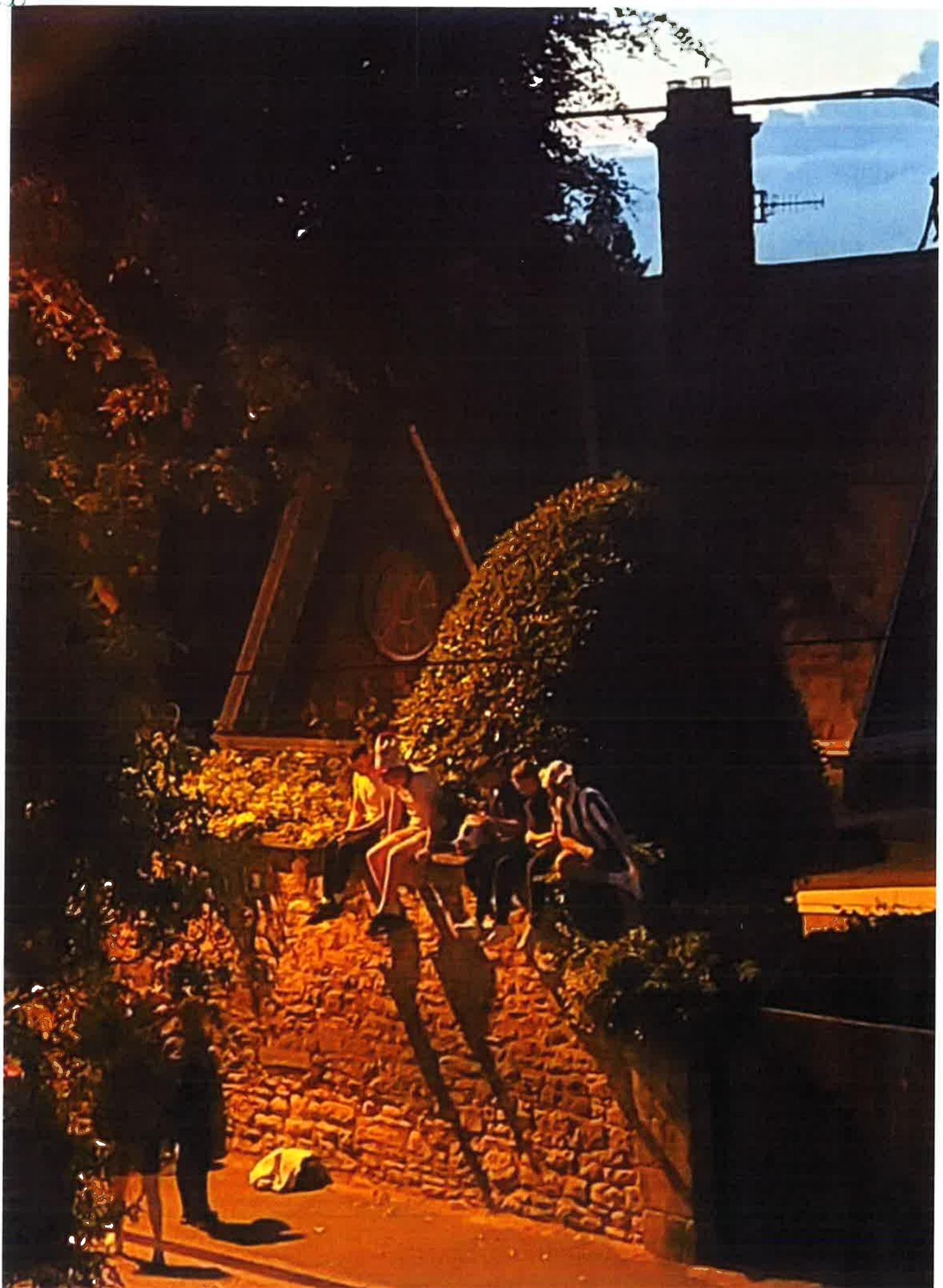
David P. Crawford-Emery

[REDACTED]
Ryton Village

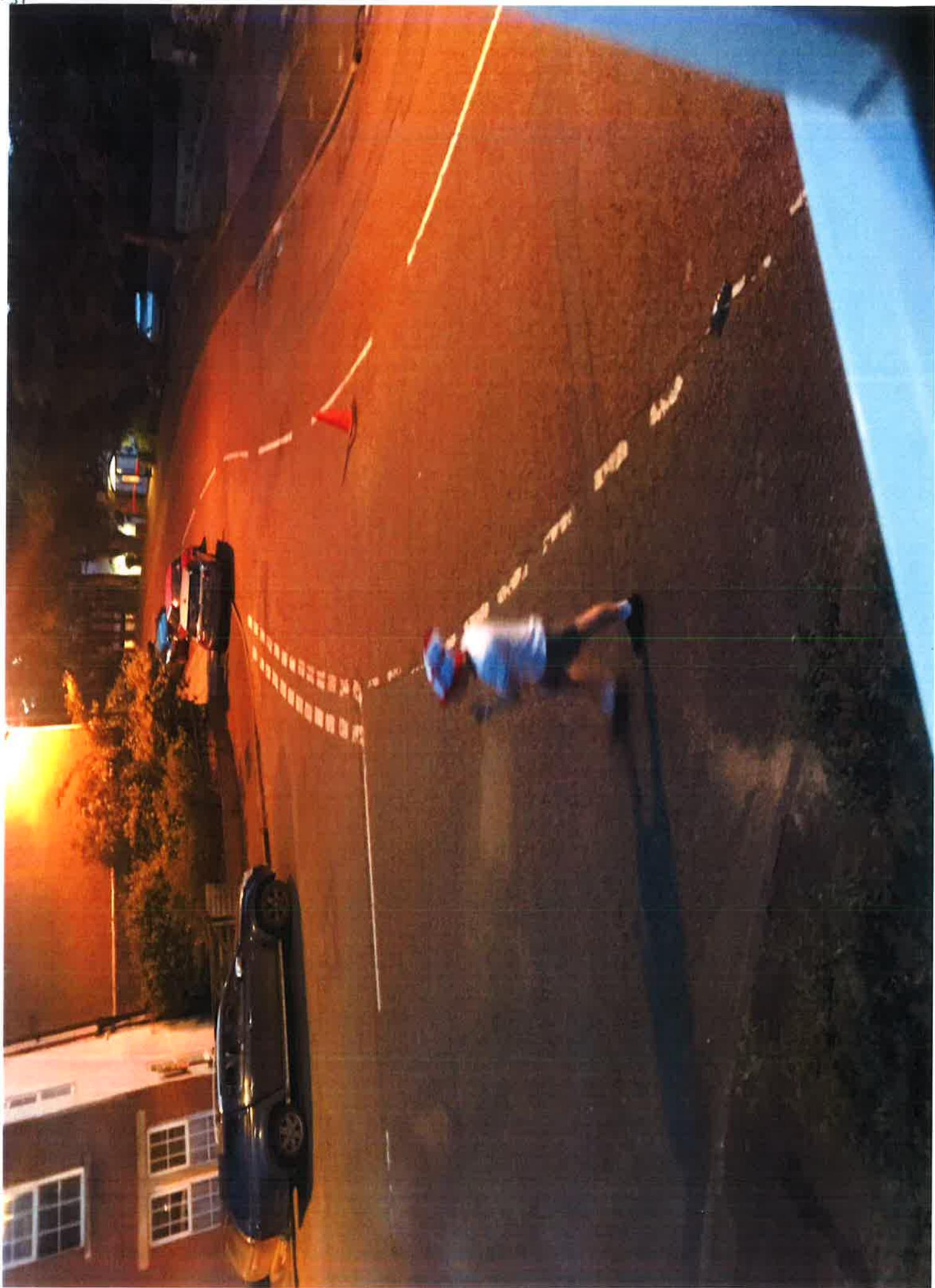
Ryton

NE46 [REDACTED]

Tel: [REDACTED]



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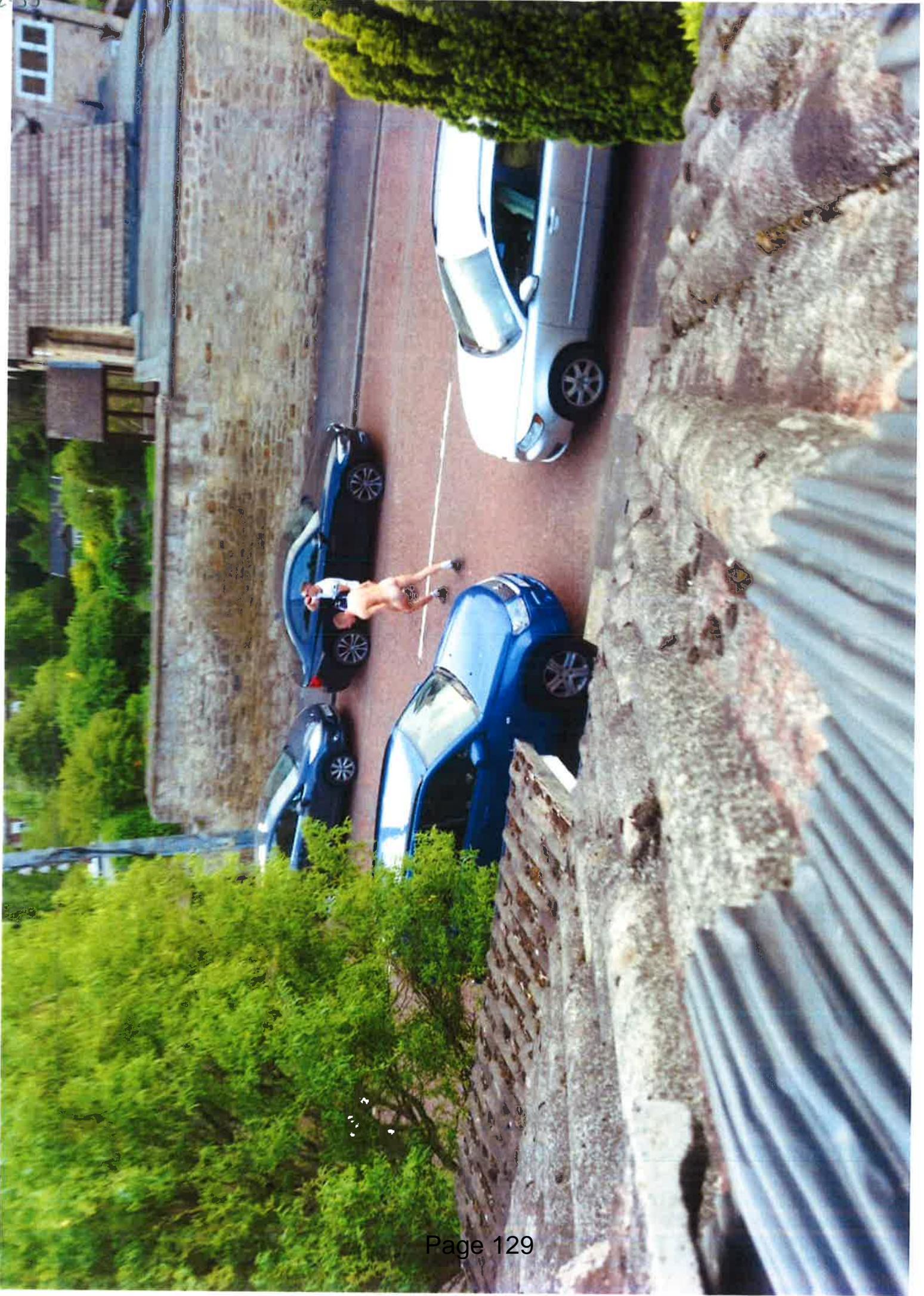
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STATEMENT OF LICENSING POLICY
Licensing Act 2003
7 January 2021 - 6 January 2026

Crime and anti-social behaviour in Gateshead

- 3.7 The number of recorded crimes across the Borough that were linked to alcohol has increased year on year, with 1,386 alcohol-related crimes recorded in 2014/15 which was an 11% increase from 2013/14, compared to a 7% increase in all crime.
- 3.8 More than half the alcohol-related crimes in the Borough in 2014/15 were violence against the person, with significant increases particularly in the number of assaults. It is notable that whilst incidents of the most serious violence are still relatively infrequent, they have more than doubled in the last year. There have also been significant increases in the numbers of alcohol-related sexual offences and burglaries in the Borough in that time.
- 3.9 Temporal profiles show that almost half of all alcohol-related crimes in the Borough are reported on Friday late evenings / Saturday early mornings, Saturday late evenings / Sunday early mornings and (to a lesser extent) Sunday late evenings /Monday early mornings.
- 3.10 Data provided by Northumbria Police enables the Council to identify the most vulnerable locations throughout the Borough in terms of alcohol-related crimes, and to track trends over time. Information about these areas is contained in 'Local Licensing Guidance' documents which are described in further detail below, and will be available from the Council's website and upon request.

4. Legal Context

- 4.1 This Statement of Licensing Policy has been prepared in accordance with the provisions of the Act and the Guidance issued by the Home Office under Section 182 of the Act.
- 4.2 The Licensing Authority is responsible for:
- the licensing of licensable activities under the Licensing Act 2003 (The Act)
 - ensuring that those who are authorised under the Act comply with the requirements; and
 - ensuring that only those who are duly authorised to carry out licensable activities do so.
- 4.3 This document sets out the Licensing Authority's policy as to how it will fulfil its obligations and achieve its strategic aims in this respect.
- 4.4 This Policy should be read in conjunction with the Act itself, the Home Office Guidance, and the other policies and guidance that are referred to in this document.
- 4.5 This Licensing Authority regards each of the Licensing Objective to be of equal importance.
- 4.6 This document sets out the policies the Licensing Authority will generally apply to promote the Licensing Objectives when making decisions under the

Act, and when addressing non-compliance with the Act itself or any authorisations issued under the Act. The Licensing Authority will consider deviating from the policy on a case by case basis, where it believes it to be appropriate and proportionate in all the relevant circumstances.

5. Integration with other legislation, policies and guidance

5.1 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.

5.2 Although from the perspective of the business proprietor, there may be an element of crossover between licensing and other regimes, they are separate and are treated as such by the Council.

5.3 Applicants and licensees need to be aware of and have regard to:

- Gateshead Strategic Partnership's Community Strategy – Vision 2030
- the Gateshead Local Plan
- Substance Misuse Strategy
- Culture Strategy
- Gateshead Transport Strategy & Tyne & Wear Local Transport Plan
- The Local Government Declaration on Alcohol signed by Gateshead Council in June 2015

5.4 The Licensing Authority will seek to achieve integration with relevant strategies and their aims in its decision making.

Human Rights

5.5 The Licensing Authority will have particular regard to the following relevant provisions of the European Convention on Human Rights:

- Article 6 that in determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law
- Article 8 that everyone has the right to respect for their home and private life; and
- Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of their possessions.

Equality and Diversity

5.6 Applicants and licensees should be aware of their obligations under the Equality Act 2010 and the characteristics protected by the legislation which are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race

- Religion and belief
- Sex; and
- Sexual orientation

5.7 It is expected that responsible licensees will be sensitive to the needs of their varied customer base and prepared to make reasonable adjustments to accommodate those needs.

5.8 The Equality Act 2010 also requires the Licensing Authority to have due regard to the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between people with different protected characteristics. Each application will be considered with this in mind.

Crime and disorder

5.9 Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on the Council, Northumbria Police and others to consider crime and disorder reduction in the exercise of all their duties. The reduction of crime and disorder is integral to this Council's approach to the Licensing Act.

Data protection

5.10 The Licensing Authority will process personal information in accordance with the Data Protection Act 1998. The personal details provided by applicants will be held on a database and where the law allows, may be shared with other departments within the Council to update details they hold. The Licensing Authority may also be required to disclose personal information to third parties (such as Police, Department for Work and Pensions or Audit Commission for the National Fraud Initiative) for the purposes of preventing or detecting crime or apprehending or prosecuting offenders.

Local Government Declaration on Alcohol

5.11 Gateshead Council has signed the Local Government Declaration on Alcohol, and has committed to:

- Promoting the introduction of greater regulations around the price, promotion and availability of alcohol
- Calling for changes to the Licensing Act in favour of local authorities and communities, to enable greater control on the number, density and availability of alcohol according to local requirements
- Putting public health and community safety at the forefront of public policymaking about alcohol
- Making best use of existing licensing powers to ensure effective management of the night-time economy; and
- Raising awareness of the harm caused by alcohol to individuals and our communities.

5.12 It is recognised that the regime under the Licensing Act is only one part of the framework needed to achieve these aims; that in terms of alcohol the Act only

regulates its sale and supply – not its consumption; and that the regime cannot be utilised where the Council's aims do not pertain to the objectives set out in the Act.

- 5.13 However the licensing regime has proven to be an effective tool in Gateshead for the control of price, promotion and availability of alcohol:

Price

The sale / supply of cheap alcohol can lead to its over-consumption which in turn can undermine the licensing objectives particularly in respect of the prevention of crime and disorder and the protection of children from harm. This Licensing Authority has imposed and will continue to impose minimum unit price requirements where appropriate to promote the licensing objectives, and as part of a range of measures to tackle identified concerns. For instance, alcohol can be 'cheap' not only due to its price but also due to its strength. Where appropriate this Licensing Authority will also impose conditions to control the sale of certain types of product, such as 'super strength' ciders, spirits, etc.

Promotion

The Government has imposed certain mandatory conditions to prohibit irresponsible drinks promotions where the consumption is intended to take place on the premises. This Licensing Authority will impose further conditions on licences where it is appropriate and proportionate to do so, which will depend on the individual circumstances. For instance, conditions can be imposed to prevent promotions which are aimed at young people particularly in the vicinity of schools and other locations attended by children, and promotion of potentially dangerous alcoholic products such as cocktails containing liquid nitrogen. Gateshead Licensing Authority's expectations with respect to the promotion of alcohol in off licensed premises are set out in 8.18 below.

Place

There are a range of measures that can assist in controlling the availability of alcohol in defined localities where there is appropriate evidence to support the restriction.

These include:

- Cumulative impact policies
- Night time levy
- Early morning restriction orders

The evidential basis to consider implementing any of these measures in Gateshead has not yet been put forward, however if evidence supports their implementation in the future this will be duly considered.

Public Space Protection Orders

- 5.14 The following locations have been designated as alcohol exclusion areas:
- Gateshead
 - at all of the Metro stations in the borough
 - Birtley

- Whickham
- Ryton
- Winlaton

5.15 This means that within the exclusion zones it is an offence to refuse to comply with the reasonable request of a Police Constable or authorised officer to stop consuming alcohol or to hand over alcohol for confiscation. Licensed premises (and their curtilages) are excluded from the scope of the Orders while licensable activities are authorised to take place.

Social Responsibility

5.16 The Portman Group has produced a code of practice on the naming, packaging and promotion of alcoholic drinks. Licensees that sell or supply alcohol are expected to have regard to the code of practice as amended from time to time.

http://www.portmangroup.org.uk/docs/default-source/code-ofpractice/7609_por02_code_of_practice_final.pdf7

Pubwatch

5.17 A Pubwatch scheme has been in existence in the Borough for some time. It is led by Northumbria Police, and provides a forum for licensees to gain support from the Police, the Council and other licensees to tackle the problems associated with individuals who cause disturbance, disorder, use drugs or use or threaten violence in and around licensed premises. By acting collectively in excluding such people from a number of premises in the area, this means that the problem is not simply moved from one pub to the next. Pubwatch schemes have been found to be effective tools in tackling anti-social behaviour in many areas where the schemes are well run and there is a significant level of participation by licence holders in the borough. The Gateshead Alcohol Harm Reduction Strategy 2013-2015 recognises the importance of the Pubwatch scheme and envisages it being used to share and develop best practice and as a forum for training.

Regional and national working

5.18 The Licensing Authority participates in regional working through the North East Strategic Licensing Group, which is comprised of representatives of each of the twelve North East Licensing Authorities, and forms part of the North East Public Protection Partnership.

5.19 The Licensing Authority also works closely with Balance – the North East Alcohol Office, to achieve an integrated approach across the region and with key partners such as the Police.

