

LICENSING SUB-COMMITTEE

AGENDA



Thursday 27th June 2019

at 10.00am

**in Committee Room B,
Civic Centre, Hartlepool**

MEMBERS: LICENSING SUB-COMMITTEE:

Councillors Buchan, Hunter and T Richardson

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **ITEMS FOR DECISION**
 - 3.1 Application for a new premises licence – The Staincliffe Hotel, The Cliff, Seaton Carew – *Assistant Director (Environment and Neighbourhood Services)*



LICENSING ACT 2003

Procedure for Hearings



Prior to the commencement of the meeting, a representative of the Democratic Services Section shall establish the identity of those present, who they represent and who intends, or wishes to speak.

1. The Chair's opening comments, including introduction of Members of sub-committee and officers present. Explanation of the decision to be considered.
2. The Assistant Director (Environment & Neighbourhood Services), or representative shall outline the application, any relevant representations and relevancy to Licensing Policy and statutory guidance.
3. Members ask any questions of the Assistant Director (Environment & Neighbourhood Services), or representative.
4. Applicant presents their case (either personally or via legal representation) and introduces witnesses where appropriate.
5. Questions by Members to applicant and/or applicant's witnesses.
6. Representations by responsible bodies and/or interested parties and witnesses introduced where appropriate.
7. Questions by Members to responsible bodies/interested parties and/or their witnesses.
8. Parties may question and clarify issues raised with the consent of the Chair.
9. If required, responsible bodies/interested parties to be given opportunity to sum up.
10. If required, the applicant to be given opportunity to sum up.
11. Members to have the opportunity to clarify any points raised. The Chair shall ask whether all parties are satisfied they have said all they wish to.
12. Members to go into closed session to deliberate.
13. Chair informs parties of their decision, with reasons.

Report of: Assistant Director (Environment & Neighbourhood Services)

Subject: APPLICATION FOR A NEW PREMISES LICENCE:
THE STAINCLIFFE HOTEL, THE CLIFF, SEATON
CAREW

1. PURPOSE OF REPORT

- 1.1 To consider an application for a new premises licence in respect of The Staincliffe Hotel, The Cliff, Seaton Carew, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Applicant: Cliffe Hotels Ltd
The Cliff
Hartlepool
TS25 1AB

- 2.2 The applicant has applied for a licence for the following activities: -

- | | |
|--|---|
| 1. Live Music | Monday – Sunday 1100 hours – 0100 hours |
| 2. Recorded Music | Monday – Sunday 1100 hours – 0200 hours |
| 3. Performance of Dance | Monday – Sunday 1100 hours – 0200 hours |
| 4. Anything Similar to 1, 2 or 3 above | Monday – Sunday 1100 hours – 0200 hours |
| 5. Supply of Alcohol | Monday – Sunday 1100 hours – 0200 hours |

A copy of the application is attached as **Appendix 1**.

A map of the area is attached as **Appendix 2** and street view images of the premises are attached as **Appendix 3**.

- 2.3 A new licence application has been required because the previous licence holder, Mr Paul Montgomery, became bankrupt on 8th August 2018. The Licensing Act states that a premises licence lapses following the bankruptcy of the licence holder if the licence is not transferred to anyone else within the statutory 28 day allowance period. As no application for the transfer of the licence was made, the premises licence duly lapsed in September 2018.

- 2.4 As the licence holder, Mr Paul Montgomery, did not notify the licensing authority of his bankruptcy it was unaware that the premises licence had lapsed and the Staincliffe Hotel continued to trade without a licence.
- 2.5 On 19th October 2018 an application was made to transfer the premises licence from Mr Paul Montgomery to Cliffe Hotels Ltd.
- 2.6 As the licensing authority was still unaware of Mr Montgomery's bankruptcy the transfer was dealt with administratively and the licence transferred into the name of Cliffe Hotels Ltd.
- 2.7 On 29th April 2019 the licensing authority received information from Cleveland Fire Authority that Mr Montgomery was bankrupt.
- 2.8 On the same day, the licensing authority wrote to Cliffe Hotels Ltd advising that due to Mr Montgomery's bankruptcy there effectively had been no premises licence to transfer to them in October 2018 and, as such, there was no licence in place for The Staincliffe Hotel to continue to provide licensable activities.
- 2.9 The letter went on to say that no licensable activities could take place until a new authorisation was obtained which could be in the form of a Temporary Event Notice (TEN) and/or a new premises licence. A copy of this letter is attached as **Appendix 4**.
- 2.10 When an application for a new premises licence was submitted on 7th May 2019, the applicant applied for the same licensable activities, and licensed hours, as were permitted by the previous licence and offered to apply the previous conditions to the licence also. A copy of the previous licence and its conditions is attached as **Appendix 1A**.