5.20 From the national perspective, representatives of the Licensing Authority participate in the Local Government Association's Licensing Policy Forum, and the Licensing Special Area of Activity for Lawyers in Local Government.

6. General Principles of the Policy

6.1 Each application will be determined on its merits having regard to this Policy, Guidance under Section 182 of the Act, the Act itself and supporting Regulations.

6.2 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.

6.3 Applicants who do not clearly demonstrate how they intend to address these issues in their operating schedules should expect their applications to be objected to, including by the Licensing Authority.

6.4 Also, licensees whose practice does not meet this expectation may have their licence reviewed, and as above this may be triggered by the Licensing Authority itself.

7. Licensing Objectives

7.1 Applicants will need to provide evidence to the Licensing Authority that, in respect of each of the four licensing objectives, suitable and sufficient measures, as detailed in their Operating Schedule, will be implemented and maintained, and will be relevant to the individual style and characteristics of their premises and events.

Prevention of Crime and Disorder

7.2 The Licensing Authority will expect to see evidence that the following specific matters that impact on crime and disorder have been addressed in the Operating Schedule of the premises:

- The capability of the person who is in charge to run the premises during trading hours or when Regulated Entertainment is provided to effectively and responsibly manage and supervise the premises, including associated open areas
- The steps to be taken in the absence of the Designated Premises Supervisor to effectively manage the business.
- The steps taken or to be taken to ensure that appropriate instruction, training and supervision is given to those employed or engaged in the premises to prevent incidents of crime and disorder
- The measures taken or to be taken to raise staff awareness and discourage and prevent the use or supply of illegal drugs on the premises
- The features currently in place or planned for physical security at the premises, such as lighting outside the premise

- The policies that have been determined in respect of adoption of appropriate existing and future best practice guidance (eg Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit, etc)
- Any arrangements which the licence holder proposes to work in partnership with the Council, police and other traders in establishing a method of coordinating closing times to prevent crowds emerging from premises at the same time and to prevent migration between premises with different closing times
- Any appropriate additional measures taken or to be taken for the prevention of violence or public disorder

7.3 The extent to which the above matters need to be addressed will be dependent on the individual style, characteristics and location of the premises, and proposed events and activities. In general however, the Licensing Authority will expect more comprehensive measures to be in place at late night entertainment venues or in premises with a history of crime and disorder issues.

7.4 In such premises appropriate additional measures taken or to be taken for the prevention of violence or public disorder may include:

- Provision of effective CCTV both within and around premises
- Employment of SIA licensed door staff
- Provision of toughened or plastic glasses
- Procedures for risk assessing drinks promotions and events such as 'happy hours' for the potential to cause crime and disorder and plans for minimising such risks

7.5 The Licensing Authority will have particular regard to representations from the Police in deciding whether the above issues have been adequately addressed. It will not normally grant an application where representations indicate a potential negative impact on crime and disorder, unless the applicant can demonstrate compelling reasons why the application should be approved in the light of these concerns.

Public Safety

7.6 The Licensing Authority will expect to see that applicants have considered the impact that the following factors may have on public safety:

- The occupancy capacity of the premises
- The age, design and layout of the premises, including means of escape in the event of fire
- The nature of the licensable activities to be provided, in particular the sale or supply of alcohol, and/or the provision of music and dancing and including whether those activities are of a temporary or permanent nature
- The hours of operation (differentiating the hours of opening from the hours when licensable activities are provided, if different)
- Customer profile (eg age, disability)
- The use of special effects such as lasers, pyrotechnics, smoke machines, etc

7.7 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:

- Suitable and sufficient risk assessments
- Effective and responsible management of the premises
- Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- Appropriate instruction, training and supervision of those employed or engaged to secure the safety of premises and patrons
- Adoption of best practice guidance (eg Guide to Fire Precautions in Existing Places of Entertainment and like premises, The Event Safety Guide, Safety in Pubs published by the BBPA, and the Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by Independent Street Arts Network)
- Provision of effective CCTV in and around premises
- Provision of toughened or plastic drinking vessels
- Implementation of crowd management measures
- Proof of regular testing (and certification where appropriate) of procedures, appliances, systems etc pertinent to safety)

Prevention of Public Nuisance

7.8 The Licensing Authority interprets 'public nuisance' in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

7.9 The Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas.

7.10 The Licensing Authority will expect to see that applicants have considered the impact that the following factors may have on the potential for public nuisance:

- The location of premises and proximity to residential and other noise sensitive premises
- The hours of opening, particularly between 23:00 and 07:00 hours
- The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises
- The design and layout of premises and in particular the presence of noise limiting features
- The occupancy capacity of the premises
- The availability of public transport
- 'wind down period' between the end of the licensable activities and closure of the premises, i.e. allowing patrons to remain in the premises for a period after licensable activities have ceased, so that people do not disperse en masse last admission time

7.11 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:

- effective and responsible management of the premises
- appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance eg to ensure customers leave quietly
- operating hours for all or parts (eg garden areas) of premises, including such matters as deliveries
- adoption of best practice guidance (eg Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by the Institute of Acoustics, Licensed Property: Noise, published by BBPA)
- installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices
- management of people, including staff, and traffic (and resulting queues)
- liaison with public transport providers
- siting of external lighting including security lighting
- management arrangements for collection and disposal of litter
- effective ventilation systems to prevent nuisance from odour

Alcohol sales

8.17 It is expected that applicants will set out in their operating schedule the measures they will take to ensure that a written record is kept of all the names and addresses of persons who are authorised to sell or supply alcohol at all times, and that the written record is made available to Police and/or Council officers immediately upon request.

Outside areas

8.24 Where premises include an outside area it is expected that the operating schedule will set out how the applicant will address:

- The provision of appropriate bins and other receptacles for litter generated by patrons
- Measures to reduce the amount of noise generated by patrons, particularly late at night. This may include door supervision, closure of outside areas after a particular time, restricting re-admission to the premises after a particular time, etc
- Provision and placement of appropriate street furniture to prevent persons spilling out' onto public highway in the vicinity of the premises
- Provision of CCTV covering entrances and exits, external areas, and surrounding public highways

Operating Schedules

10.1 Operating schedules should set out the licensable activities that are intended to be carried out and how it is intended that this happens. Operating schedules should be sufficiently detailed and clear for interested parties and

responsible authorities to understand how the applicant or licensee will promote the licensing objectives.

- 10.2 When considering the promotion of the licensing objectives, applicants and licensees should have due regard to the context of the locality that they seek to operate in, and be mindful of any particular concerns that relate to that locality.
- 10.3 For instance, applicants and licensees are expected to have regard to any Local Licensing Guidance in respect of the locality they propose to serve.
- 10.4 Applicants are expected to ensure that their operating schedule enables the Licensing Authority, responsible authorities and interested parties to understand:
- What licensable activities are intended to be carried out
 - When licensable activities will be carried out – i.e. between what hours, on what days and at what times of year
 - When the premises will be open to the public for non-licensed activities
 - Whether alcohol is intended to be sold for consumption off the premises (including where it will be delivered to customers)
 - (Where the sale or supply of alcohol is intended at premises with a Premises Licence) who the Designated Premises Supervisor will be and what his / her address is
 - What steps will be taken to promote the Licensing Objectives.
- 10.5 It is recommended that applicants contact responsible authorities when preparing operating schedules to discuss any relevant concerns.

12. Conditions

- 12.1 Whilst the Licensing Act sets out the regulatory framework that applies to all licensees, conditions can be added to individual licences to prescribe how the licensable activities are to be carried out having regard to all the relevant individual circumstances.
- 12.2 There are three types of condition:
- mandatory conditions imposed by the Secretary of State – applicants and licensees are expected to comply with the relevant mandatory conditions that apply to the activities they carry out, and to be aware that these mandatory conditions change from time to time. The Home Office issued guidance in respect of these mandatory conditions in October 2014: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/350507/2014-08-29_MC_Guidance_v1_0.pdf.
 - conditions imposed voluntarily by the applicant / licensee – these conditions will be consistent with the applicant / licensee's operating schedule, although the wording may be amended to ensure clarity and enforceability. Applicants and licensees should note that in line with this Policy, in certain cases the Licensing Authority will assume unless Informed otherwise that applicants are volunteering conditions. For

instance, as above where an applicant does not indicate an intention to provide adult entertainment by ticking box 'N' on their application form, it will be assumed that they are volunteering a condition not to provide adult entertainment at the premises; and

- conditions imposed at a hearing – the Licensing Sub-Committee may impose conditions on a licence where it considers it appropriate to do so. Any such conditions will be appropriate to the promotion of the licensing objectives and proportionate to the problems that the Sub-Committee find in relation to the premises.

12.3 The Licensing Authority does not impose 'standard' conditions on licences, but there are certain factors that most premises that carry out certain licensable activities should take into account. A pool of model conditions is set out in Appendix 1, which applicants should consider when preparing their operating schedule.

14. Delegation and Decision Making

14.1 The Council has established a Licensing Committee to administer its functions under the Licensing Act 2003. Powers and functions have also been delegated to Licensing Sub-Committees and officers in order to provide a speedy, efficient and cost effective service to all parties involved in the licensing process.

14.2 Many of the decisions and functions are largely administrative in nature such as the grant of non-contentious applications, including for example those licences and certificates where no representations have been made. These will be delegated to Council officers. All such matters dealt with by officers will be reported for information to the next Licensing Committee meeting.

14.3 Applications where there are relevant representations will be dealt with by the Licensing Committee/Sub-Committee – unless such representations are considered irrelevant, frivolous or vexatious or unless the Licensing Authority, the applicant and everyone who has made representations agrees that a hearing is not necessary (usually after successful mediation).

14.4 The table given below sets out the delegation of decisions and functions of the Licensing Committee, Sub-Committees and officers. The various delegations include delegation to impose appropriate conditions.

14.5 This scheme of delegations is without prejudice to the right of relevant parties to refer an application to a Licensing Sub-Committee or the full Licensing Committee if considered appropriate in the circumstances of any particular case.

14.6 Unless there are compelling reasons to the contrary, the Licensing Authority will require the Licensing Committee or any of its sub-committees to meet in public – although Members can retire into private session to consider their decision. A public announcement of the decision will be made at the end of the hearing together with clear, cogent reasons for the decision having due

regard to the Human Rights Act 1998, the four licensing objectives and all other legislation.

- 14.7 The Licensing Committee will be made up of 15 members and Sub Committees of three who will hear any relevant representations from authorised persons, responsible authorities and interested parties in the form of a hearing.
- 14.8 Where a function is delegated to an officer, that officer will be responsible for liaising between the applicant, interested parties and the responsible authorities to ensure that any licence granted is subject to the appropriate conditions. Where objections are made then the officer will once again liaise with the applicant, interested parties and the responsible authorities to see if a 'settlement' is possible to overcome the objections without the need for the matter to go before the Sub-Committee.
- 14.9 The Sub-Committee will determine each case before it on its individual merits. However, in determining the application the Sub-Committee will consider:
- The case and evidence presented by all parties
 - The promotion of the four licensing objectives
 - Guidance issued by Central Government
 - The Licensing Authority's own statement of Licensing Policy
- 14.10 Delegation of functions:

Matter to be dealt with	Full Committee	Sub-Committee	Officers
Consideration of reports to the committee	Six monthly		
Approval of new / updated Local Licensing Guidance	Six monthly		
Application for personal licence		If representation is made	If no representation is made
Application for Personal Licence with unspent convictions		All cases	
Application for Premises Licence / Club Premises Certificate		If a relevant representation made	If no relevant representation made
Application for a Provisional Statement		If a relevant representation made	If no relevant representation made

Application to vary Premises Licence / Club Premises Certificate		If a relevant representation made	If no relevant representation made
Application to vary Designated Premises Supervisor		If a Police objection	All other cases
Request to be removed as Designated Premises Supervisor			All cases
Application for transfer of premises licence		If a Police objection	All other cases
Application for interim authorities		If a Police objection	All other cases
Application to review Premises Licence / Club Premises Certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to make representation on behalf of Licensing Authority			All cases
Determination of objection to a Temporary Event Notice		All cases	
Classification of films for exhibition where BBFC has not classified		If a relevant representation made	If no relevant representation made



Home Office

Revised Guidance issued under section 182 of the Licensing Act 2003

April 2018

2. The licensing objectives

Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Public safety

- 2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.8 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
 - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
 - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
 - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
 - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
 - Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).
- 2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Public nuisance

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the

early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of children from harm

- 2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
 - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - it is known that unaccompanied children have been allowed access;
 - there is a known association with drug taking or dealing; or
 - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible

authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

- 2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
 - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.
- 2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.30 The 2003 Act provides that, where a premises licence or club premises certificate

authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

- 2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

- 2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

Responsible authorities

- 8.7 The second group –“responsible authorities”– are public bodies that must be fully notified of applications and that are entitled to make representations to the licensing authority in relation to the application for the grant, variation or review of a premises licence. These representations must still be considered ‘relevant’ by the licensing authority and relate to one or more of the licensing objectives. For all premises, responsible authorities include:
- the relevant licensing authority and any other licensing authority in whose area part of the premises is situated;
 - the chief officer of police;
 - the local fire and rescue authority;
 - the relevant enforcing authority under the Health and Safety at Work etc Act 1974;
 - the local authority with responsibility for environmental health;
 - the local planning authority;
 - a body that represents those who are responsible for, or interested in, matters relating to the protection of children from harm;
 - each local authority’s Director of Public Health (DPH) in England⁴ and Local Health Boards (in Wales);
 - the local weights and measures authority (trading standards); and
 - Home Office Immigration Enforcement (on behalf of the Secretary of State).

Other persons

- 8.13 As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be ‘relevant’, in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious. Chapter 9 of this guidance (paragraphs 9.4 to 9.10) provides more detail on the definition of relevant, frivolous and vexatious representations.
- 3.14 While any of these persons may act in their own right, they may also request that a representative makes the representation to the licensing authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament, a Member of the Welsh Government, or a local ward or parish councillor who can all act in such a capacity.

Beer gardens or other outdoor spaces

- 8.35 Applicants will want to consider whether they might want to use a garden or other outdoor space as a location from which alcohol will be consumed. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. In scenarios where drink orders are taken by a member of staff in the garden or outdoor space and the member of staff then collects the drinks from the licensed premises and returns to deliver them to the customer this would be treated as an off-sale and any conditions that relate to off-sales would apply.
- 8.36 In such cases it will be not necessary to include the garden or other outdoor space on the plan as part of the area covered by the premises licence. However, it will be necessary for the applicant to include the garden or other outdoor space on the plan as part of the area covered by the premises licence if the intention is to provide a service whereby drinks are available for sale and consumption directly from that area (i.e. the provision of on-sales). This would apply in the case of an outdoor bar or a service whereby a member of staff who is in the garden or outdoor space carries with them drinks that are available for sale (without the need for the staff member to return to the licensed premises to collect them).
- 8.37 If the beer garden or other outdoor area is to be used for the consumption of off-sales only, there is no requirement to show it on the plan of the premises, but the prescribed application form requires the applicant to provide a description of where the place is and its proximity to the premises.

variations

Introduction

8.50 Where a premises licence holder wishes to amend the licence, the 2003 Act in most cases permits an application to vary to be made rather than requiring an application for a new premises licence. The process to be followed will depend on the nature of the variation and its potential impact on the licensing objectives. Applications to vary can be made electronically via GOV.UK or by means of the licensing authority's own electronic facility following the procedures set out in Chapter 8 above.

Full variations process

- 8.74 Any other changes to the licence or certificate require an application to vary under sections 34 or 84 of the 2003 Act.
- 8.75 Licensing authorities may wish to consider whether there is any likely impact on the promotion of the licensing objectives in deciding whether there is a need for an application to vary in relation to features which are not required to be shown on the plan under section 17 of the 2003 Act, but have nevertheless been included, for example, moveable furniture (adjusting the position of tables and chairs) or beer gardens (installation of a smoking shelter that will not affect the use of exits or escape routes).
- 8.76 However, it should be noted that a section 34 application cannot be used to vary a licence so as to:
- extend a time limited licence;
 - transfer the licence from one holder to another; or
 - transfer the licence from one premises to another.
- 8.77 If an applicant wishes to make these types of changes to the premises licence, the applicant should make a new premises licence application under section 17 of the 2003 Act; or, to transfer the licence to another holder, an application under section 42 of the 2003 Act.

9. Determining applications

General

- 9.1 When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises certificates made in accordance with section 71 of the 2003 Act, and in accordance with regulations made under sections 71(4) to (7), 84, 91 and 92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations.

Where no representations are made

- 9.2 A hearing is not required where an application has been properly made and no responsible authority or other person has made a relevant representation or where representations are made and subsequently withdrawn. In these cases, the licensing authority must grant the application in the terms sought, subject only to conditions which are consistent with the operating schedule and relevant mandatory conditions under the 2003 Act. This should be undertaken as a simple administrative process by the licensing authority's officials who should replicate the proposals contained in the operating schedule to promote the licensing objectives in the form of clear and enforceable licence conditions. Licensing authorities should not hold hearings for uncontested applications, for example in situations where representations have been made and conditions have subsequently been agreed.

Where representations are made

- 9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.10 below), the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

Relevant, vexatious and frivolous representations

- 9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to

the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority's corporate complaints procedure. A person may also challenge the authority's decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

The role of responsible authorities

- 9.11 Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area⁵. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

Disclosure of personal details of persons making representations

- 9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.
- 9.27 In exceptional circumstances, persons making representations to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.
- 9.28 Where licensing authorities consider that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, they may wish to consider alternative approaches.
- 9.29 For instance, they could advise the persons to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.
- 9.30 The licensing authority may also decide to withhold some or all of the person's personal details from the applicant, giving only minimal details (such as street name or general location within a street). However, withholding such details should only be considered where the circumstances justify such action.

Hearings

- 9.31 The Licensing Act 2003 (Hearings) Regulations 2005 governing hearings may be found on the www.legislation.gov.uk website. If the licensing authority decides that representations are relevant, it must hold a hearing to consider them. The need for a hearing can only be avoided with the agreement of the licensing authority, where the applicant and all of the persons who made relevant representations have given notice to the authority that they consider a hearing to be unnecessary. Where this is the case and the authority agrees that a hearing is unnecessary, it must forthwith give notice to the parties that the hearing has been dispensed with. Notwithstanding those regulatory provisions, in cases where the licensing authority believes that a hearing is still necessary, it is recommended that the authority should, as soon as possible, provide the parties with reasons in writing for the need to hold the hearing. In cases where only 'positive' representations are received, without qualifications, the licensing authority should consider whether a hearing is required. To this end, it may wish to notify the persons who made representations and give them the opportunity to withdraw those representations. This would need to be done in sufficient time before the hearing to ensure that parties were not put to unnecessary inconvenience.

- 9.32 Responsible authorities should try to conclude any discussions with the applicant in good time before the hearing. The 2005 Hearings Regulations permit licensing authorities to extend a time limit provided for by those Regulations for a specified period where it considers this to be necessary in the public interest. For example, if the application is amended at the last moment, the licensing committee should consider giving other persons time to address the revised application before the hearing commences. Where the authority has extended a time limit it must forthwith give a notice to the parties involved stating the period of the extension and the reasons for it.
- 9.33 The 2005 Hearings Regulations require that representations must be withdrawn 24 hours before the first day of any hearing. If they are withdrawn after this time, the hearing must proceed and the representations may be withdrawn orally at that hearing. However, where discussions between an applicant and those making representations are taking place and it is likely that all parties are on the point of reaching agreement, the licensing authority may wish to use the power given within the hearings regulations to extend time limits, if it considers this to be in the public interest.
- 9.34 Applicants should be encouraged to contact responsible authorities and others, such as local residents, who may be affected by the application before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of regulations made under the 2003 Act. Where matters arise which are not covered by the regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.
- 9.35 There is no requirement in the 2003 Act for responsible authorities that have made representations to attend, but it is generally good practice and assists committees in reaching more informed decisions. Where several responsible authorities within a local authority have made representations on an application, a single local authority officer may represent them at the hearing if the responsible authorities and the licensing authority agree. This local authority officer representing other responsible authorities may be a licensing officer, but only if this licensing officer is acting as a responsible authority on behalf of the licensing authority and has had no role in the licensing determination process. This is to ensure that the responsible authorities are represented by an independent officer separate from the licensing determination process.
- 9.36 As noted in paragraphs 9.13 to 9.19 above, where the licensing officer is acting as a responsible authority the relevant steps should be followed to ensure that this individual has no role in the decision making process regarding the licensing determination.
- 9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.
- 9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties.

Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

9.41 In the context of variations or minor variations, which may involve structural alteration to or change of use of a building, the decision of the licensing authority will not exempt an applicant from the need to apply for building control approval, planning permission or both of these where appropriate.

Determining actions that are appropriate for the promotion of the licensing objectives

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is

10. Conditions attached to premises licences and club premises certificates

General

- 10.1 This chapter provides further guidance in relation to conditions attached to premises licences and club premises certificates. General principles on licence conditions are set out in Chapter 1 (see paragraph 1.16).
- 10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.
- 10.3 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below.

Proposed conditions

- 10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

Proportionality

- 10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be aware of the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

- 16.6 As a result of deregulatory changes that have amended the 2003 Act²³, no licence is required for the following activities:
- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500²⁴.
 - 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 an event between 08.00 and 23.00 on any day, provided that those present do 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.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises,

¹⁹ Including any live music or playing of recorded music as an integral part of a performance of Morris dancing, or similar activity.

²⁰ See paragraphs 16.57-16.61

²¹ See paragraphs 16.65-16.68

²² This was previously licensable under the 2003 Act until the commencement of the Live Music Act 2012.

²³ The Live Music Act 2012 ("2012 Act") <http://www.legislation.gov.uk/ukpga/2012/2>; Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013 ("2013 Order") <http://www.legislation.gov.uk/uksi/2013/1578/contents/made>; The Legislative Reform (Entertainment Licensing) Order 2014 ("2014 Order") <http://www.legislation.gov.uk/uksi/2014/3253/introduction/made>; and the Deregulation Act 2015 ("2015 Act").

²⁴ But see paragraphs 16.47 -16.48 in relation to dance that is adult entertainment and remains licensable.

provided that the audience does not exceed 500²⁵.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace²⁶ that does not have a licence, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500²⁷.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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Statement of Diane Phillips – Application to vary the Premises Licence of the Half Moon Inn, Ryton

1) I am the owner and licensee of the Half Moon Inn, Ryton and make this statement in the context of my application to vary my Premises Licence as follows:-

a) The licensable area varied to include the outside bar at the rear of the public house.

b) Annex 3 of Paragraph 4 to be removed from the Premises Licence.

2) I purchased the Half Moon Inn in 2011 and have run the public house since 2016.

3) It is right to point out that the Premises Licence currently permits the sale by retail of alcohol in the garden area at the rear of the Half Moon Inn.

4) The Half Moon Inn currently only opens four days a week Thursday to Sunday and on each of these days closes at 9.30pm. The beer garden is cleared of customers by 10.00pm every night. I currently have no plans to increase the opening days or opening hours.

5) I take very seriously my obligations to promote the four licensing objectives and in particular:-

(a) I liaise with local licensees regarding possible local issues.

(b) I am a member of Pub Watch

(c) I have 1 experienced and registered door staff on duty at all times. I also have 3 other members of staff on duty to ensure compliance with Covid19 regulations.

(d) No customers under the age of 19 are admitted.

(e) High definition security cameras are in operation at all times.

(f) There is a zero tolerance of any anti-social behaviour.

(g) No drinking is allowed at the front of the public house.

(h) Clear and legible notices are located at exits and other relevant locations requesting customers to leave the premises quietly and considerably emphasising the need to refrain from any anti-social behaviour including shouting, slamming of car doors or the sounding of car horns.

6) I also take very seriously my obligations to customers and staff during the Covid19 pandemic and have taken all precautions possible to avoid transmission of the virus. It is for this reason that no customers were allowed inside the public house up until 22/07/21 and all customers remained at all times in the beer garden to the rear. It is for this reason that I decided that the safest course of action was to open the bar in the beer garden so that all transactions take place outside. I have at all times

complied with Government regulations regarding "Track and Trace, social distancing and the provision of sanitising gel at several points in the beer garden. In addition, I have hired 8 portaloos for the use of customers to avoid using toilets within the public house.

7) I turn now to the objections which have been made against my application and I have to say as a preliminary comment many of the objections can be shown to be demonstrably untrue or certainly exaggerated. I would make the following specific comments:-

(a) It is right to draw the Committee's attention to the fact that the "window" for making objections coincided with the Euro 2020 football competition. This rightly was the focus of the country coming together and celebrating the national football team's achievements particularly after the long months of lockdown during the Covid19 pandemic. It was therefore a truly exceptional period.

(b) Glasses and bottles discarded - No drinks are served in glass containers but plastic containers. Customers are banned from removing any bottle where a drink is served in a bottle.

(c) Damage to vehicles - There is no evidence that any customer from the Half Moon has caused any such damage.

(d) Urinating - It is the policy of the Half Moon Inn that anyone caught urinating in the surrounding area of the public house would be barred immediately.

(e) Fines for not adhering Covid restriction rules - I have never been fined or prosecuted or cautioned for breaching Covid restriction rules. In September 2020, Gateshead Council's Environment Health Department inspected the Half Moon and confirmed that the provisions made by me complied with Covid restrictions. In particular, the officer confirmed that on the occasions he visited the premises there was no evidence of over-crowding.

(f) Drug Pushing - I operate a zero tolerance policy regarding drugs. If anyone were to be found in possession of drugs, using drugs on the premises or drug pushing on the premises that person would be immediately barred for life.

(g) Fighting in the street - I am not aware of any fighting in the street. On one occasion police officers drove past the premises after a complaint but found no evidence of unruly or anti-social behaviour and took no action. There has been no incident of fighting in the public house.

(h) Used condoms on the village green. - There is no evidence that this has been caused by any customer of the Half Moon. The village green is some 300 yards from the Half Moon.

(i) A party going on most nights - As I have stated earlier in this statement, the public house is only open 4 days a week.

(j) An objector has submitted to the Committee a photo of a man lying comatose on the pavement near to the public house the allegation being that he had got into that state as a result of drinking at the public house. Nothing could be further from the truth. This person had sought entry to the public house but as he was clearly worse for wear through drink he was refused entry. A short time afterwards he was put into a taxi and taken home. It is unfortunate that somebody sees fit to make such a prejudicial allegation without knowing the full facts.

(k) I have noted that one objector has suggested that the fire pit in the beer garden is "an accident waiting to happen". Following this complaint, the Fire Service attended the premises and concluded that there was no fire risk. This particular complainant has never been in the public house or seen the fire pit.

(l) It is alleged that the Half Moon Inn causes parking problems. There are no restrictions on parking outside the public house. I have never had a member of the public complain that parking is preventing their passage along the highway.

(m) One anonymous objector alleges that the Half Moon Inn has been closed by the police for flouting lockdown regulations. That is categorically untrue.

8) I lived in Ryton village from 1997 until 2010 and have owned the Half Moon Inn since 2011. I am well aware that there has always been an issue with young people buying alcohol from supermarkets and then taking it down to the Ryton Willows area where they have drunk all day and then returned to the village in a drunken state. It is perfectly possible that some of the incidents referred to by the objectors to my application could stem from this. I am also aware that there have been incidents of anti-social behaviour at other local public houses. For instance on 13/07/21 there was a significant incident at the Runhead at which the police had to attend. I am also aware of the fact there have been incidents of crowds of people spilling on to the village green in Ryton from Ye Olde Cross public house. It would be wrong to blame everything on the Half Moon.

9) I am also aware that a significant number of the objectors to my application are shareholders of or supporters of or in some way associated with Ye Olde Cross public house. These include:-

- a) Liz Twist MP
- b) Councillor Chris Buckley
- c) Steve Colbeck
- d) Kate Teal
- e) Annabel Hayward
- f) Michael Rossington
- g) John Glendinning
- h) Ann Marshall
- i) Lindsay Marshall
- j) Erin McClymont
- k) Louise Duncan
- l) Nigel Wild
- m) Michael Quigley
- n) Angela Quigley

- o) Leila Heidi Ranson
- p) Donna Britton
- q) Daymon Britton
- r) Karen Forster
- s) Sue Carter

It is somewhat disingenuous for them not to declare this conflict of interest which all of them have failed to do.

10) With regard to music, there is currently no music (live or otherwise) played in the beer garden. It is my intention shortly to introduce low level ambient music in the beer garden and once a month on a Sunday to have live music performed by a single musician with a guitar for some 2 hours. I note that the Runhead in Ryton has an outside bar licence already and is holding a Cider and Beer Festival in August. I also note that the Fox and Hounds in Crawcrook has a DJ playing each Sunday from afternoon until midnight.

11) I accept there may have been incidents of some customers behaving in an over exuberant manner after football matches during Euro 2020. I do not condone any such behaviour but for the reasons set out in paragraph 7(a) of this statement this was a wholly exceptional time. I would ask the Committee to accept that. The Euro 2020 final took place on Sunday 11th July. I produce to the Committee timed and dated photographs of the beer garden and the street outside the Half Moon Inn for the days the public house has been opened since then which paint an entirely different picture to that alleged by the objectors to my application. I would ask the Committee to accept that this shows the true picture and to grant my application.

The contents of this statement are true to the best of my knowledge, information and belief.



Diane Phillips

Dated this 27th July 2021

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From: Andy McFarlane [REDACTED]
Subject: Fw: Half Moon/Ryton
Date: 27 Jul 2021 at 14:36:28
To: diane1630@icloud.com

From: Andy McFarlane [REDACTED]
Sent: 03 July 2021 13:31
To: Margi McFarlane [REDACTED]
Subject: Fw: Half Moon/Ryton

From: Andy McFarlane
Sent: 03 July 2021 13:28
To: RebeccaSparrow@gateshead.gov.uk <RebeccaSparrow@gateshead.gov.uk>
Subject: Half Moon/Ryton

I am Andy McFarlane of 13 Wallace tce Ryton. I am 72 years of age and have used the Half Moon for 52 years. I am very concerned about the vindictive group of people trying to affect the running of The Moon. They are canvassing houses in the village to get people to complain about its running. They are knocking on peoples doors to try and close the Moon. My neighbours have told me they have been told to complain about all the broken glass on the road outside the Moon but i go to the Moon on a Thursday and Sunday and they only serve in plastic glasses! Another is that customers are peeing all over the village .The Moon provides 10 toilets in the courtyard and when its closes at 10:00 it cannot be held responsible for what stupid's do after they leave. I have been told 33 people complained when only maybe 12 live in the vicinity of the pub. How is this possible. I dont go to the Moon to drink a lot but to see my pals and have a chat. This is a lifeline for a lot of people in the community so please consider these complaints' with the scepticism they deserve and look at the motives of these persons.

Yours sincerely
Andy MacFarlane



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Kirsty Clark Licensing

From: Richie Palmer [REDACTED]
Sent: 21 June 2021 07:20
To: CE Licensing
Subject: Half Moon Inn - Ryton

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning

i tried to call your number on Friday but no one was available to take the call so I left a voice message.

I am writing in regard to the application from Diane Phillips to:-

- 1. Extend the licensable area to include outside area.....
- 2. To remove condition 4, annex 3.....

We would like the application/applications to be given favourable consideration based on the following :-

My wife and I purchased [REDACTED] Ryton Village, NE40 [REDACTED] on 31st March 2021. Our property is directly adjacent to the Half Moon and we share a drive with the pub.

I need to say for the record that we did not know and had never met Diane Phillips before we moved into our new home.

Since the reopening of pubs, we have been into the beer garden on a number of occasions and must say that the set-up in place is second to none. There has obviously been significant investment in the beer garden in order to comply with all the recent regulations imposed due to Covid-19 regulations.

I understand that Lisa Bainbridge, GMBC Environmental Health Officer has indicated that she will be objecting to point 2 for a number of reasons.

I have seen a copy of an email she has sent to Mrs Phillips which would suggest that she has little or no idea of how the pub operates. She writes that the pub has large number of people frequenting it seven days a week when the pub is only open Thursday - Sunday and closed Monday - Wednesday. It has been closed on the last two Bank Holiday Mondays in line with the policy to only open four days a week. She also suggests that the beer garden should close at 10.00pm which it actually does and there are very clear notices within the property which show that.

There is a sentence in which Mrs Bainbridge refers to complaints about "noise in the beer garden, noise in the street after closing time, people fighting, streaking, vomiting, urinating in the street and glass on the floor making residents feel unsafe to walk past the pub".

Of all the above I can only relate to one incident which was about urinating in the street. I actually spoke to the young lad and pointed out that there were plenty of toilets in the beer garden and his behaviour was unacceptable.

The rest of the sentence makes Ryton Village appear like The Bigg Market in Newcastle in the late 70's and early 80's and is somewhat exaggerated in our opinion.

We have not witnessed any of the other things mentioned. The pub uses plastic glasses so it is unlikely that any broken glass in the street would have come from the beer garden. The young men who police the

gates do not allow anything to be removed from the beer garden. They do a fine job as far as we are concerned. They are polite, considerate and a credit to the business.

If Mrs Bainbridge has photographic or video evidence of any or all of the above, I stand to be corrected but can only speak from our personal experiences.

She also writes that the noise from people chattering is significant in its own right. Our experience since moving is completely different to that suggestion and must say we really consider that statement to be total and utter nonsense

My wife works from home and uses our conservatory as an office. The conservatory is less than 10 metres from the entrance to the beer garden.

She has the doors and windows open on hot days and not once has she been distracted or disturbed by any noise from the beer garden. She sometimes works till 8.00pm and is in Teams meetings at least 50% of her working day as Manager of the Special Educational Needs Department for the Sunderland Authority.

Our property is closer to the Half Moon than any property in Ryton Village and that being the case I think that our views should be taken very seriously and given great consideration.

Since moving here we have been somewhat surprised that some of the residents seem to have an agenda against the pub.

I would go so far as to say it is tantamount to a vendetta, has been ongoing for some time, and I suspect that this is more to do with personality clashes and differences of opinion other than any truly legitimate concerns.

We are new to the area, have no axe to grind with either the pub owner or the residents, and just want to put forward a different perspective to what is being detailed to Mrs Bainbridge.

Music relayed to the beer garden does not have to be particularly loud for patrons to enjoy it so I see no reason to not allow this to happen.

In our opinion the application should be allowed without any conditions attached. I reiterate that at present there is no significant noise or anti-social behaviour from patrons of the beer garden which disturbs us. There will always be some noise at throwing out time from any establishment with a fixed closing time which is just a fact of life that people living beside a pub should recognise and accept as we have.

is a local village pub which provides service for young and old alike. Pubs are closing all over the country and Ryton has recently lost The Ryton Hotel.

The Half Moon is providing a service that is needed in the village and also employing a significant number of people which is no bad thing.

All things considered we would encourage the Licensing Section to pass the application.

We believe that GMBC should be actively encouraging local business's not creating obstacles for them.

Sadly, these days, some people seem to want to complain at everything and anything. it seems to us that some would probably never be happy unless a pub which has been in existence for many, many years was to close or at very least have restrictions imposed that would impact on the patron's enjoyment and the profitability of the operation.

The pub was there when people bought property next to it and hopefully it will continue to grow and flourish long after the residents of today (ourselves included) have long gone.

In closing I would put on the record that we have no family, financial, or emotional interests in the Half Moon Inn. We are submitting this email purely as newly moved residents who saw the pub as an attraction, not a problem, when we bought the house.



Could you please let me know that you have received this mail. Thank you.

Best regards

Richard and Audrey Palmer

From: Richie Palmer [redacted]
Subject: letter to Licensing
Date: 27 Jul 2021 at 10:50:08
To: Diane Phillips [redacted]

Hi Diane.

I've submitted below this morning.

Good morning

Thank you for your mail and its contents.

There are a couple of things which I would like to add to my initial letter of support of the application.

Before we bought Old Grove Farm we viewed three properties on the opposite side of the road, two within The Lawn apartment block and also The Shieling cottage.

We viewed the apartment owned by Mrs Porteous and the apartment owned by Mr and Mrs Maxted.

One of the first questions we asked both parties was are there any issues or problems with having a pub so close to the property. We were told by both parties that there was absolutely no issues or problems. Mr Maxted said that he frequented the Half Moon on a regular basis. Mrs Porteous said her and her husband used the pub when her husband was alive but he had sadly passed away not too long ago.

We viewed both these properties in January 2021 and you will be aware that the pub was open for a while in 2020 so the questions we raised were pertaining to recent events.

I have no idea if either of the above residents are part of the "campaign" to have the application denied, maybe you could provide me with the answer?

My position on this is:- if either of these residents have objected to the application because of anti-social behaviour or any other concerns they must have been lying to us when we asked our questions.

I believe at least one of these properties has been sold and if so, the residents would have had to fill in a fixtures and fittings form stating if they were aware of any ongoing issues, disputes, planning applications etc. If the property/properties have been sold {subject to contract} it would be interesting to see any such document as it is a legal document and signed as being honest. I repeat if the above is correct it would surely bring into question the honesty and integrity of those residents but in my honest opinion and based on our experience, they were being truthful which then begs the question if they have raised objections as to why would they do so?

If they have, it would naturally follow, to surely raise questions as to their integrity and honesty. Also do they have interests in The Olde Cross pub which is now a community pub in which shares have been issued.

It is either one or the other and whichever is the truth the opposite is therefore not.

I believe that anyone who has shares in The Olde Cross pub who have objected to the application do have a major conflict of interest, more of which later.

Again, I state that I do not know for sure if those mentioned above are some of the residents that are against the application

but you will know.

We bought our property from Mrs Dorothy Stanley. We asked her if there were any issues or problems living next door to a pub with a beer garden. She told us you could hear some chatter when in her garden but nothing at all when in the house.

This has been proven to be 100% correct in our experience and we really do not understand how there are over 30 objections other than a campaign is in place for reasons unknown to us.

We were shown around the Sheiling by an estate agent as the property was vacant so she was not able to answer any questions relating to the area in general.

I have been made aware that our MP Mrs Liz Twist may have raised an objection to the application. I wrote to Mrs Twist on 19th July asking her a number of questions and to date have not had the courtesy of a reply of any sort.

I called her office on Friday 23rd July and there was no answer so I left a voice message. Again, I have had no reply from anyone at time of writing.

I think this is nothing short of appalling from my MP and her office

I spoke to someone [Judith] in her office on 19th July who somewhat blasely told me that the questions, or the answers to those questions, would have "no bearing whatsoever on the outcome of the hearing" She asked me "are you a customer of The Half Moon?" I told her I was a neighbour of the half Moon.

That raises a suspicion that Judith and/or Mrs Twist believe they know the outcome of the hearing before it has taken place?

For the record I have been a customer of the Half Moon and The Olde Cross as the new manager is a friend of a son of very good friends of ours and we like to support all local business.

I have been a customer of the Lane Head pub in Ryton and am also a member of Ryton Social Club where I have been asked on numerous occasions to stand for the committee of said club.

I have asked Mrs Twist if she has objected to the proposal and if so to set out her reasoning within a timescale that would allow me follow up questions if necessary. As stated, I have had no response from her or her staff and your cut-off date for additional comments is midnight tomorrow.

I'm pretty sure Mrs Twist is aware of that date and that therefore raises a question as to her lack of response to me.

I have also asked her if she has shares or interests in the Old Cross pub now or in the future. As I have not received a reply I do not know if she is or not.

If she has, she undoubtedly has a conflict of interest and as such, in my opinion, should not be getting involved in this matter and maybe it would have been best to leave it to local councillors. I'm sure there are far more pressing things on her agenda as she has not deemed me the courtesy of a response of any kind.

It is my opinion that there has very obviously been a campaign, that the organisers will no doubt feel that having the support of

the local Labour MP, once local labour councillor will add a lot of weight to the objections.

I would like to think that, being closer to the beer garden entrance than any other resident in Ryton Village, our comments in support of the application will be given full and fair consideration.

I have said in earlier representation that we moved into the property on 31st March and have no financial interest in the Half Moon. We did not know Dianne Phillips or her business partner before moving into the property and have not been canvassed by them in any way, shape or form to submit our support. We have no axe to grind with local residents and wish to support as many local businesses as possible. We have lived in Ryton for over 10 years and that has always been our view of things.

Finally, last Friday evening the Half Moon had a local singer performing at the pub. My wife and I along with her brother and sister-in-law sat in our garden from 7.30pm until 10.30pm having a meal and a few drinks. We heard absolutely no noise or disturbance coming from the beer garden or when the beer garden closed and customers left.

Best regards

Richard Palmer

Kirsty Clark Licensing

From: David [REDACTED]
Sent: 21 June 2021 17:32
To: CE Licensing
Subject: Half Moon Inn, Ryton Village Application to vary Premises License

For the URGENT attention of:

Licensing Act Section
Development & Public Protection
Gateshead Council
Civic Centre
Gateshead
NE8 1HH

Dear Sirs,

I am writing to express my dismay and concern that the above application has not been brought to my attention by the Council. I understand that comments and observations to the application have been invited to be submitted by 21st June 2021. In view of the very short time span afforded to me, thus, I wish to submit my comments via email, and trust that these will be entered on the file and seen by the licensing officers and committee members.

I am an immediate neighbour to these premises, sharing a long boundary with the rear of the pub, and directly overlooking the beer garden at the rear.

I wish to notify my COMPLETE SUPPORT for the application. I have lived at [REDACTED] for almost 25 years, and in that time we have never once suffered any concern or inconvenience from the activities of the pub. I believe the public house has been in that position for more than 100 years, and thus it is clear that we and all other neighbours knew that it was there when we purchased or rented our houses. We see the presence of the pub as a positive asset in the village, and are glad to enjoy its amenity. We hear voices and sounds from the activities in the garden some times and it does not concern us at all, we enjoy the ambience that this provides.

In the time we have been in Ryton Village, three other pubs in the village have failed and closed down, The Jolly [REDACTED], The Ryton Country Park Hotel and the Ryton Hotel. The fourth pub, the Olde Crosse also has closed down several times and has seen a chequered history of repeated failure. A few years ago, after an extended period of closure it was saved as a Community Asset by a Community Share Issue to buy it, with many local people buying shares to support the issue (including the local MP and several local Councillors), yet even manned partly by volunteers the pub still closed down, and now it is being rented to another private tenant, God help them...

The ONLY pub that has consistently remained open in the Village is The Half Moon. I believe that this is as a direct result of good management and consistently meeting the licensing objectives, and it is vitally important that the community and the Council does everything in its power to nurture and assist the survival of this important asset to our Village.

The local community, local Councillors and local MP all saw fit in the value of retaining a public house in the Village, and it would be extraordinarily contentious and a prejudicial conflict of interest of any of those parties or shareholders to seek to influence against or object to this Application.

I have been approached by some local neighbours who expected that I would want to object to the Application. They alleged that they had seen examples of fighting, drunkenness, nudity, urination, vomiting and broken glass outside the pub and in its vicinity. I said that I had not seen any examples of such behaviour, and asked them to provide some sort of proof or photographs evidencing that incidents had occurred, and that they had

been linked to the pub. My driveway is a few meters from the pub, and not once in 25 years have I had to clear up any glass, vomit, urine or blood from the street outside. The neighbours allegations were all hearsay and fantasy, apart from a few lies and waffle I have been told were fed to the local police for the benefit of their logs. The accusers were unable to show proof of any of their allegations. It became apparent that these vexatious neighbours were attempting to start a whispering campaign of attrition against the pub. I would strongly suggest that you put any objectors to proof if such allegations have been made. Considering I alone share the whole rear boundary of the pub's beer garden with my grounds, and have a direct view of what is going on at the rear of the pub, if anyone would know about such behaviour it would be me, and it simply has not happened!

~~If there is likely to be any public meeting or virtual meeting to consider the Application before granting it, I wish to use this email to formally notify that I would like to speak at the meeting.~~

Yours faithfully

David P. Crawford-Emery

[Redacted]

Ryton Village

Ryton

NE40 [Redacted]

[Redacted]

From: Amy Beaman [REDACTED]
Subject: Half Moon Pub Hearing
Date: 24 Jul 2021 at 22:30:28
To: steveouten@mac.com
Cc: Sean Ratcliffe [REDACTED]

Hi Steve,

As we know you have a hearing coming up soon, we wanted to make a few things known.

We hear at least as much noise from people leaving the Ye Old Cross as we do from people leaving Half Moon - if not more. Also, to be clear, we aren't complaining, because the noise from either is very little. We just want it to be said the other pub's exiters also make noise.

We feel the village benefits from both pubs being open. We're happy to frequent both and don't want to see either lose business or have to close over customers making noise as they leave. In all actuality, I can hear someone sneeze walking down the street during the day. The people leaving either pub barely make more noise than that at night.

Additionally, regarding the application for a music license in the pub garden, the only time we've heard ANY noise from the Half Moon pub garden was during the Euros semi and final, which is completely understandable. The entire country was making noise! And, that's with us being outside in our garden.

We sit in our back garden all the time. Since the Ye Old Cross opened, we hear the customers out front and leaving all the time. It doesn't bother us any way whatsoever, we kinda scratch our heads and wonder why other people complain about noise from the Half Moon. We are nearly equidistant from both and there is no noise problem from either.

The guy with the horse drawn cart makes more noise going down the street.

Neither Sean nor I have fiscal interest in either pub. We are new to the village and love the fact that we can walk to two diverse pubs and have a good time out without having to venture to Newcastle.

I'm away next week, but I'm happy to be available via video call should you or

anyone involved with the hearing need to speak with me. Sean should be available unless he decides to go camping whilst I'm away.

Thanks,

Amy

Amy Beaman
Sean Ratcliffe

[REDACTED]
Ryton Village

NE40 [REDACTED]



Go down and take photos showing that our drive is right next to the bus stop. I doubt she got that in the photo. And also please let them know that we did not authorize use of photos taken of our property. For all she knows we told the dude he could piss there. We don't care!

Amy & Sean
BEAMAN



She may have been. But I think if the photos are taken from

Kirsty Clark Licensing

From: Tracey Johnson
Sent: 21 June 2021 16:21
To: Kirsty Clark Licensing; Rebecca L Sparrow
Cc: CE Licensing
Subject: FW: Half moon Inn licencing

FYI

Tracey Johnson
Assistant Manager - Trading Standards & Licensing
Economy, Innovation and Growth,
Civic Centre,
Regent Street
Gateshead
NE8 1HH

☎ 0191 4333934
07925 306840
✉ traceyjohnson@gateshead.gov.uk

Please note that the Civic Centre is closed to members of the public for the foreseeable future and that Staff in accordance with Government guidance are where possible working from home. Unfortunately, this does mean that it will impact on some of the services we can provide at this time.

If you are a business wanting more information in relation to Covid Secure measures or you are concerned that a Gateshead business or venue is not following the Government's covid-safe regulations, then we would like to hear from you.

**ILLEGAL TOBACCO.
IN YOUR NEIGHBOURHOOD.
AND GETTING KIDS HOOKED
ON SMOKING.**

**Report illegal tobacco
anonymously.**

Call: 0300 999 0000
Visit: keep-it-out.co.uk

**ILLEGAL TOBACCO
KEEP IT OUT**

© Fresh 2020

From: Tracy Johnson (CWL) <TracyJohnson@Gateshead.Gov.UK>
Sent: 21 June 2021 16:17
To: Tracey Johnson <TraceyJohnson@Gateshead.Gov.UK>
Subject: Fwd: Half moon Inn licencing

Get [Outlook for iOS](#)

From: Ben Skill [REDACTED]
Sent: Monday, June 21, 2021 4:12 pm
To: Tracy Johnson (CWL)
Subject: Half moon Inn licencing

To whom it may concern,

18

I am getting in touch in regards to the variation of licence for The Half Moon Inn, Ryton village. It has come to my attention that there has been some objections to this from local residents and I felt it was important that I have my honest and unbiased opinion.

I have lived in [REDACTED] for some months now and since the reopening of the pub I can only commend the efforts of the staff to, not only abide to lockdown restrictions, but also maintain a present atmosphere for local residents and customers alike.

~~I am aware there has been concerns about the noise at times and supposed antisocial behaviour outside of the pub upon close. In my experience I would say the general chit chat from the beer garden over the 4 days a week it is open is minimal and what you would expect from a thriving local pub. In regards to any behaviours outside the pub after 10pm when the gates are shut I would wholeheartedly commend the door staff that are employed on their ability to get all customers out quickly and quietly. Once that has been done I am unsure on the responsibility of the staff at the Half Moon in regards to customers after 10pm.~~

I hope you take this email into account when considering the variations to the licence as not allowing it to go ahead would be an example of another business being kicked when it was down after a troublesome period in time for all small business owners

Regards,

Mr Ben Skill

From: Steve Outen [redacted]
Subject: Fwd: Danny McNeill - Residents Statement
Date: 26 Jul 2021 at 17:33:16
To: Diane Phillips [redacted]

Sent from my iPhone

Begin forwarded message:

From: Danny McNeill <[redacted]>
Date: 26 July 2021 at 16:00:09 BST
To: [redacted]
Subject: Danny McNeill - Residents Statement

Hi Steve,

I've heard about the complaints being lodged against the pub and they're being taken to court I believe? I'm hoping this email finds you well and can be used in the pubs defence.

I've lived in the flat, directly above the bar since December 2019, and still live there now... my initial conversation with Diane Phillips when I viewed that flat, I voiced my concerns regarding the possibility of noise levels from customers and/or live acts, but she informed me back in December 2019 that they prevent entry into the pub after 9pm, call last orders for 10pm and everyones out by half 10... which I can honestly say has always been the case in the entire time I've lived at the address.... Diane, yourself and the bar staff have been very strict about this, which means there's been absolutely no noise issues in the entire time I've been there.

Even during opening times, there has been no issues at all with any ill behaviour from pub customers.... I confidently park my car right outside the door every day and night, and have never had any issues. There has never been any incidents of broken glass anywhere near the front of the pub, as I would've been one of the first to notice...

The most important part to stress in all of this, I work every weekend, I'm up early, and I wouldn't tolerate living in a situation where I couldn't get my rest at the weekends.... the pub has been phenomenal and considerate with my working situation, and honoured everything promised to me and I would hand on heart say that it's been a pleasure living in the flat above The Half Moon for the past year and a half and would like to take this opportunity to thank you and Diane for being so considerate and caring when running the bar. I would highly recommend anyone to live in the flat if they chose to be there after me, even if they're up early at the weekends like I am.

I wouldn't be more than happy for the courts to contact me on this email address, or on my mobile number [REDACTED] if they see fit to ask any questions.

Kind regards,
Danny McNeill

21

Dear Sir/Madam,

I am writing in regard to the Half Moon Inn. I have been a resident of Ryton village for over 26 years. I have always supported all local businesses. As a regular of this pub, I have not encountered any antisocial behaviour. Due to COVID-19 the pub had been closed for the majority of 2020 and has only recently opened up in recent months. Since it reopened, I have visited the pub's outdoor seating area, which complies with the social distancing rules. I find that many of the recent complaints made against the Half Moon are unwarranted.

Living around the corner from the Half Moon, one of the bedrooms in my house faces east of the village (in the direction of the pub). The one occasion in which noise coming from the pub was heard, was during the Euro football matches that England was playing. The sounds of patriotic spirit singing the national anthem, could only be heard when the window in the bedroom was open – and when electronic devices (television/sound system) were turned off. It is important to note, that had I wished for complete silence, I could have closed the window. However, the sound of cheers was not offensive to me and it did not disturb or bother me at all.

I have not encountered broken shards of glass on the pavement outside of the Half Moon, nor have I been served glass in the pub. Customers of the Half Moon are served drinks in plastic cups. All beers are served on draft, from the tap, with no bottle beer served. On leaving the pub, no drinks are allowed to leave the premise.

The ambience of the Half Moon's outdoor space is pleasurable and safe. It is an area that has complied with social distancing rules. For instance, there has been limits on the number of patrons allowed into the pub; check in at the gate; adherence to the rules regarding the number of individuals allowed to sit at a table; and table service provided.

As a resident of Ryton, I support all local businesses. I do not object to any live music, as the Half Moon and other pubs have always had it. I do enjoy, and feel safe, in the outdoor sitting area – especially during the current covid times. I certainly do not object to anyone trying to make a living. Moreover, I support any local business that employs local people and helps keep the Ryton spirit going.

Yours sincerely,
Mrs Kathleen Breheny

[REDACTED]
Ryton
Tyne and Wear
NE40 [REDACTED]
[REDACTED]

Thank you,

Gordon Smiles
Environmental Health Officer
Development and Public Protection
Communities and Environment
Gateshead Council
Civic Centre
Regent Street
Gateshead
NE8 1HH
Tel: 0191 433 2806
Mobile: 07926 076176
Email: Gordonsmiles2@gateshead.gov.uk

Dear (REDACTED),

I have been passed your concern dated (REDACTED) in relation to The Half Moon in Ryton, I include the following details relating to coronavirus controls undertaken at the premises following my visits on the evenings of Thursday the 10th and Saturday the 12th of September in addition to contact with the business in August by a colleague and myself.

The business' controls for coronavirus include:

- Contact tracing details were collected via a book in the premises with the emphasis being on the customer to record their entry unless door security is present and instead they will prompt arrivals. Until the law changes, this requirement has only been guidance and not enforceable through legal tools. The business has been advised that the requirement for this becomes law from this week and they are making preparations.
- Signage is present throughout the business upon the floor and walls both inside and outside. The signs refer to social distance reminders as well as mark the one way system for customers.
- The business currently trades between Thursday to Sunday. Between Monday to Wednesday, a deep clean of the premises is undertaken.
- They have recently invested in chairs which is easier to clean for the entire rear room (former dining room).
- The sale of alcohol is ceased at 2200. The license permits them to serve until later, but they do not do so.
- The food service/restaurant side of the business has been ceased to assist in social distancing, and the implementation of a one way route through the rear room.
- Standing room for drinking has been phased out, all customers are asked to sit.
- Admission after 2100 on Friday and Saturday is no longer permitted, this control was implemented after the realisation that a neighbouring pubs closed at 2100.

- They have recently increased prices in the past two weeks which the landlord has advised me that it has reduced late evening footfall, again redressing the rush from neighbouring pubs closing at 2100.
- Hand sanitising gels are present around bar for customer use, including the entrance.
- Doors and one way systems are marked. An entrance and exit door to the front of the pub, one door to enter the beer garden and two doors to exit the beer garden (one to the side of the premises and one returning through the pub). Additional to this the side exit is used as an accessibility route for the beer garden.
- The bar has three dedicated serving points which are spaced at 1m+ currently. Decorative wooden screens are to be installed between customer queue points. This installation is set to be carried out week commencing 14th of September.
- I have observed CCTV footage covering the following days and times:
 - 1900>2200 on Friday 28th, Saturday 29th and Sunday 30th of August
 - 1900>2200 on Thursday 3rd, Friday 4th, Saturday 5th of September

The times I observed were samples taken at approx every 30 minutes over a range of cameras and on the dates and times I observed with the cameras. I have not observed any scenarios which would be described as excessive overcrowding in this footage.

In addition to my visit on Thursday 10th of September between 1845 and 2000 in which the above points were noted, I also visited the premises twice between 2008 and 2033 and 2100 and 2130 on Saturday the 12th of September.

At the times I was at the premises on both of these evenings I did not observe any overcrowding. Indeed it did not appear busy at all with approximately 40 patrons spread out between inside and outside.

Additionally, on Saturday between 2100 and 2130 hours I did not observe admission into the premises of persons who were not already there. This is in conformance with their own no admission policy after 2100.

In reference to my observations to the points above, I have not found the business operating in extreme contravention of the coronavirus regulations and nor would I agree that they have no controls in place. I have made several minor recommendations based on existing controls as well as thinking points for future improvements the business is considering.

21x

In reference to masks being worn by staff, this is not a legal requirement. The law governing the wearing of masks within a relevant place do not apply to employees and decisions not to wear them are done so on a risk assessed basis with the employee.

Please let me know if you have any follow up questions, my mobile number or email is the easiest and quickest means to contact me directly.

Kind regards

Gordon Smiles

Environmental Health Officer

Development and Public Protection

Communities and Environment

Gateshead Council

Civic Centre

Regent Street

Gateshead

NE8 1HH

Tel: 0191 433 2806

Mobile: 07926 076176

Email: Gordonsmiles2@gateshead.gov.uk

Important Information

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Date	Full Name	Badge No/Premises Manager on Duty	Duty Start	Duty Finish	Signature Supervisor	Incident	Incident Report Submitted	Date & Signature DPS
4 th July	Jordan Burnyeat		2	10	J.B. Burnyeat			J.B. Burnyeat
7 th July	Jordan Burnyeat		3	10	J.B. Burnyeat	AT THE END OF THE EVENING AFTER,		J.B. Burnyeat
7 th July	Danys Moore		4	11	Danys Moore	KICK OUT, 3 MALES WERE CAUGHT		J.B. Burnyeat
11	P. Taylor	4299	6PM	11	P. Taylor	URINATING IN THE STREET BY STAFF WHILE STAFF WERE CLEARING PATRONS FROM THE STREET. ALL 3 WERE IDENTIFIED AND BARRLED, SOME RESIDENTS WERE AT THEIR WINDOWS PLAYING LOUD MUSIC, CELEBRATING AND ENCOURAGING PATRONS TO SING. MULTIPLE MEMBERS OF STAFF WERE AT BOTH ENDS OF THE ROAD CLEARING PATRONS AS QUICKLY AND QUIETLY AS POSSIBLE.		J.B. Burnyeat
8 th July	Jordan Burnyeat		3		J.B. Burnyeat			J.B. Burnyeat

11

Date	Full Name	Badge No./Premises Manager on Duty	Duty Start	Duty Finish	Signature Supervisor	Incident	Incident Report Submitted	Date & Signature DPS
22nd June	Jacell Posterson		5pm	10	[Signature]	PC 3620 & 1314 ATTENDED		DP
23rd June	Jordan Burnyeat		5pm	10	J. Burn	DUKE TO A COMPLAINT OVER LAPSE		
23rd June	Darhys Muore		5pm	10	Darhys	COVID RESTRICTIONS BOTH WERE		
11	P. Taylor	4299	6.30	10	[Signature]	SATISFIED BY EVERYTHING IN EFFECT.		DP
24th June	Jacell Posterson		4pm	10pm	[Signature]			DP
24th June	Jordan Burnyeat		3pm	10pm	J. Burn			DP
25th June	Jacell Posterson		2pm	10pm	[Signature]			DP
25th June	Jordan Burnyeat		2pm	10pm	J. Burn			DP
25th June	Darhys Muore		5pm	8pm	Darhys			DP
26th June	Jacell Posterson		2pm	7pm	[Signature]			DP
11	P. Taylor	4299	5pm		[Signature]			DP
11	Jordan Burnyeat		2	7	J. Burn			DP
26th June	Jordan Burnyeat		2		J. Burn			DP

(25)

Date	Full Name	Badge No/Premises Manager on Duty	Duty Start	Duty Finish	Signature Supervisor	Incident	Incident Report Submitted	Date & Signature DPS
30/05/14	Jacqui Patterson		11am		Jacqui	FEMALE ASKED TO BE SERVED AND WAS ASKED FOR ID. SHE COULDN'T PRODUCE AND WAS ASKED TO LEAVE BY 4299.		
30/05/14	Jacqui Patterson		11am		Jacqui	LATER A MEMBER OF PUBLIC ASKED FOR HELP WITH THE FEMALE. 4299 ATTENDED UNTIL OFFICERS 3820 & 2095 ARRIVED AND TOOK OVER.		
30/05/14	Darby's Moose	4299	1pm		Darby's			
31/06/12	Jacqui Patterson		4pm		Jacqui	coincidental		
31/06/12	Jacqui Patterson		4pm		Jacqui	11		
4/06/12	Jacqui Patterson		2pm		Jacqui			
4/06/12	Jacqui Patterson		2pm		Jacqui	no incidents		
4/06/12	Darby's Moose		6pm		Darby's	11		
								(27)



NARROW
CORRIDOR

Map 1000

HEALTH & COVID SAFETY NARROW PASSAGE WAY TO OUTSIDE
GARDEN

B-2021 Wed 10:01:44



29

25 APR, 19:23

30

Hi Diane, my son is in upper 6th at Ryton and they are planning their geek Friday bar crawl. He's been told that under 19's weren't allowed to be served at the Half moon. Is this correct? they are planning the crawl and they weren't sure if they could come to your pub. Xx



DONNA & DAYMON
BRITTON

26 APR, 10:15

Hi Donna. Yes that is correct. 19 and over only . So they won't be allowed in. Xx

26 APR, 11:33 Page 200

3
31

PLEASE RESPECT
NEIGHBOURS
OTHER CUSTOMERS

AVOID SHOUTING & SWEARING
IN THIS BEER GARDEN

PLEASE
LEAVE
QUIETLY
Thank

UNDER 25?