3. BACKGROUND

- 3.1 The application has been advertised in the prescribed manner and eleven representations have been received. These are from Cleveland Police (**Appendix 5**), Hartlepool Borough Council's Trading Standards Department (**Appendix 6**), Cleveland Fire Authority (**Appendix 7**), Hartlepool Borough Council's Environmental Health Department (**Appendix 8**), one petition containing eleven signatures (**Appendix 9**) and six individual objections from local residents (**Appendices 10 -15**).
- 3.2 By way of summary, the representation from Cleveland Police refers to licensable activities taking place at the premises without a valid authorisation and breaches of a Fire Brigade Prohibition Notice that required Police involvement.
- 3.3 The representation from Hartlepool Borough Council's Trading Standards Department refers to a complaint received from the Federation Against Copyright Theft (FACT) alleging that the premises have been, on several occasions, found to be illegally broadcasting 'pay per view' football matches

without an appropriate contract being in place with the legitimate service provider (i.e. Sky Sports and BT Sports).

- 3.4 The representation from Trading Standards quotes paragraph 11.27 of the Licensing Act's statutory guidance which provides advice to licensing authorities undertaking licence reviews and states that *'there is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises....for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected....'*
- 3.5 The representation from Cleveland Fire Authority refers to a number of occasions where licensable activities appeared to be taking place when there was no appropriate licence in force and that there are fire safety deficiencies at the premises leading the Fire Authority to issue a Prohibition Notice.
- 3.6 The representation from Hartlepool Borough Council's Environmental Health Manager refers to potential public nuisance issues that may be caused by the granting of a 2:00 a.m. licence.
- 3.7 Collectively, the representations from local residents refer to concerns over public nuisance and anti-social behaviour.

4. **ISSUES**

- 4.1 As relevant representations have been received, a hearing must be held for Members to consider the application (unless all parties agree a hearing is unnecessary).
- 4.2 Having regard to the representations received, Members may take any of the following steps for the promotion of the licensing objectives:
- i) To approve the application in its entirety
 - ii) To approve the application in part - with or without the addition of further conditions
 - iii) To reject the whole or part of the application
- 4.3 Members are reminded that they must only consider those aspects of the licence application that are relevant to the representations received.

5. **RECOMMENDATIONS**

- 5.1 That Members consider the representations made by the applicant and the objectors and determine what aspects, if any, of the application should be

granted and, if appropriate, what conditions, if any, should be attached.

**Application for a premises licence to be granted
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.



REGENERATION & NEIGHBOURHOOD
DEPARTMENT

07 MAY 2019

I/we CLIFFE HOTELS
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
<u>Strancliffe Hotel</u> <u>The Cliffe</u> <u>Hartlepool</u>			
Post town	<u>HARTLEPOOL</u>	Postcode	<u>TS25 1AB</u>
Telephone number at premises (if any)		<u>01429 801774</u>	
Non-domestic rateable value of premises		£	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate Please tick as

- | | |
|--|---|
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |

- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over			I am 18 years old or <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over			I am 18 years old or <input type="checkbox"/> Please tick yes		
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	CLIFF HOTELS LTD
Address	the Cliffe Hartlepool TS 25 1AB
Registered number (where applicable)	11567116
Description of applicant (for example, partnership, company, unincorporated association etc.)	COMPANY
Telephone number (if any)	01429 861774
E-mail address (optional)	the new shanery@bt.com

When do you want the premises licence to start?

DD MM YYYY
03 05 2017

If you wish the licence to be valid only for a limited period,
when do you want it to end?

N/A. DD MM YYYY

Please give a general description of the premises (please read guidance note 1)

Hotel, Public bar, Restaurant, function room,
Rooms.

If 5,000 or more people are expected to attend the premises at
any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

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 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
					Please give further details here (please read guidance note 4)	
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
State any seasonal variations for the exhibition of films (please read guidance note 5)						
		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 6)				

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>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</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)			
Thur						
Fri			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 (please read guidance note 6)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon	11:00	01:00		
Tue	11:00	01:00		
Wed	11:00	01:00	State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur	11:00	01:00		
Fri	11:00	01:00		
Sat	11:00	01:00	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 (please read guidance note 6)	
Sun	11:00	01:00		

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11.00	02.00			
Tue	11.00	02.00			
Wed	11.00	02.00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	11.00	02.00			
Fri	11.00	02.00	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 6)		
Sat	11.00	02.00			
Sun	11.00	02.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	02:00	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	11:00	02:00			
Wed	11:00	02:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	11:00	02:00			
Fri	11:00	02:00	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 6)		
Sat	11:00	02:00			
Sun	11:00	02:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input type="checkbox"/>
Mon	11:00	02:00		Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Tue	11:00	02:00	Please give further details here (please read guidance note 4)	
Wed	11:00	02:00		
Thur	11:00	02:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)	
Fri	11:00	02:00		
Sat	11:00	02:00	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 (please read guidance note 6)	
Sun	11:00	02:00		