IF YOU ARE LUCKY ENOUGH TO LOOK UNDER 25 YOU WILL BE ASKED TO PROVE THAT YOU ARE AGED 18 OR OVER WHEN YOU BUY ALCOHOL

IF YOU ARE UNDER 18 YOU ARE COMMITTING AN OFFENCE IF YOU ATTEMPT TO BUY ALCOHOL



BEER & PUB CHALLENGE 25
WWW.CHALLENGE25.ORG

PLEASE USE
THE TOILETS
BEFORE
YOU LEAVE

ANY PERSONS
CAUGHT URINATING
OUTSIDE OR NEAR BY
THESE PREMISES
WILL BE
BARRERED

Thank you

33

DON'T GET BARRIED

ANYBODY USING OR
DEALING DRUGS OR
CAUSING TROUBLE IN
THESE PREMISES WILL
BE BARRIED FROM

ALL

**THE
PREMISES
DISPLAYING
THIS SIGN**

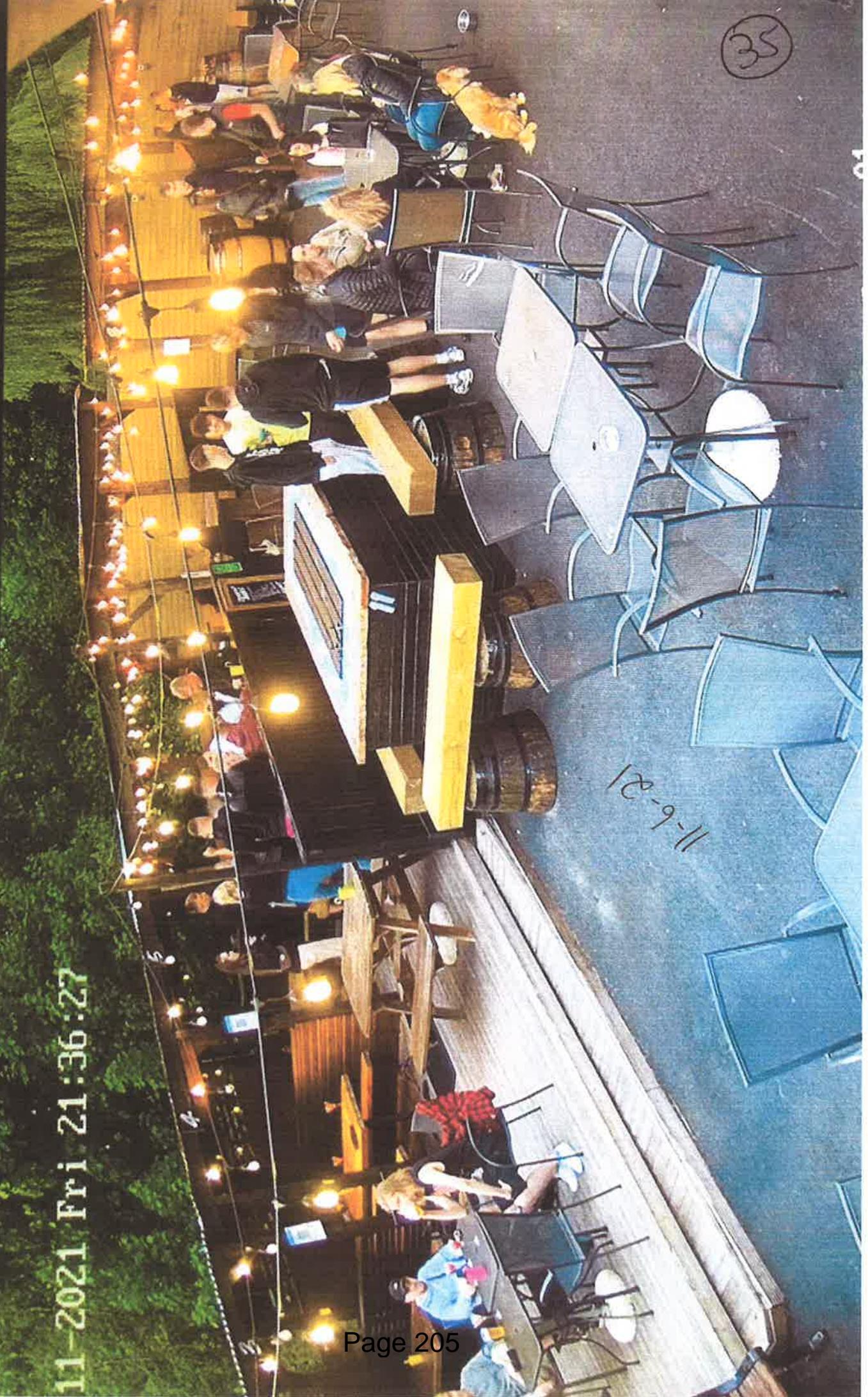


WATCH
LIVE FOOTBALL
HERE
CARLING

34

Dog
P60
Bay
left for
us

11-2021 Fri 21:36:27



Normal

Main Stream



37

Main Stream



Sat 22:11:16

12-Store

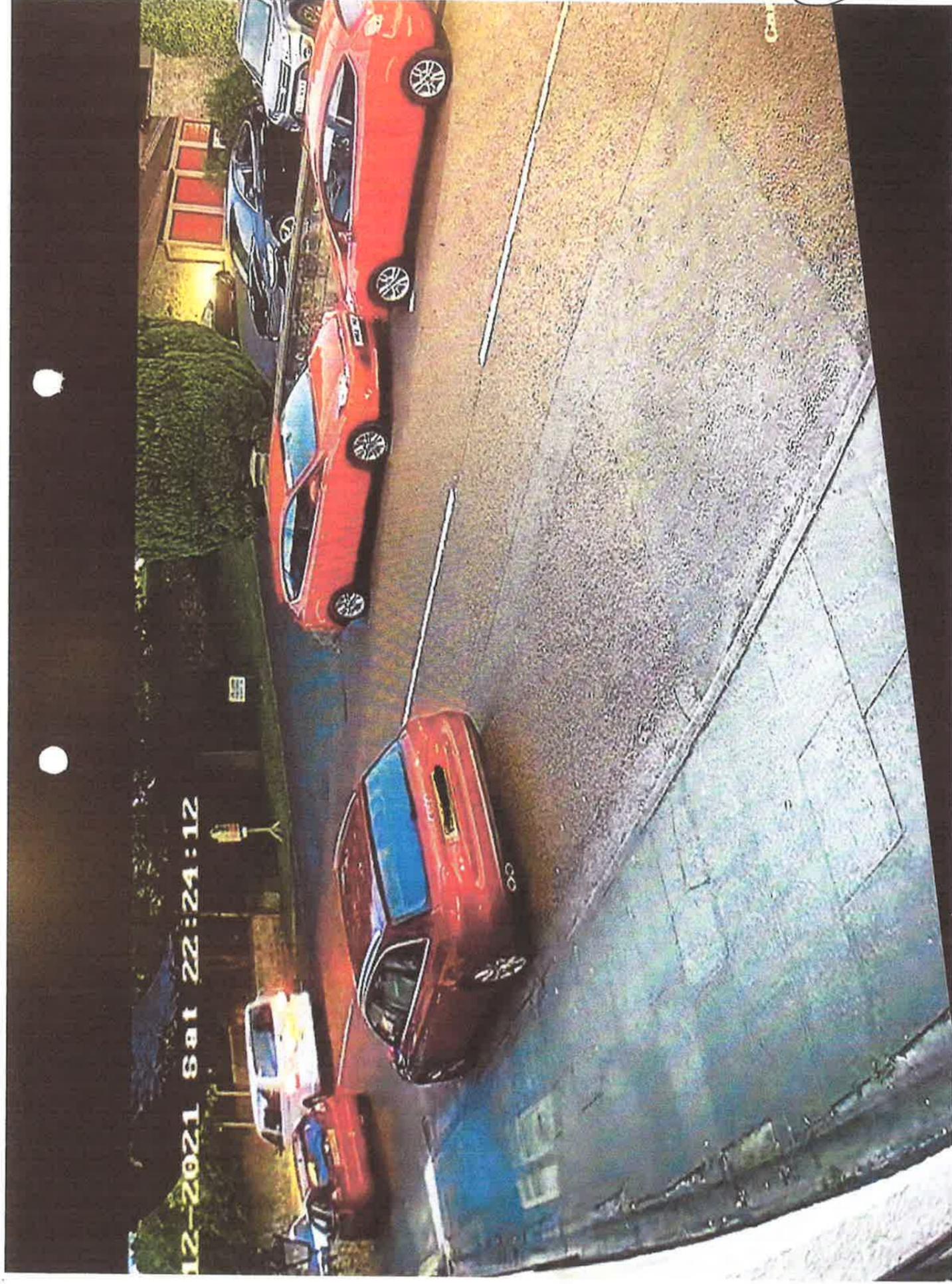
15 17 19 21 23 25 27 29 31



Sent from my iPhone

FIGHT AT RUNHEAD
13/6/21.

12 June



38

2

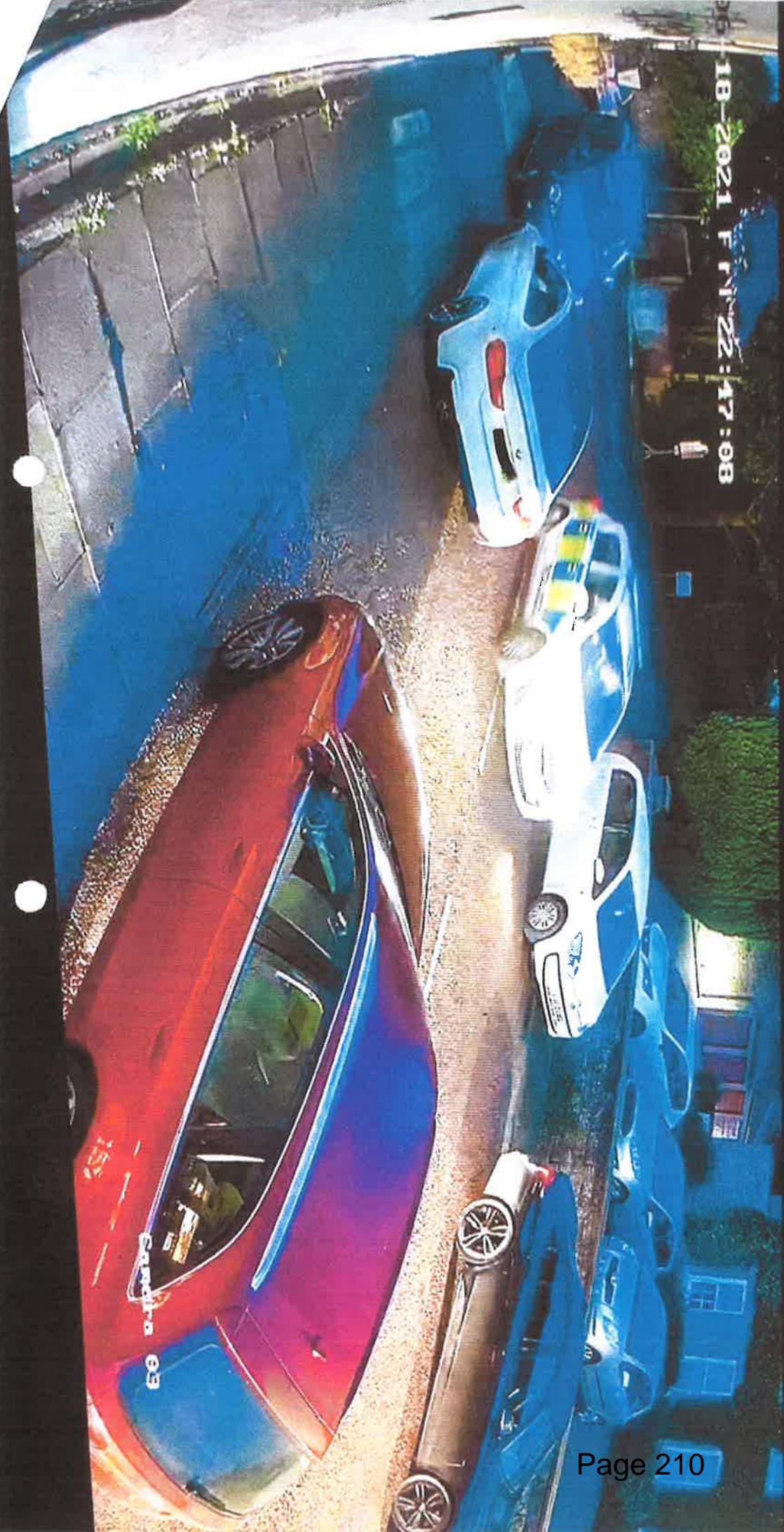
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Main Stream



09-18-2021 F 11:22:47:08



18 June

AO

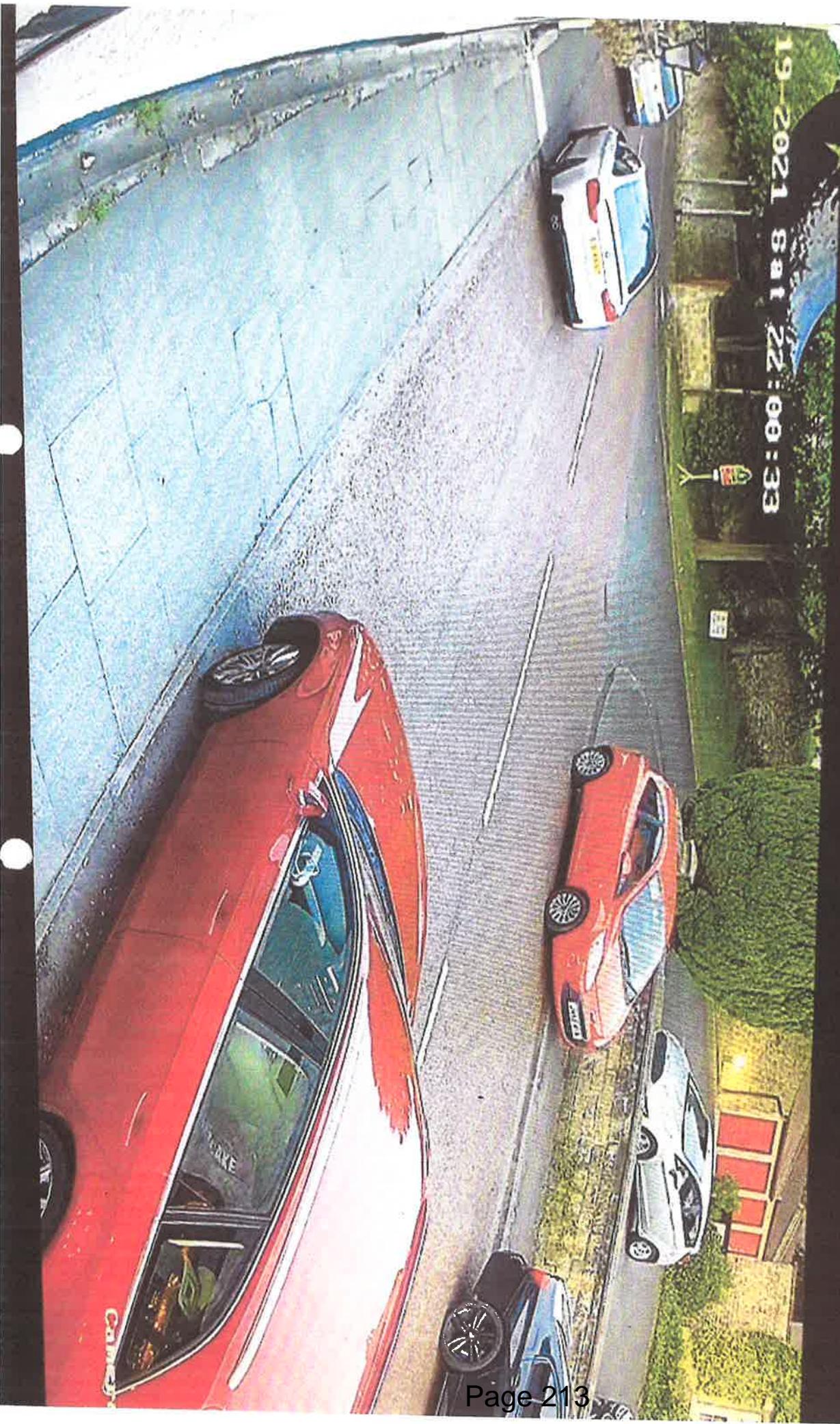
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Main Stream