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		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 4)			
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	02:00			
Tue	11:00	02:00			
Wed	11:00	02:00			
Thur	11:00	02:00			
Fri	11:00	02:00			
Sat	11:00	02:00			
Sun	11:00	02:00	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 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	JAMES PLATON	AS. CONSENT FORM
Date of birth		
Address		
Postcode		
Personal licence number (if known)	DEC/TER/c/0811	
Issuing licensing authority (if known)	Surrey	

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 9).

Hours premises are open to the public
Standard days and timings (please read guidance note 7)

State any seasonal variations (please read guidance note 5)

24 Hours

Day	Start	Finish
Mon	00:00	24:00
Tue	00:00	24:00
Wed	00:00	24:00
Thur	00:00	24:00
Fri	00:00	24:00
Sat	00:00	24:00
Sun	00:00	24:00

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 6)

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

*

~~As before.~~

See attached Conditions

b) The prevention of crime and disorder

*

~~As before~~

as above

c) Public safety

*

~~As before~~

as above

d) The prevention of public nuisance

*

~~As before~~

as above

e) The protection of children from harm

*

~~As before~~

as above

*

Information not provided by the ~~licensee~~
Applicant.

13/5/17

N/A

ANNEX 2 – Conditions consistent with the Operating Schedule

1. The DPS or representative shall attend the Hartlepool Licensing Association meeting held bi-monthly.
2. The Premises shall have a CCTV system that complies to a minimum approved standard set in partnership with Cleveland Police. The System will also be maintained at regular service intervals and always record when the premises is open for business. Where more than one camera is in operation, at least one shall be permanently directed at the sales counter so as to record all sales taking place. Images recorded by the system shall be retained for a minimum of 28 days and shall be made immediately available to police officers or other authorised officers on request.
3. Polycarbonate/plastic or toughened glasses will be used for alcohol both inside and outside the licensed premises.
4. Alcohol shall not be removed from the designated licensed area in open containers.
5. Signs shall be displayed in prominent positions requesting customers to leave the premises in a quiet and orderly manner and to consider the neighbouring residents.
6. Deliveries of goods necessary for the operation of the business will be carried out at such time or in such a manner as to prevent nuisance and disturbance to nearby residents.
7. A 'Challenge 25' policy will be implemented with all staff insisting on evidence of age from any person appearing to be under 25 years of age and who is attempting to buy alcohol. There shall be the very latest, notices displayed at all points of sale and at all entrances and exits to inform customers and remind staff that the premise is operating a 'Challenge 25' policy.
8. Only valid UK "photo card style" driving licences, PASS approved Proof of Age cards Ministry of Defence 'Form 90' identification cards, or valid non-expired Passport are to be accepted as a form of ID at the premises.
9. All staff will be fully trained and the training must include the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18s (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated 'Challenge 25' policy. Staff will receive refresher training at least every 6 months.
10. Training records, signed by both the staff member and the Designated Premise Supervisor/Store Manager/Business Owner will be retained for future reference and shall be updated at least every 6 months. All staff training records will be made available to the Licensing Authority and/or responsible Authorities upon request.
11. The business will maintain a refusals book to record all instances where the sale of alcohol has been refused. This shall include the date and time of the attempted sale, together with a description of the incident. The

Designated Premise Supervisor/Store Manager/Business Owner will check and sign each page and the refusals book will be made available to the Licensing Authority and/or Responsible Authorities upon request.

12. The business will maintain an incident book to record all instances where the staff deal with people who have been unruly, drunk, abusive, aggressive or have committed criminal acts or have had to call police for such incidents. This shall include the date and time of the incident, together with a description of the incident and whether the police were called/attended. The Designated Premise Supervisor/Store Manager/Business Owner will check and sign each page and the incident book will be made available to the Licensing Authority and/or Responsible Authorities upon request.
13. There will be a minimum of two notices displayed on the premise indicating that the sale of alcohol to those under the age of 18 is illegal and that those adults who buy alcohol for immediate disposal to those under the age of 18 are committing an offence.
14. The external doors and windows to the parts of the premises used for the purpose of regulated entertainment are not to be left open whilst entertainments are being held in the premises except on the case of an emergency.
15. The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made to those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.
16. Except with the prior written approval of the Licensing Authority and subject to any conditions which may be attached to such approval:-
 - (a) No special effects, naked flames, smoke production or any process creating a risk of fire, or the illusion of smoke or fire shall be used for the purpose of providing regulated entertainment on the premises.
 - (b) No explosives or highly flammable substances shall be brought into or used on the premises.
 - (c) No special effects shall be used or displays given on the premises, which consist of or include the use of lasers.

Applications for consent, giving detailed descriptions of the equipment to be used and details of the event, including dates and times must be made not less than 28 days before the date of the event.

17. The licensee must ensure that the electrical socket outlets in the licensed premises, which are used for the purpose of providing licensed entertainment, are protected by a residual current device being a 30 mA tripping circuit.
18. In the event of the fire alarm being activated a suitable relay should be

provided so that the electrical power supply to all sound amplification system in the licensed premises shall be immediately intercepted so that the alarm can be clearly heard in all parts of the licensed premises.

19. There shall be maintained in the premises at all times an adequate and appropriate supply of first aid equipment and materials for use by patrons.
20. Clear and conspicuous notices will be displayed, warning customers of potential criminal activity, such as theft.
21. There shall be strong management controls and effective training of all staff in relation to
 - (a) No selling of alcohol to underage people
 - (b) No drunk and disorderly behaviour on the premises
 - (C) Vigilance in preventing the use and sale of illegal drugs at the premises
 - (d) No violent and anti-social behaviour
 - (e) No harm to children
22. Staff will be well trained in asking customers to use the premises in an orderly and respectful manner.

Checklist:**Please tick to indicate agreement**


- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- ☐
[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15).
Signature	
Date	3.5.19
Capacity	DIRECTOR.

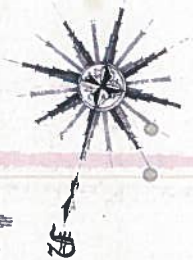
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
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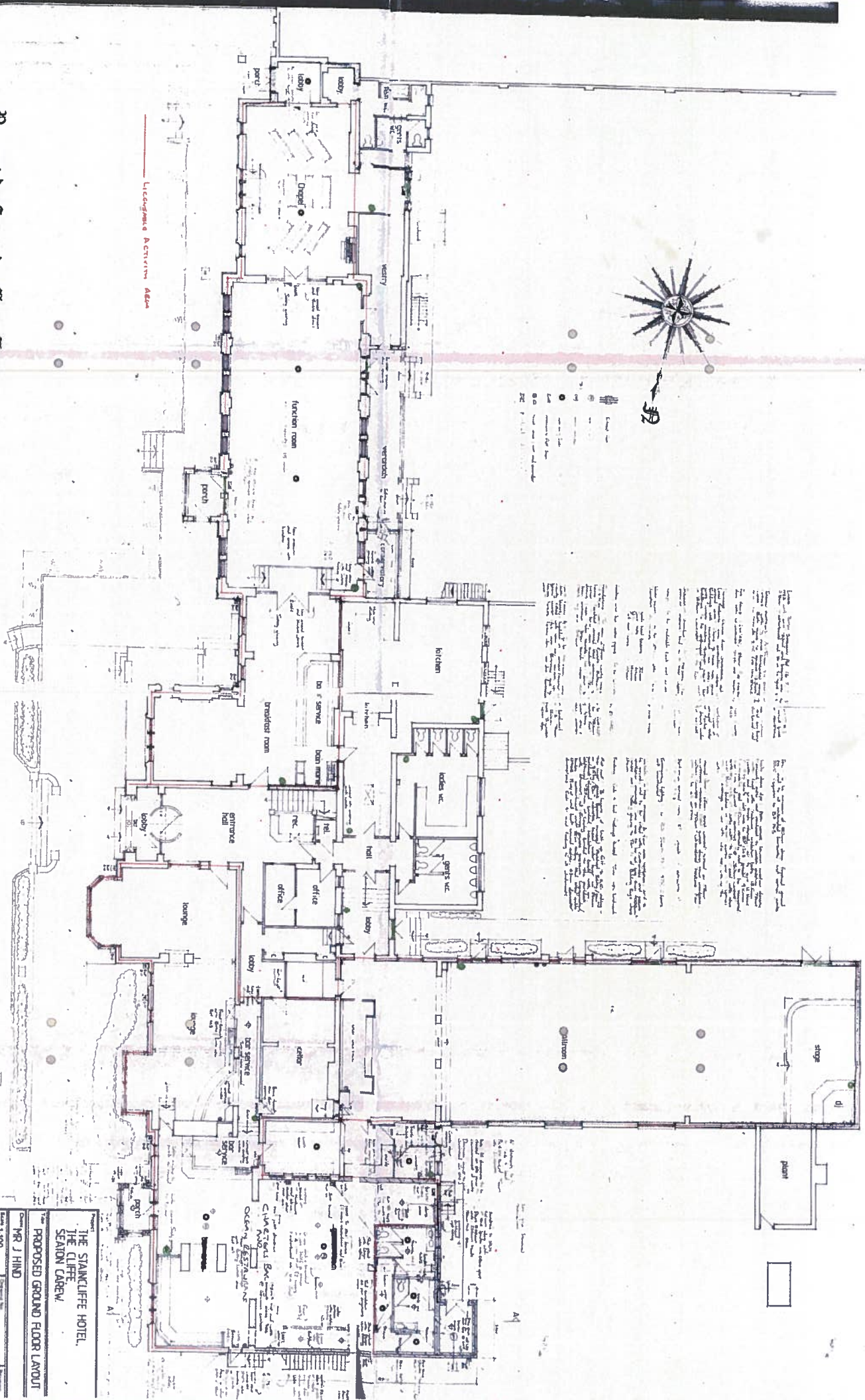
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
A. J. Fletcher. CHIFFE HOTELS STAINCLIFFE Hotel HARTLEPOOL.			
Post town		Postcode	TS25 1AB
Telephone number (if any)	01429 861 774		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Proposed Ground Floor Layout