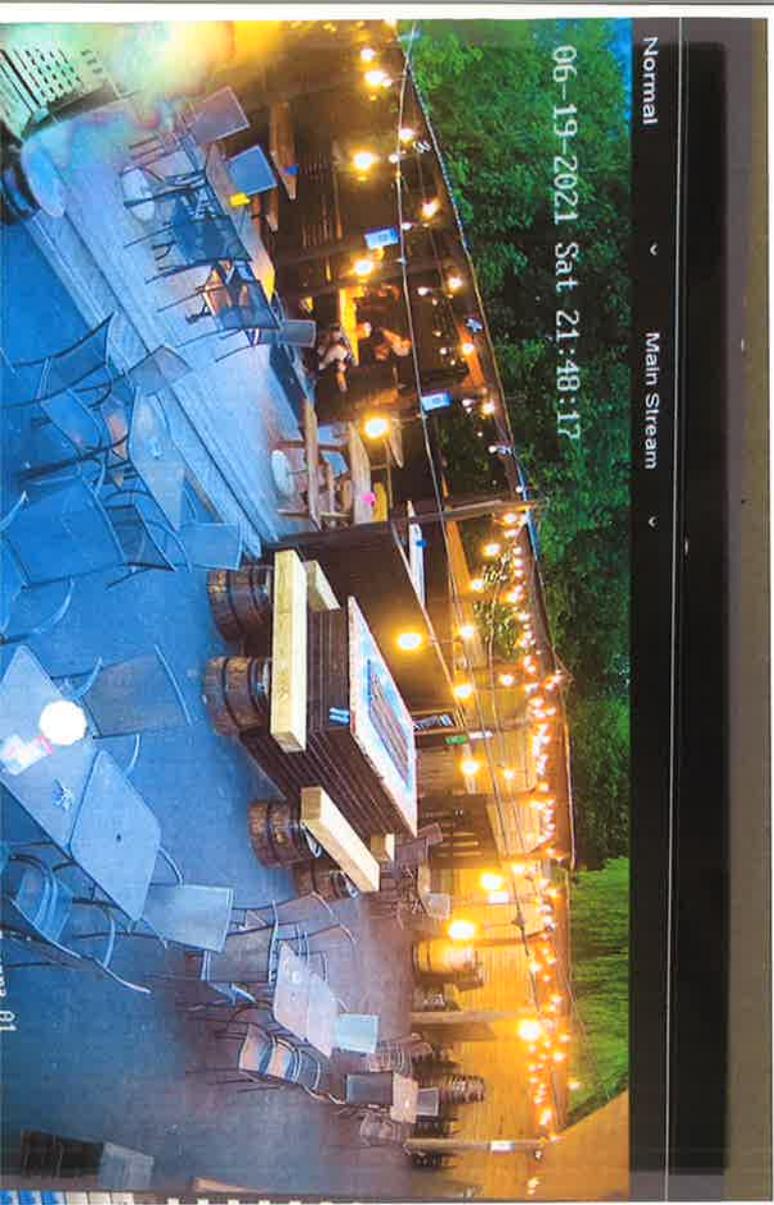




A2



43



Normal

Main Stream

06-25-2021 Fri 21:30:07



Camera 01

Cam Cam Cam Cam Cam Cam Cam Cam

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S	M	7	13	14	20	21	27	28

AS

Normal



Main Stream

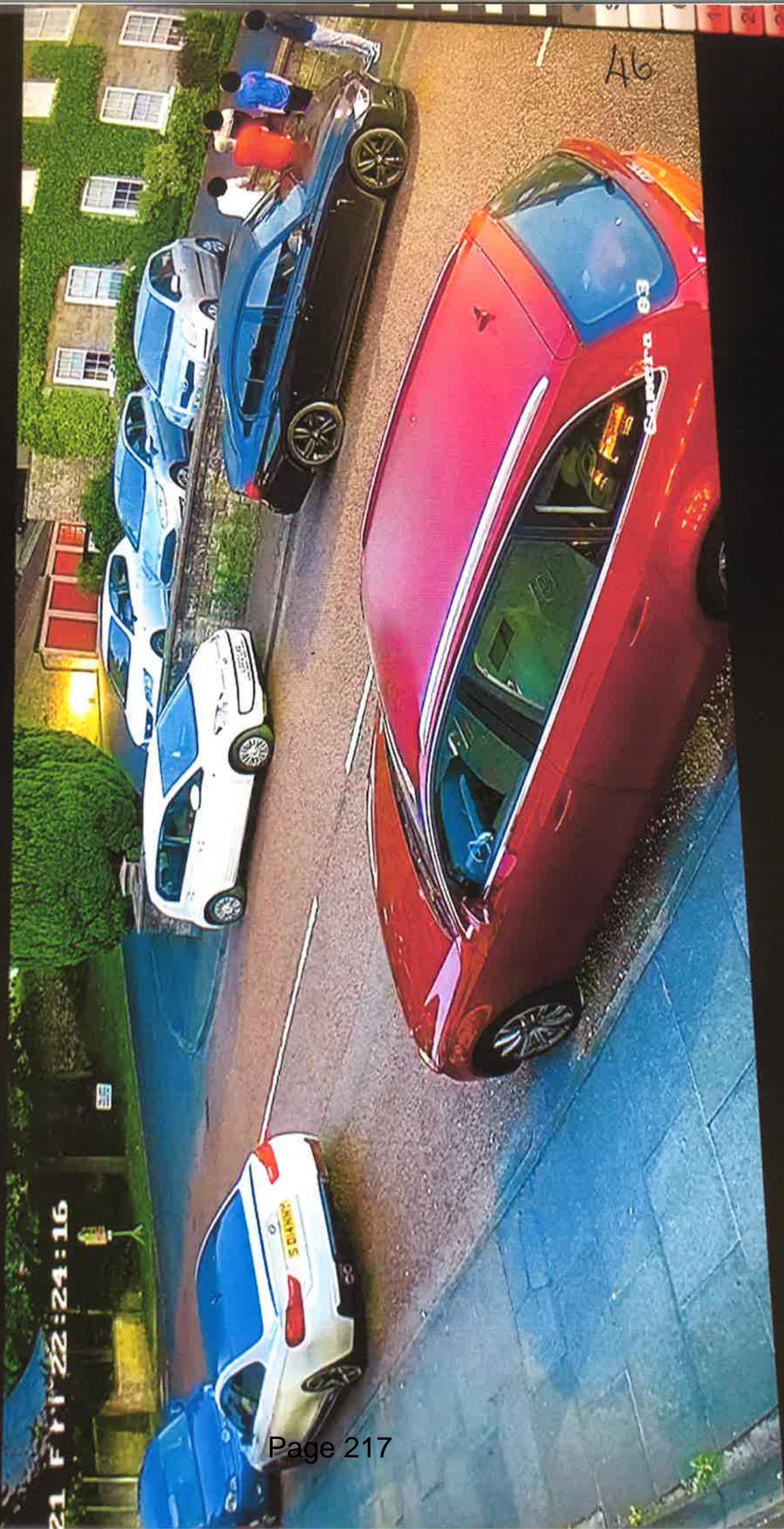


06-26-2021 Sat 22:12:09



Camera 01

21 Fri 22:24:16



46

25-6-21

A7

Main Stream

21 Fri 21:49:46



48

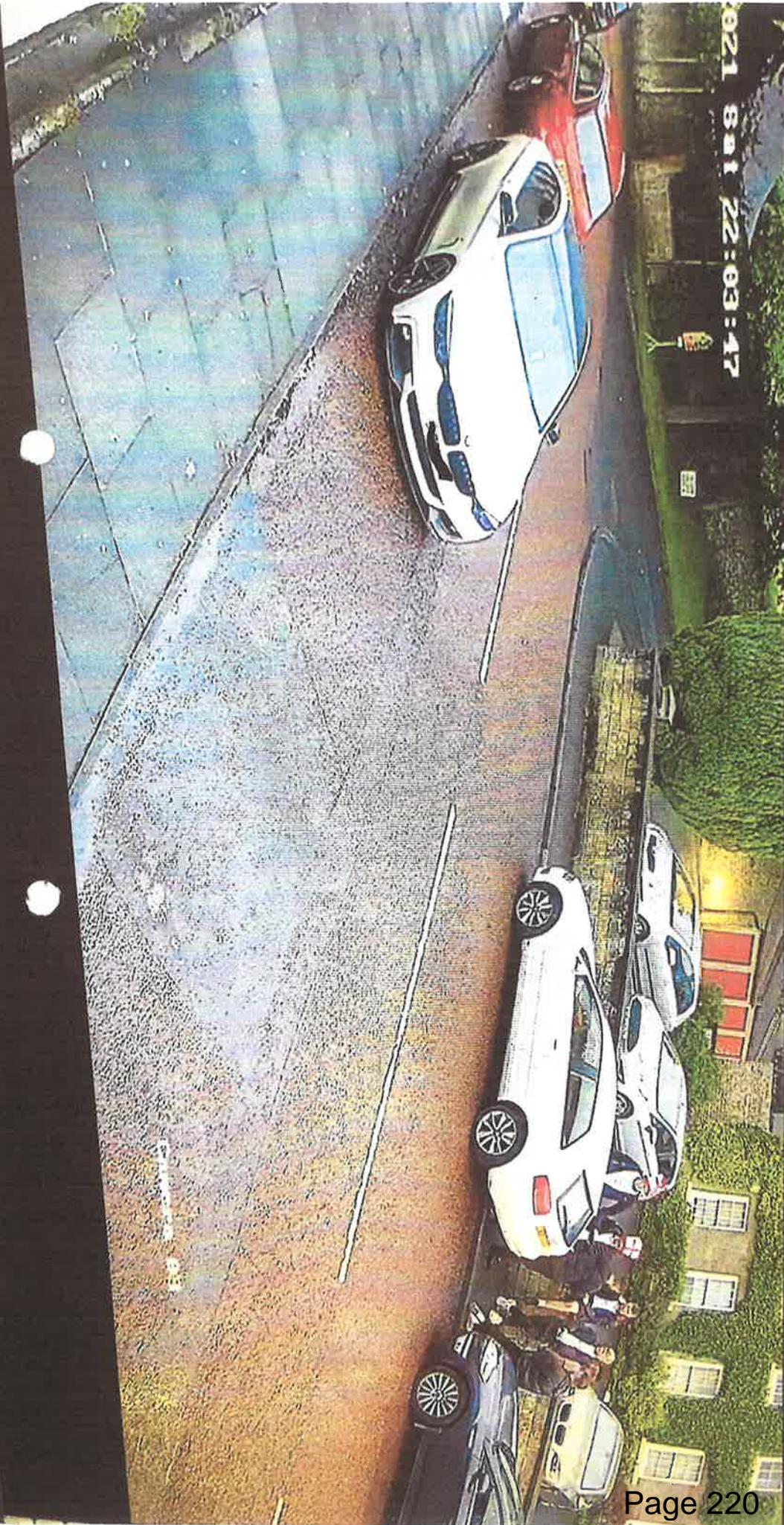
Main Stream

18:22:15:50



Camera 03

Main Stream

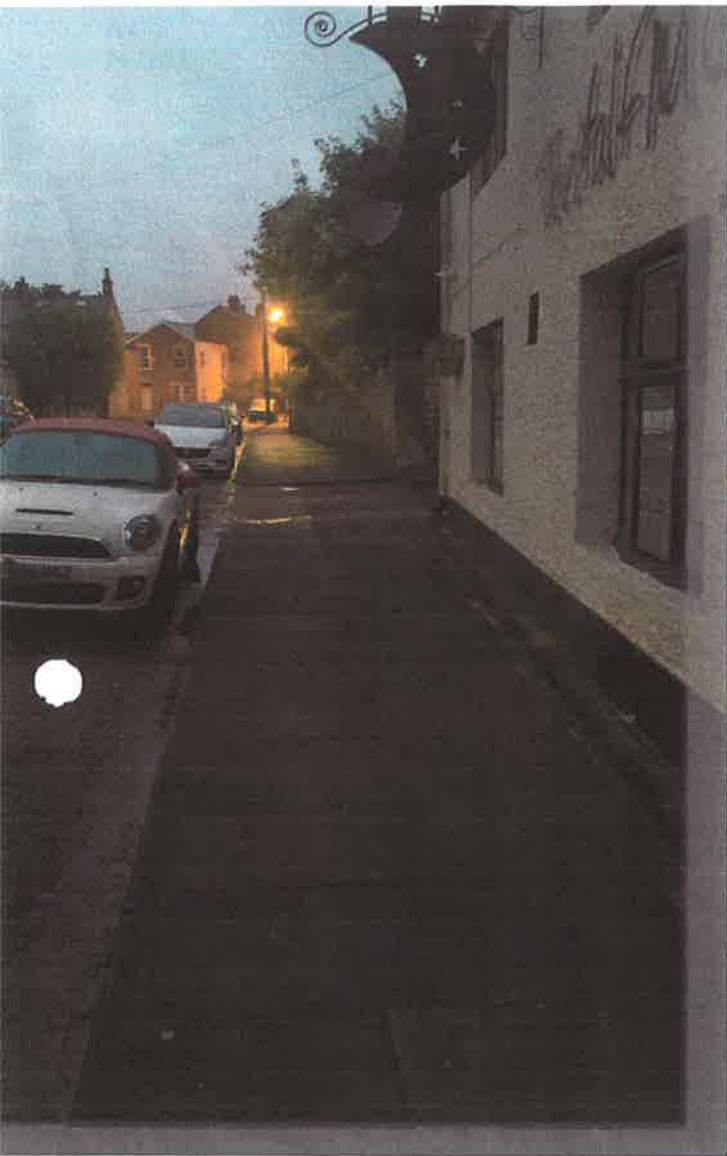


9th July

(50)

20-34pm





9th July.
Fri 22-16pm

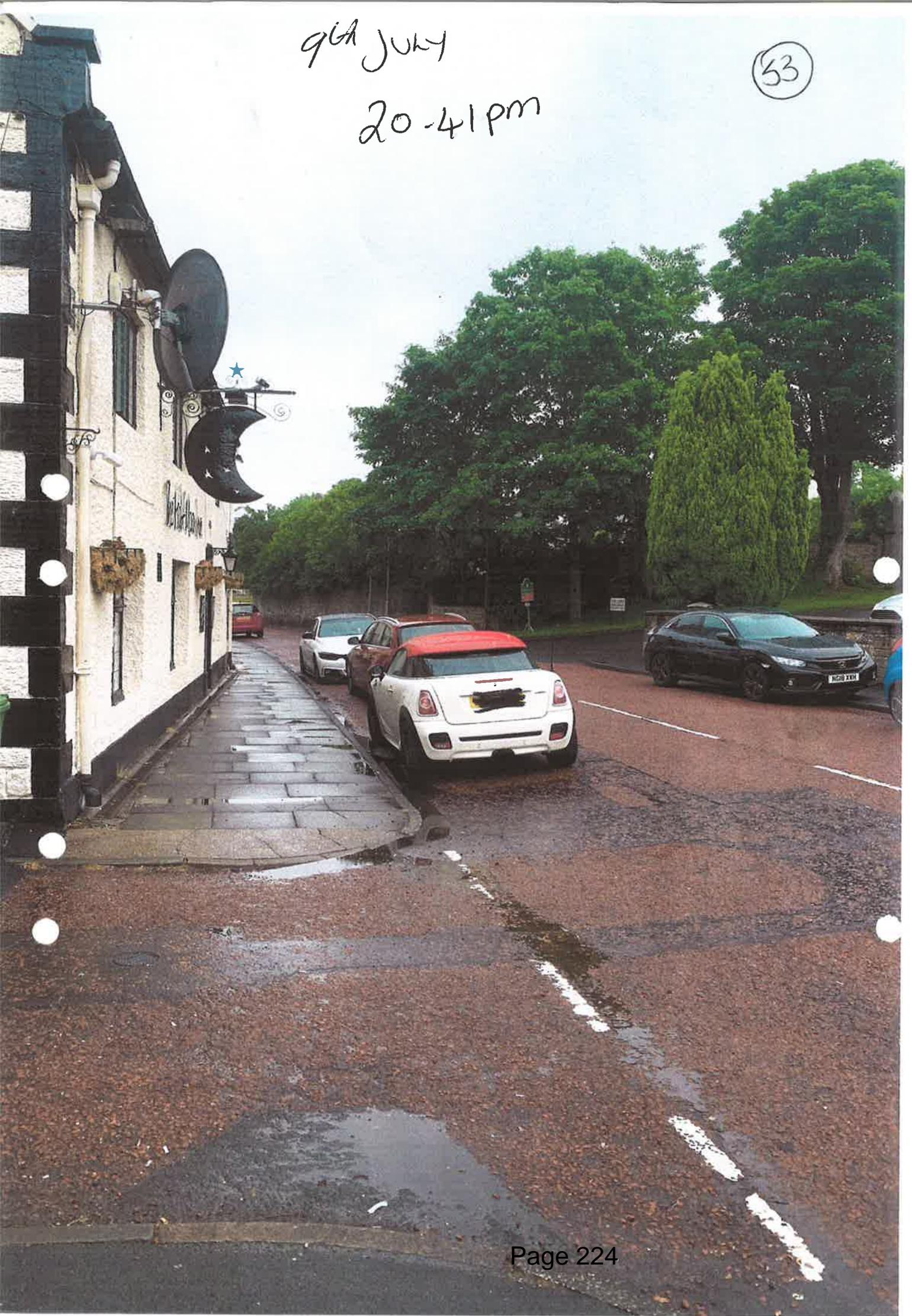
(51)



9th July

53

20-41 pm



9th July

20-06pm

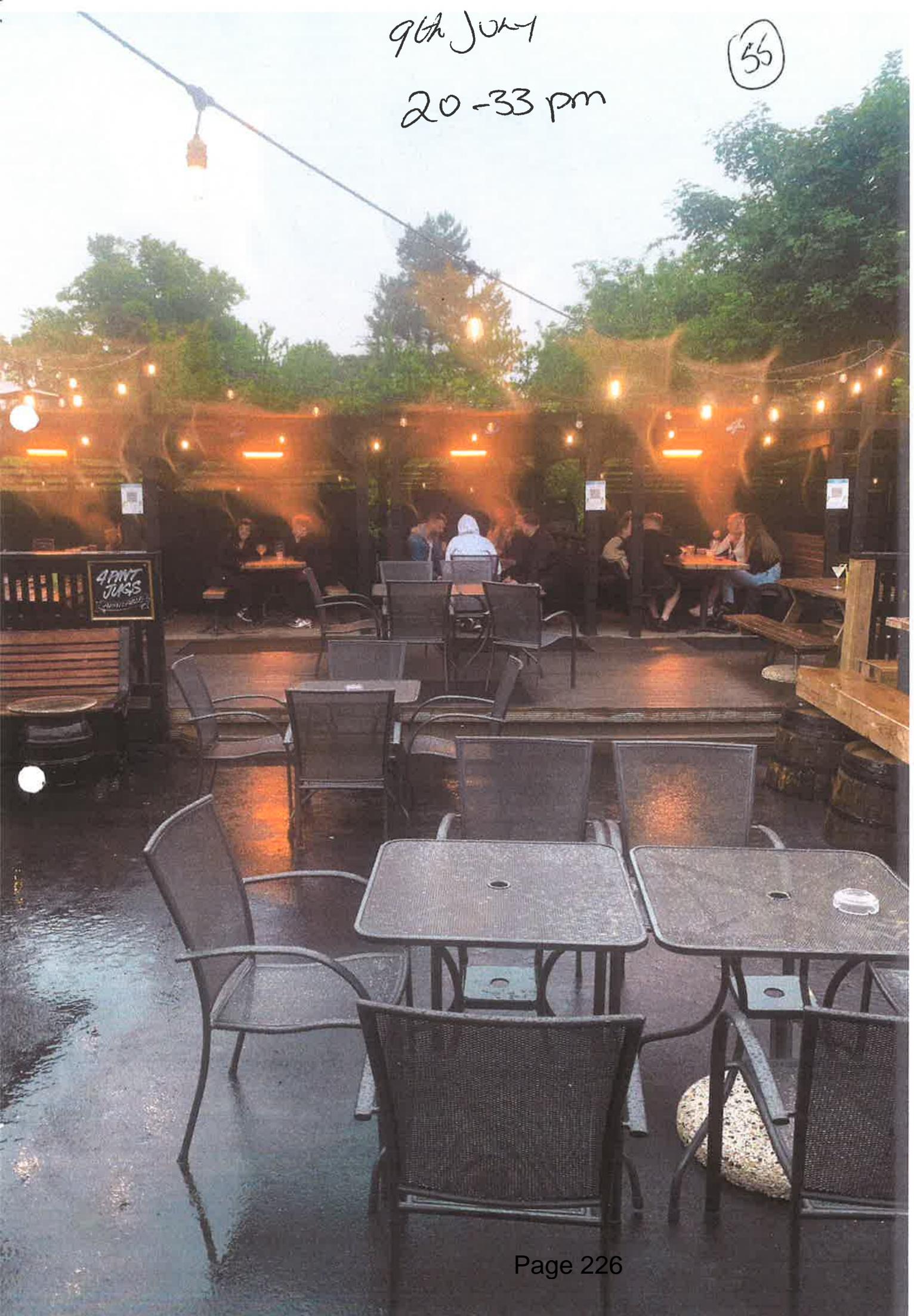
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9th July

(55)