Licensed Activity Area



- 1. Main Entrance
- 2. Reception
- 3. Bar
- 4. Kitchen
- 5. Dining Room
- 6. Lounge
- 7. Office
- 8. Store
- 9. Plant Room
- 10. Stairs
- 11. Lift
- 12. External Area
- 13. Parking
- 14. Cycle Store
- 15. Waste Store
- 16. Staff Room
- 17. Changing Room
- 18. Shower
- 19. Toilet
- 20. First Aid
- 21. Fire Alarm Control Panel
- 22. Fire Extinguisher
- 23. Fire Exit
- 24. Fire Escape
- 25. Fire Alarm Bell
- 26. Fire Alarm Sounder
- 27. Fire Alarm Manual Call Point
- 28. Fire Alarm Test Button
- 29. Fire Alarm Reset Button
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2.1. Main Entrance

2.2. Reception

2.3. Bar

2.4. Kitchen

2.5. Dining Room

2.6. Lounge

2.7. Office

2.8. Store

2.9. Plant Room

2.10. Stairs

2.11. Lift

2.12. External Area

2.13. Parking

2.14. Cycle Store

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THE LICENSING ACT 2003
PREMISES LICENCE (PART A)

Premises licence number

HART/PS/501

Part 1 - Premises details

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

The Staincliffe Hotel
The Cliff
Seaton Carew

Post Town Hartlepool

Post Code TS25 1AB

Telephone number 01429 852890

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence. Any entertainment authorised by this licence is limited to indoors only, unless stated otherwise.

- | | |
|-----------------------|--|
| 1. Alcohol (On Sales) | 4. Provision of Performance of Dance |
| 2. Live Music | 5. Provision of anything of a similar description to 2,3 & 4 |
| 3. Recorded Music | |

This licence does not authorise the provision of adult entertainment.

The time the licence authorises the carrying out of licensable activities.

- | | | |
|--|-----------------|---------------|
| 1. Alcohol (On Sales) | Monday – Sunday | 11:00 – 02:00 |
| 2. Live Music | Monday – Sunday | 11:00 – 01:00 |
| 3. Recorded Music | Monday – Sunday | 11:00 – 02:00 |
| 4. Provision of Performance of Dance | Monday – Sunday | 11:00 – 02:00 |
| 5. Provision of anything of a similar description to 2,3 & 4 | Monday – Sunday | 11:00 – 02:00 |

The opening hours of the premises

Monday – Sunday

24 Hours per day

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On Sales

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

Cliffe Hotels Ltd
5 The Cliff
Seaton Carew
Hartlepool
TS25 1AB

Tel: 01429 807850

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

11567116

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

James Platten

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Date licence granted: 8th March 2019

ANNEX 1 – Mandatory Conditions

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 personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2. In relation to the exhibition of films, the admission of children must be restricted in accordance with the classification designated by the British Board of film Classification (BBFC) or other authority designated by the Video Recordings Act 1984 for the film, or films being exhibited.
3. Each individual employed or otherwise engaged at the premises to carry out a security activity must be licensed by the Security Industry Authority.
4.
 - (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).
- 5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 6. (1) The premises licence holder or club premises certificate holder shall 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.
- 7. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises and
 - (c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 8. (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 the 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) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

ANNEX 2 – Conditions consistent with the Operating Schedule

1. The DPS or representative shall attend the Hartlepool Licensing Association meeting held bi-monthly.
2. The Premises shall have a CCTV system that complies to a minimum approved standard set in partnership with Cleveland Police. The System will also be maintained at regular service intervals and always record when the premises is open for business. Where more than one camera is in operation, at least one shall be permanently directed at the sales counter so as to record all sales taking place. Images recorded by the system shall be retained for a minimum of 28 days and shall be made immediately available to police officers or other authorised officers on request.
3. Polycarbonate/plastic or toughened glasses will be used for alcohol both inside and outside the licensed premises.
4. Alcohol shall not be removed from the designated licensed area in open containers.
5. Signs shall be displayed in prominent positions requesting customers to leave the premises in a quiet and orderly manner and to consider the neighbouring residents.
6. Deliveries of goods necessary for the operation of the business will be carried out at such time or in such a manner as to prevent nuisance and disturbance to nearby residents.
7. A 'Challenge 25' policy will be implemented with all staff insisting on evidence of age from any person appearing to be under 25 years of age and who is attempting to buy alcohol. There shall be the very latest, notices displayed at all points of sale and at all entrances and exits to inform customers and remind staff that the premise is operating a 'Challenge 25' policy.
8. Only valid UK "photo card style" driving licences, PASS approved Proof of Age cards Ministry of Defence 'Form 90' identification cards, or valid non-expired Passport are to be accepted as a form of ID at the premises.
9. All staff will be fully trained and the training must include the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18s (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated 'Challenge 25' policy. Staff will receive refresher training at least every 6 months.
10. Training records, signed by both the staff member and the Designated Premise Supervisor/Store Manager/Business Owner will be retained for future reference and shall be updated at least every 6 months. All staff training records will be made available to the Licensing Authority and/or responsible Authorities upon request.

11. The business will maintain a refusals book to record all instances where the sale of alcohol has been refused. This shall include the date and time of the attempted sale, together with a description of the incident. The Designated Premise Supervisor/Store Manager/Business Owner will check and sign each page and the refusals book will be made available to the Licensing Authority and/or Responsible Authorities upon request.
12. The business will maintain an incident book to record all instances where the staff deal with people who have been unruly, drunk, abusive, aggressive or have committed criminal acts or have had to call police for such incidents. This shall include the date and time of the incident, together with a description of the incident and whether the police were called/attended. The Designated Premise Supervisor/Store Manager/Business Owner will check and sign each page and the incident book will be made available to the Licensing Authority and/or Responsible Authorities upon request.
13. There will be a minimum of two notices displayed on the premise indicating that the sale of alcohol to those under the age of 18 is illegal and that those adults who buy alcohol for immediate disposal to those under the age of 18 are committing an offence.
14. The external doors and windows to the parts of the premises used for the purpose of regulated entertainment are not to be left open whilst entertainments are being held in the premises except on the case of an emergency.
15. The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made to those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.
16. Except with the prior written approval of the Licensing Authority and subject to any conditions which may be attached to such approval:-
 - (a) No special effects, naked flames, smoke production or any process creating a risk of fire, or the illusion of smoke or fire shall be used for the purpose of providing regulated entertainment on the premises.
 - (b) No explosives or highly flammable substances shall be brought into or used on the premises.
 - (c) No special effects shall be used or displays given on the premises, which consist of or include the use of lasers.

Applications for consent, giving detailed descriptions of the equipment to be used and details of the event, including dates and times must be made not less than 28 days before the date of the event.

17. The licensee must ensure that the electrical socket outlets in the licensed premises, which are used for the purpose of providing licensed entertainment, are protected by a residual current device being a 30 mA tripping circuit.
18. In the event of the fire alarm being activated a suitable relay should be provided so that the electrical power supply to all sound amplification system in the licensed premises shall be immediately intercepted so that the alarm can be clearly heard in all parts of the licensed premises.
19. There shall be maintained in the premises at all times an adequate and appropriate supply of first aid equipment and materials for use by patrons.
20. Clear and conspicuous notices will be displayed, warning customers of potential criminal activity, such as theft.
21. There shall be strong management controls and effective training of all staff in relation to
 - (a) No selling of alcohol to underage people
 - (b) No drunk and disorderly behaviour on the premises
 - (c) Vigilance in preventing the use and sale of illegal drugs at the premises
 - (d) No violent and anti-social behaviour
 - (e) No harm to children
22. Staff will be well trained in asking customers to use the premises in an orderly and respectful manner.