20-33 pm

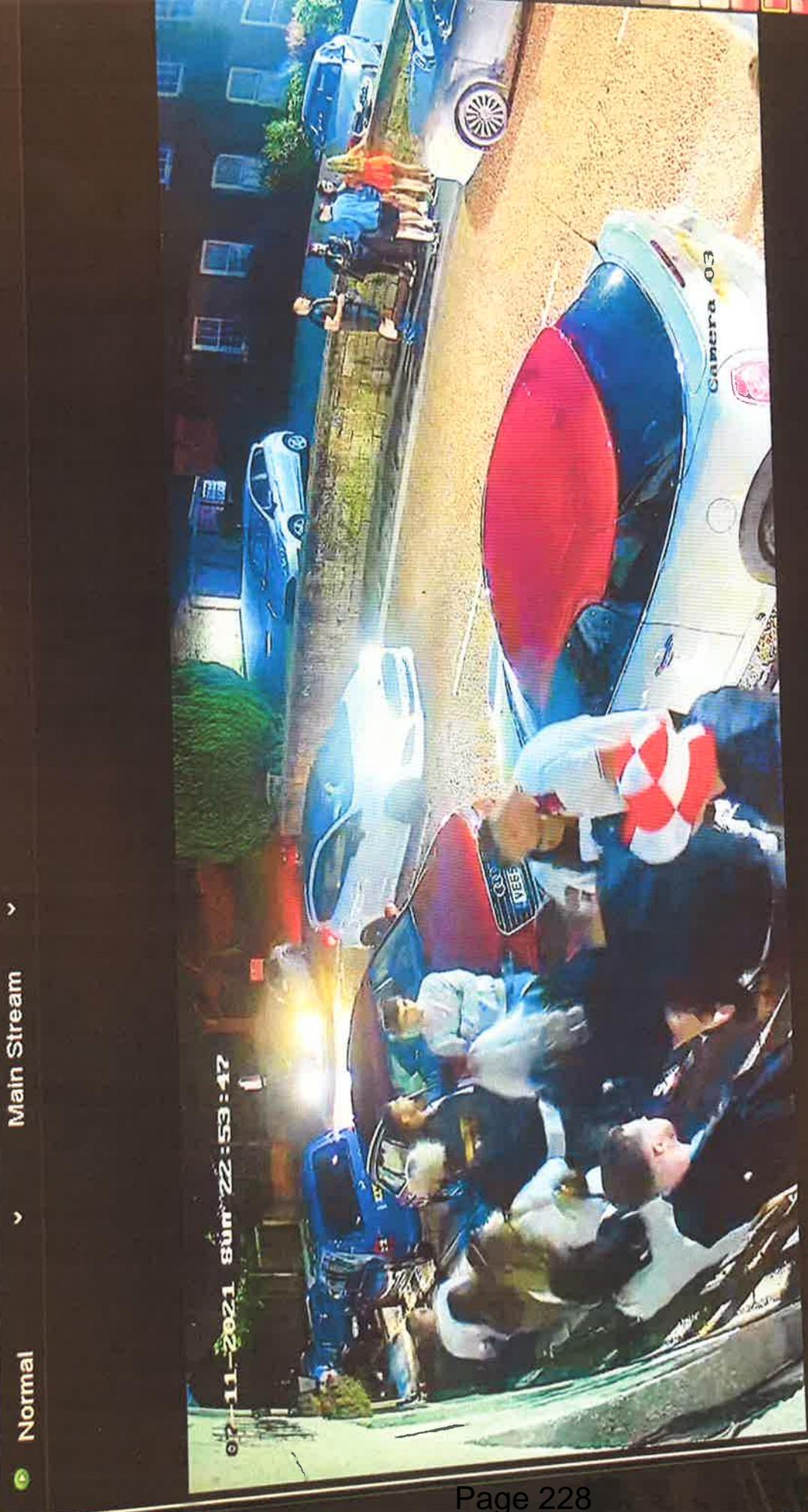


Normal

Main Stream

07-11-2021 Sun 23:05:59





07-11-2021 Sun 22:53:47

Normal

Main Stream

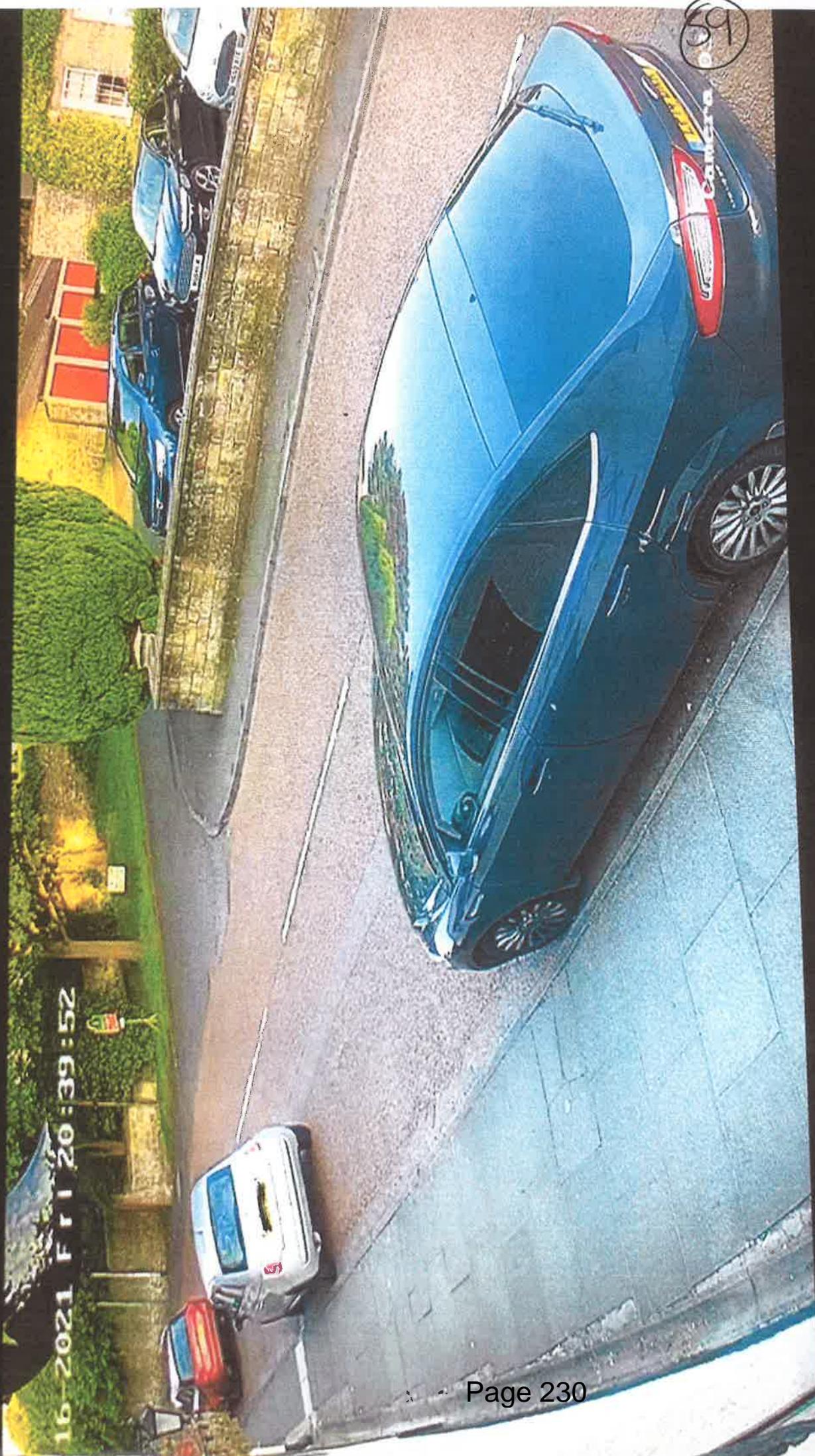
25-06-2021 18:50:24 -- 27-07-2021 17:38:58

30s Forward

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

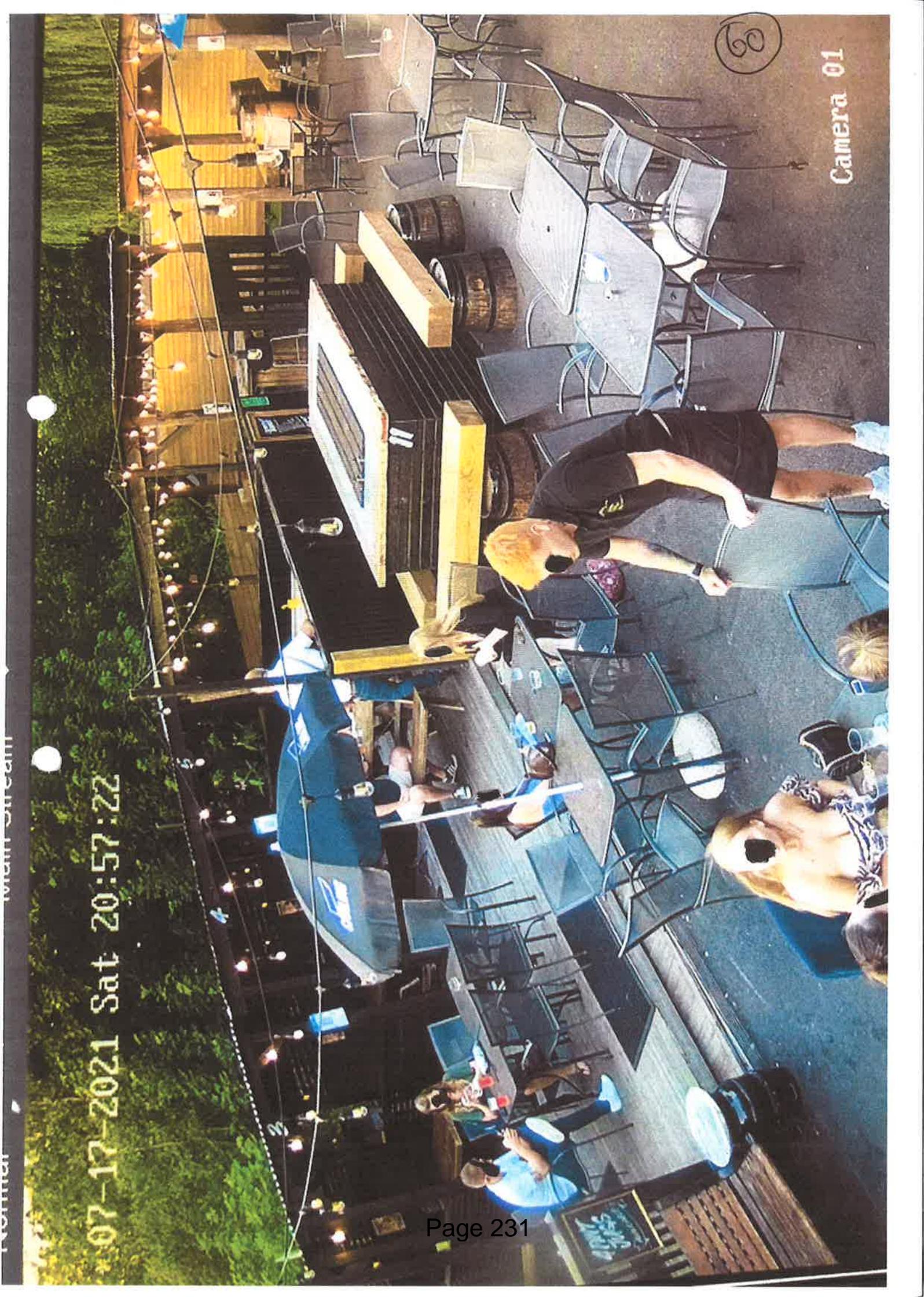
07-16-2021 Fri 20:39:45





16-2021 FRI 20:39:52

07-17-2021 Sat 20:57:22



60

Camera 01

Normal

Main Stream

07-17-2021 Sat 20:59:31



61

Cam

07-23-2021 Fri 21:20:48



07-23-2021 Fri 22:02:34



63



07-23-2021 FRI 21:22:44

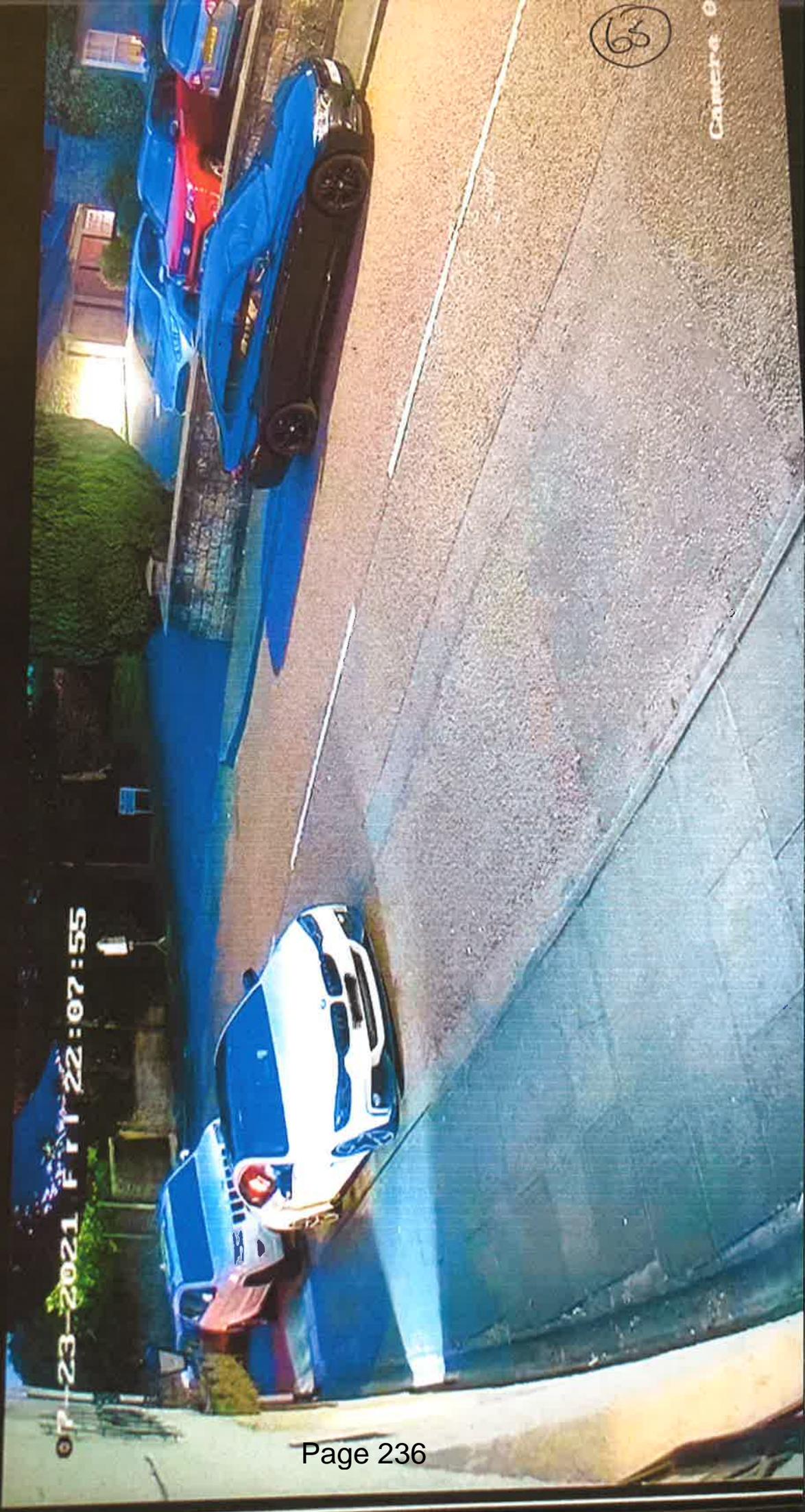
64

Camera

Normal

Main Stream

07-23-2021 FRI 22:07:55



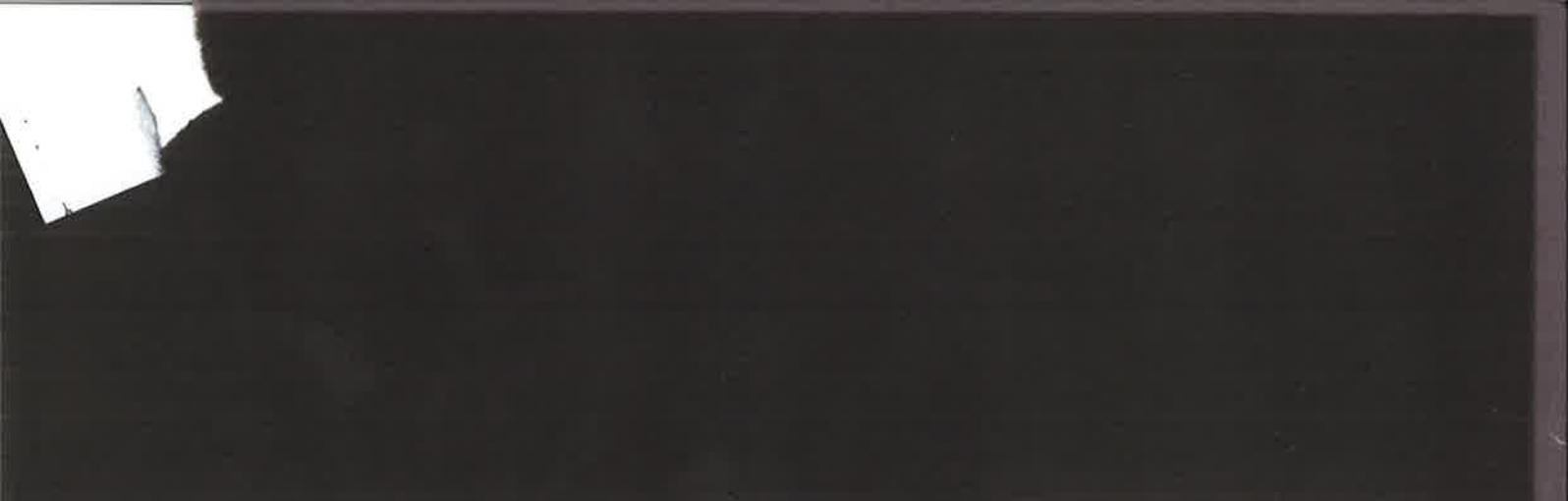
63

Camera 0

25/7/21
21-35pm

(66)





1/2 OLDE CROSS COMMITTEE

(67)

LIZ TWIST

NIGEL WILD

ERIN McJANNETT





Liz Twist MP ✓

9 Aug 2018 · 🌐



recently met with the steering group looking to reopen the Ye Olde Cross pub in Ryton.

was really pleased to meet... Continue reading

👍 53

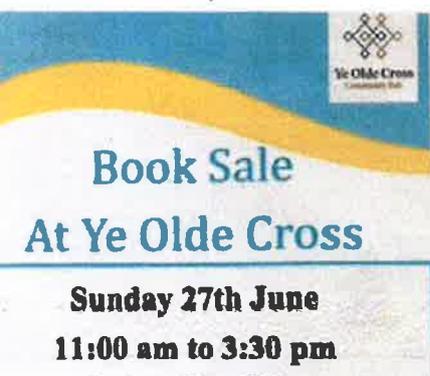
3 comments

👍 Like

💬 Comment

➦ Share

More photos



Page 239





LIZ TWIST RAISING FUNDS FOR YE OLDE CROSS
Co-operative & Mutual Solutions

(69)

15 Oct 2018 · 🌐

Dave attended the launch of the community share offer to save Ye Olde Cross in Ryton yesterday. Fantastic event with a couple of hundred people attending - beer, wine, coffee, cake, pizza and speeches.

(69A)



You

All Media

LAUNCH WEEKEND

SATURDAY JULY 6

1PM - LIZ TWIST LAUNCH
1.30PM - 8PM LIVE MUSIC
CATHERINE MULLINDER
SAM TIPLADY SHIELDS
NAT BELL

FT PLAY - BOUNCY CASTLE - FACE PAINTING - STALLS - PIZZA OVEN

SUNDAY JULY 7

12-2PM - PICKLE PALACE
CURRY STALL

1PM GREAT RYTON BAKEOFF
(CAKE DROP OFF 10-11AM)

2PM - 8PM LIVE MUSIC
WP - JEAN GOULD AND UKULELE BAND

THE MYSTERONS
PIZZA OVEN - STALLS

LIVE MUSIC
ACROSS BOTH DAYS
OUTSIDE ALL DAY





SHOWING YET MORE SUPPORT FOR
Liz Twist MP ✓ YE OLDE CROSS



23 Nov 2020 · 🌐

Slowly coming to the end of our Angel Awards presentations!

Here's a picture from Halloween outside Ryton's community pub **Ye Olde Cross** with Abigail, her daughter Wren, and Councillor Chris Buckley. The pub was nominated for organising food

71

WALDE CROSS





OUTSIDE YE OLDE CROSS

HALFMOON

2014

BUSH BAR

ONE OF COMPAGNIES ENJOYING IT

Busy Bar.
ONE OF COMPRAINETS
enjoying it.

2019

7/4



Kirsty Clark Licensing

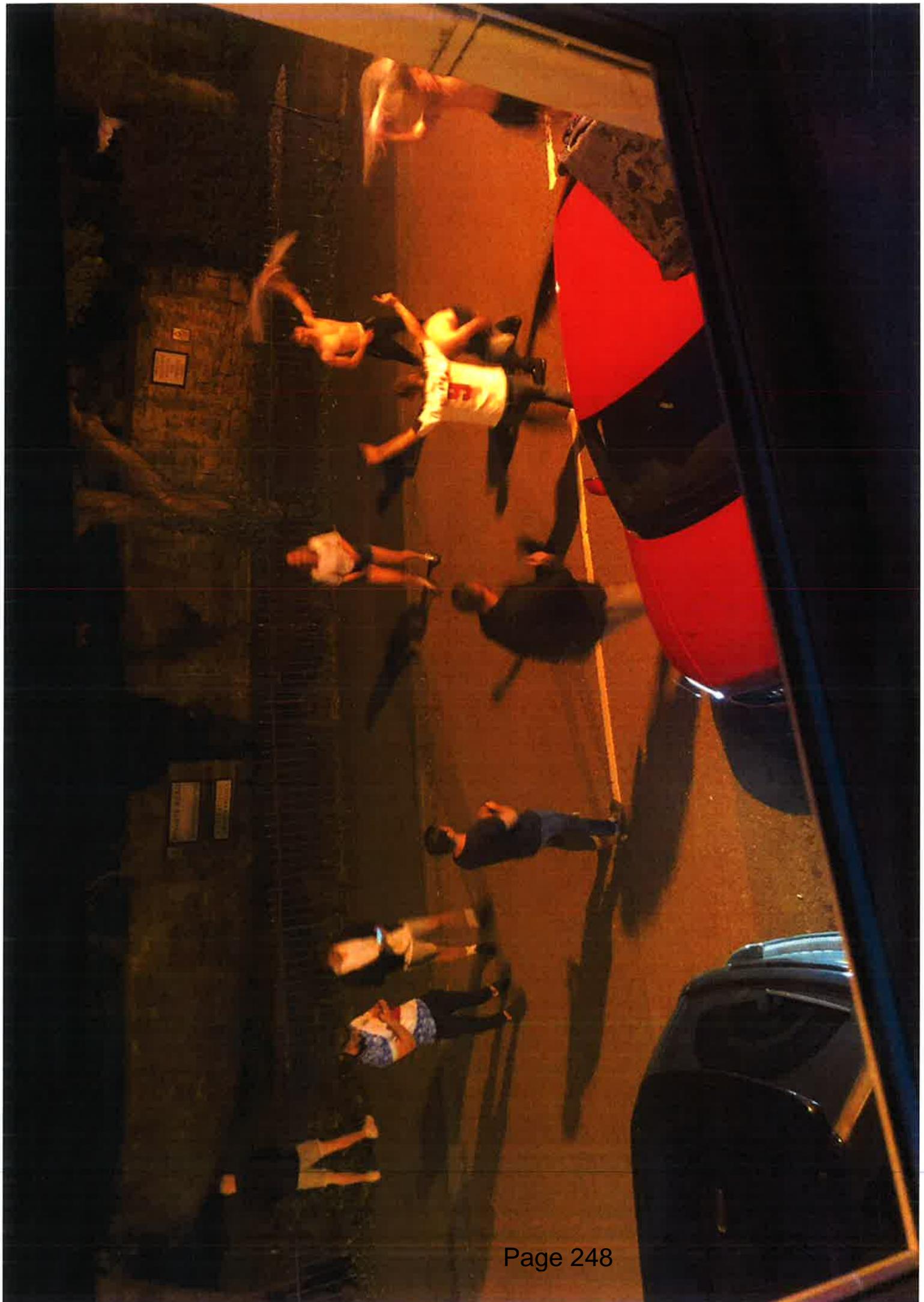
From: Diane Phillips [REDACTED]
Sent: 29 July 2021 11:36
To: Kirsty Clark Licensing
Subject: Statement

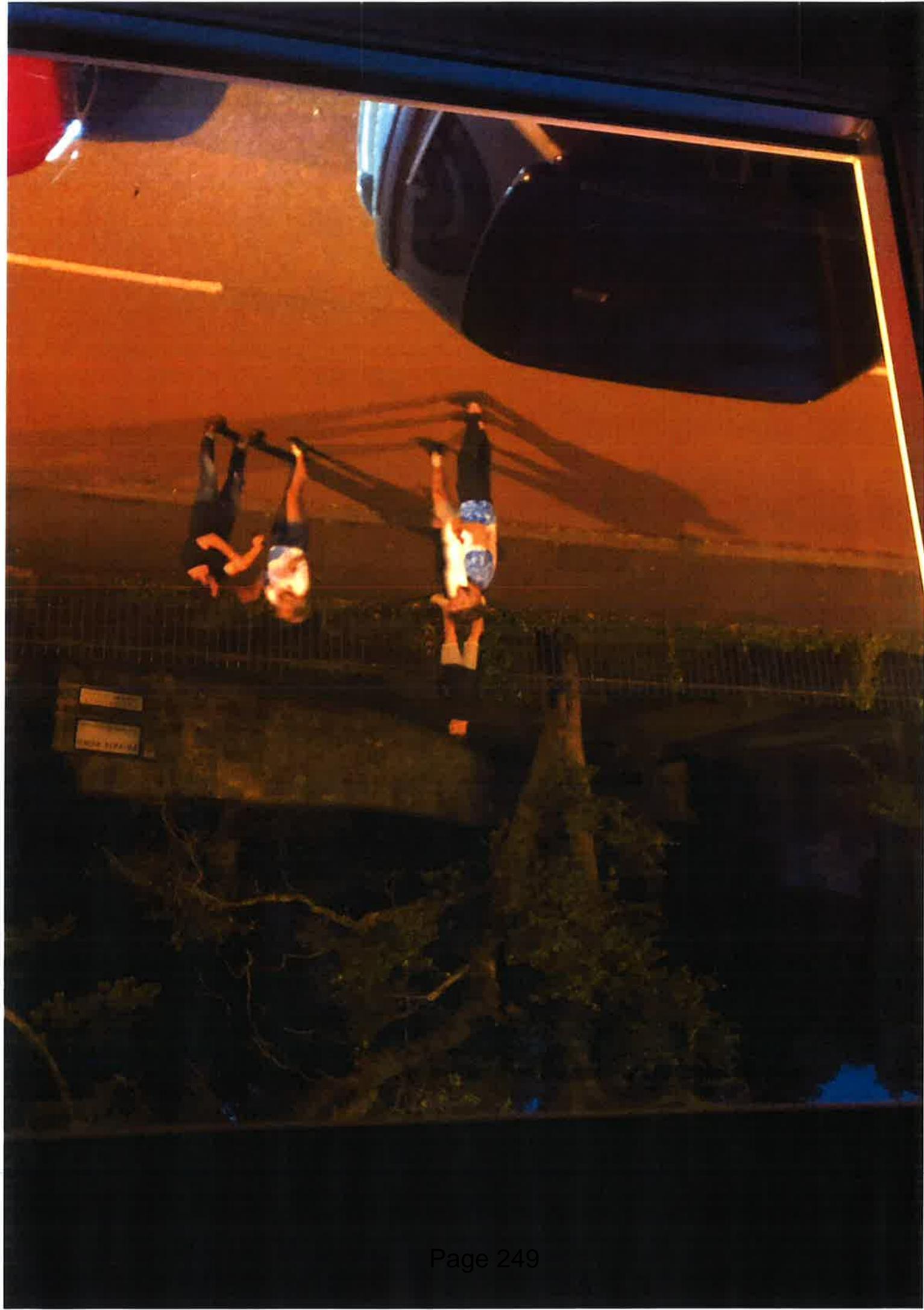
Dear Kirsty

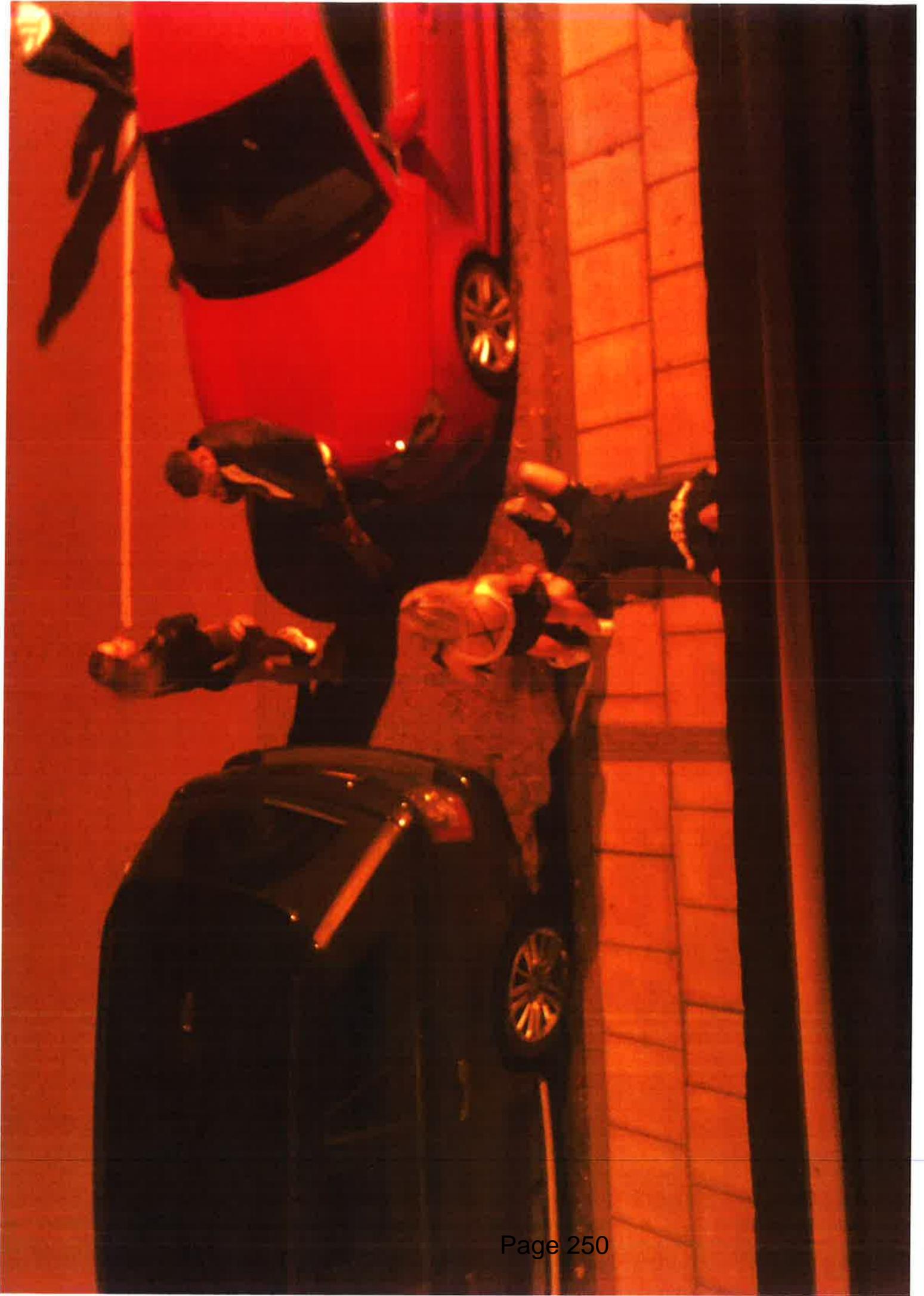
Can you please amend my statement saying sale of alcohol to consumption of alcohol in the beer garden please.

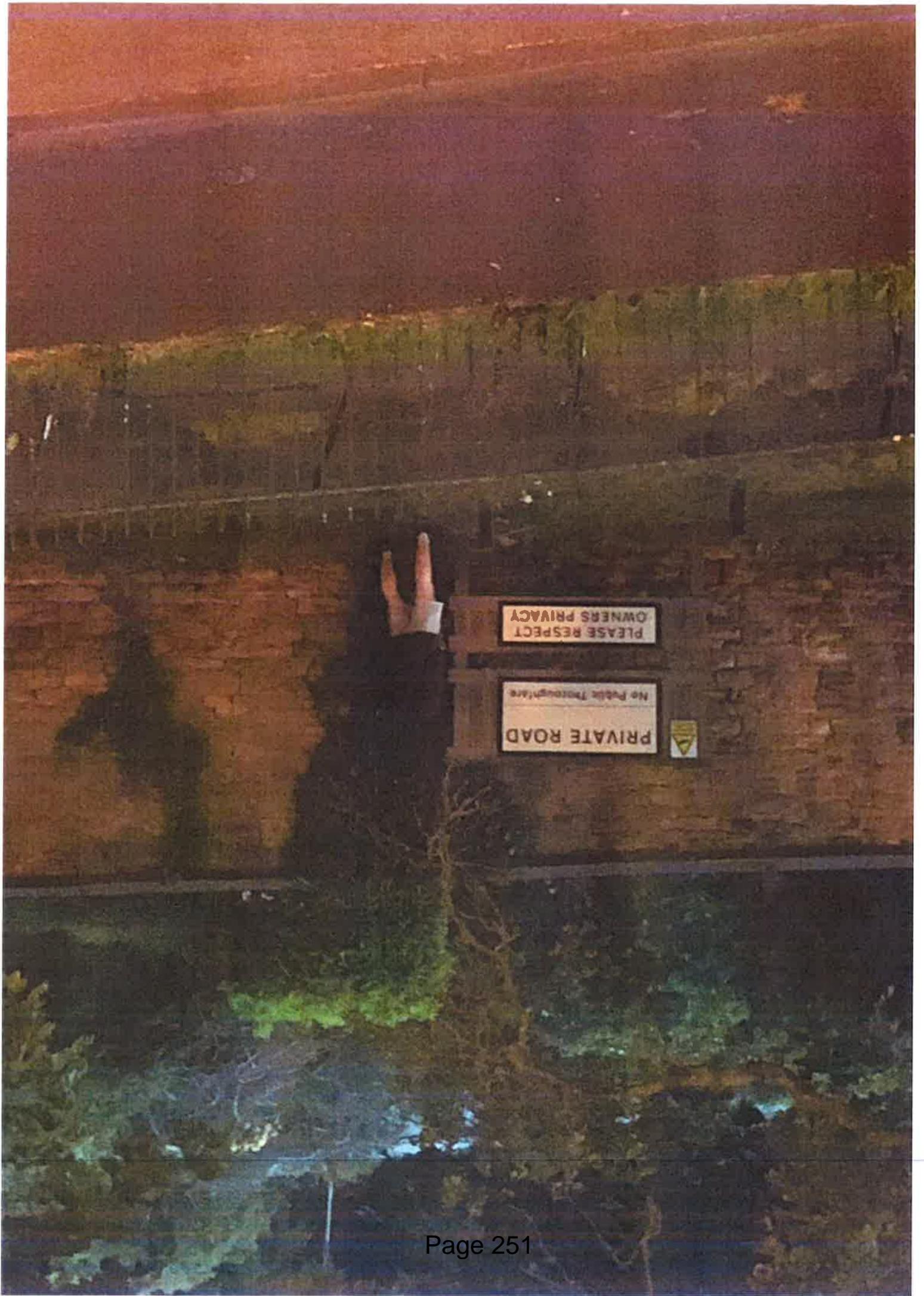
Regards
Diane

Sent from my iPhone









Kirsty Clark Licensing

From: David [REDACTED]
Sent: 28 July 2021 16:20
To: Kirsty Clark Licensing
Subject: Re: Licensing Sub Committed 2nd August 2021 - The Half Moon

Hi Kirsty,

Please find attached an O/S plan showing detail of my property and the boundary shared with the Half Moon Inn. I wish to refer to this in relation to my presentation to the Committee in support of the Application. Regrettably, although this is a colour scanner, it does not show the colours. The square block edged red (grey) is my property, the single green/grey horizontal line represents the boundary shared with the Half Moon beer garden.

I presume the text of my letter of support is already on file and will be seen by the Committee.

David Crawford-Emery

[REDACTED]
Ryton Village
NE40 [REDACTED]

<http://democracy.gateshead.gov.uk/mgAi.aspx?ID=13393#mgDocuments>

If you have any further evidence you wish to present to committee, this needs to be circulated to all parties beforehand.

Please ensure you submit any further evidence you wish to rely on, to me by **Midnight on 28th July 2021**.

Can you please also confirm if you are attending the hearing as we need to provide a list to facilities management in order to allow access to the closed building.

Kind regards,

Kirsty Clark
Licensing Officer
Economy, Innovation and Growth
Gateshead Council
Civic Centre
Regent Street
Gateshead
NE8 1HH

Email: kirstyclarkCE@gateshead.gov.uk

Please note that the Civic Centre is closed to members of the public for the foreseeable future.

Staff in accordance with Government guidance are working from home and unfortunately, this does mean that it will impact on some of the services we can provide at this time.

Please keep checking <https://www.gateshead.gov.uk/article/3112/Licensing> for updates on the situation.

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Kirsty Clark Licensing

From: Richie Palmer [REDACTED]
Sent: 27 July 2021 10:48
To: Kirsty Clark Licensing
Subject: Re: Licensing Sub Committed 2nd August 2021 - The Half Moon

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning

Thank you for your mail and its contents.

There are a couple of things which I would like to add to my initial letter of support of the application.

Before we bought Old Grove Farm we viewed three properties on the opposite side of the road, two within The Lawn apartment block and also The Shieling cottage.

We viewed the apartment owned by Mrs Porteous and the apartment owned by Mr and Mrs Maxted. One of the first questions we asked both parties was are there any issues or problems with having a pub so close to the property. We were told by both parties that there was absolutely no issues or problems. Mr Maxted said that he frequented the Half Moon on a regular basis. Mrs Porteous said her and her husband used the pub when her husband was alive but he had sadly passed away not too long ago.

We viewed both these properties in January 2021 and you will be aware that the pub was open for a while in 2020 so the questions we raised were pertaining to recent events.

I have no idea if either of the above residents are part of the "campaign" to have the application denied, maybe you could provide me with the answer?

My position on this is: if either of these residents have objected to the application because of anti-social behaviour or any other concerns they must have been lying to us when we asked our questions.

I believe at least one of these properties has been sold and if so, the residents would have had to fill in a fixtures and fittings form stating if they were aware of any ongoing issues, disputes, planning applications etc. If the property/properties have been sold {subject to contract} it would be interesting to see any such document as it is a legal document and signed as being honest.

I repeat if the above is correct it would surely bring into question the honesty and integrity of those residents but in my honest opinion and based on our experience, they were being truthful which then begs the question if they have raised objections as to why would they do so?

If they have, it would naturally follow, to surely raise questions as to their integrity and honesty. Also do they have interests in The Olde Cross pub which is now a community pub in which shares have been issued.

It is either one or the other and whichever is the truth the opposite is therefore not.

I believe that anyone who has shares in The Olde Cross pub who have objected to the application do have a major conflict of interest, more of which later.

Again, I state that I do not know for sure if those mentioned above are some of the residents that are against the application but you will know.

We bought our property from Mrs Dorothy Stanley. We asked her if there were any issues or problems living next door to a pub with a beer garden. She told us you could hear some chatter when in her garden but nothing at all when in the house.

This has been proven to be 100% correct in our experience and we really do not understand how there are over 30 objections other than a campaign is in place for reasons unknown to us.

Richard Palmer

From: Kirsty Clark Licensing <KirstyClarkCE@Gateshead.Gov.UK>
Sent: 26 July 2021 14:48
To: Kirsty Clark Licensing <KirstyClarkCE@Gateshead.Gov.UK>
Subject: Licensing Sub Committed 2nd August 2021 - The Half Moon

Dear Resident,

Please see below link to the committee report for the licensing sub committee on 2nd August 2021.

<http://democracy.gateshead.gov.uk/mgAi.aspx?ID=13393#mgDocuments>

If you have any further evidence you wish to present to committee, this needs to be circulated to all parties beforehand.

Please ensure you submit any further evidence you wish to rely on, to me by **Midnight on 28th July 2021**.

Can you please also confirm if you are attending the hearing as we need to provide a list to facilities management in order to allow access to the closed building.

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Kirsty Clark
Licensing Officer
Economy, Innovation and Growth
Gateshead Council
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Email: kirstyclarkCE@gateshead.gov.uk

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