ANNEX 3 – Conditions attached after a hearing by the Licensing Authority

LICENCE LAPSED 05/09/18

ANNEX 4 - Plans

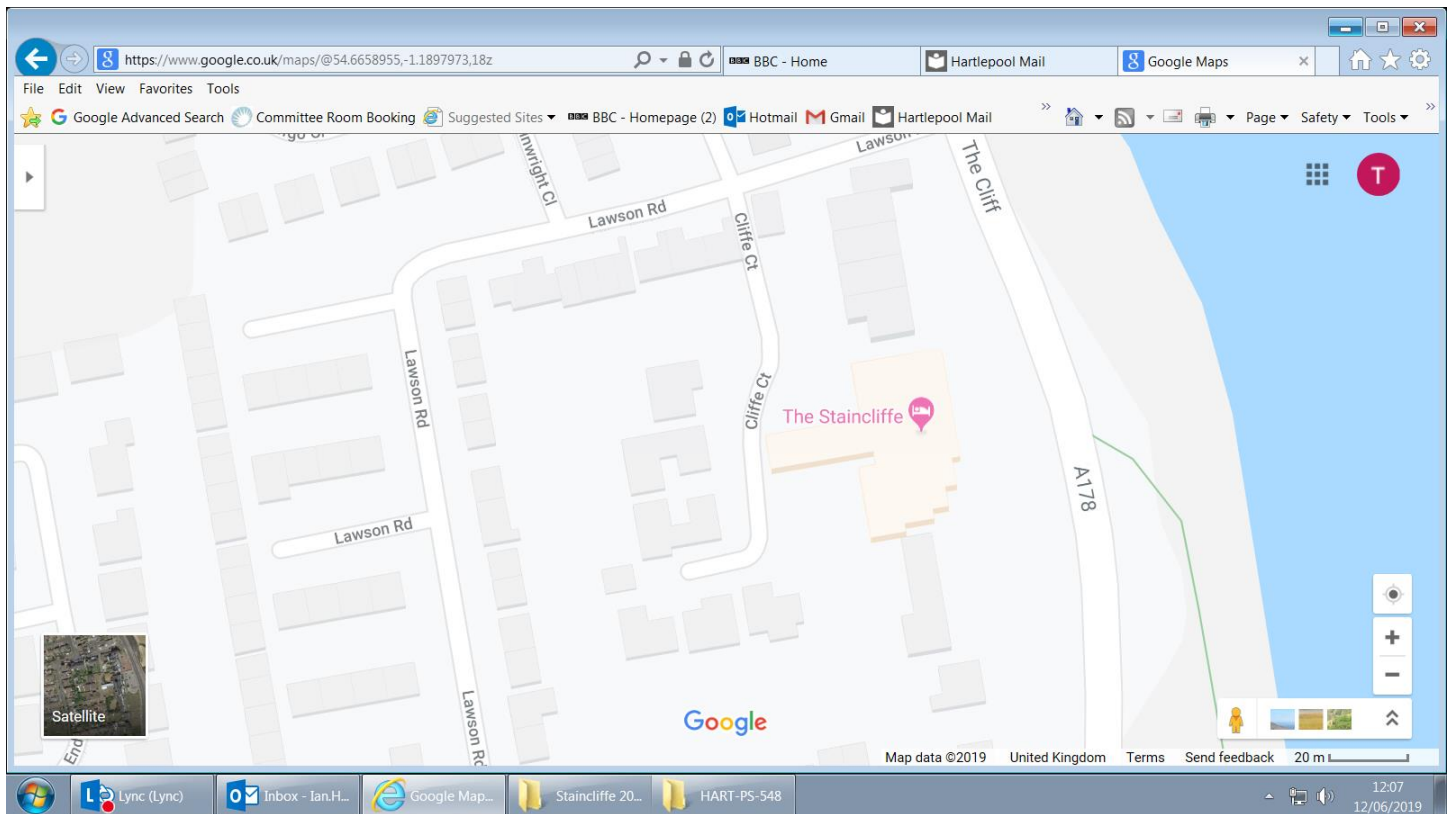
Drawing No: 996/3

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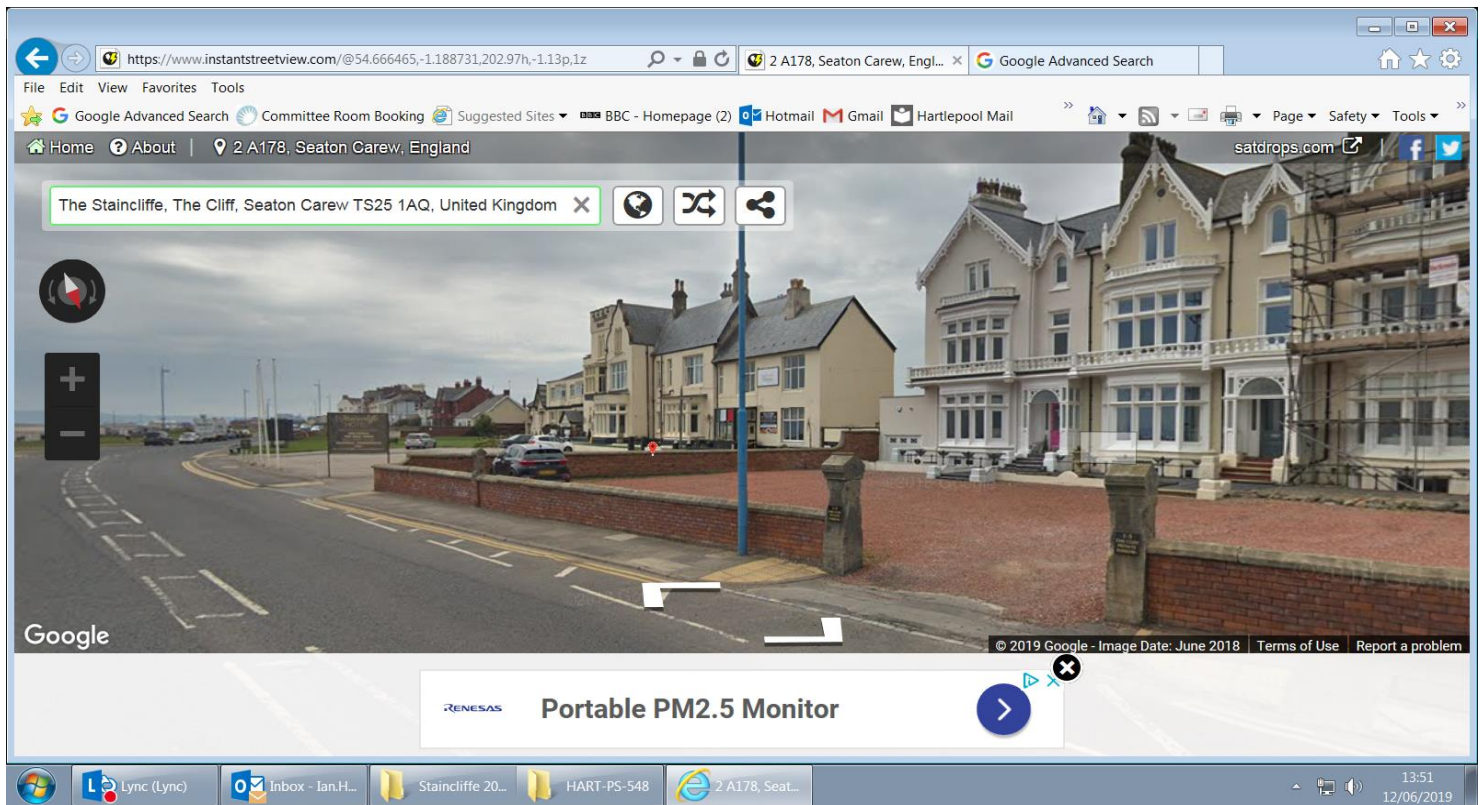
YOU ARE REMINDED THAT IT IS YOUR LEGAL OBLIGATION TO ATTACH THE CURRENT 'PLAN' TO THIS PREMISES LICENCE AND KEEP THIS LICENCE (OR A CERTIFIED COPY) IN A SECURE PLACE AT THE LICENSED PREMISES.

IT IS AN OFFENCE NOT TO PRODUCE YOUR PREMISES LICENCE (INCLUDING THE PLAN) UPON REQUEST BY A POLICE OFFICER, LOCAL AUTHORITY OFFICER OR AUTHORISED PERSON.

LICENCE LAPSED 05/09/18



Appendix 3



Telephone Number: (01429) 523354

29th April 2019

The Company Secretary
Cliffe Hotels Ltd
The Staincliffe Hotel
Seaton Carew
Hartlepool
TS25 1AB

Dear Sir/Madam

Premises Licence – The Staincliffe Hotel, Seaton Carew, Hartlepool

It has come to my attention that the previous holder of the premises licence for The Staincliffe Hotel, Mr Paul Montgomery, was made bankrupt in August 2018.

By virtue of Section 27 of the Licensing Act 2003 a premises licence lapses if the licence holder becomes insolvent and, as such, the premises licence for The Staincliffe Hotel lapsed in August 2018.

Whilst an application was made to transfer the licence to Cliffe Hotels in March 2019, the fact that Mr Montgomery became bankrupt last year means that the licence transfer was null and void as there was, in effect, no licence to transfer at that time.

As such, The Staincliffe Hotel currently does not have a premises licence and no licensable activities may take place until a new authorisation is granted. This can be in the form of either a Temporary Event Notice (TEN) or a new premises licence.

Please note it is a criminal offence to provide licensable activities without a valid authorisation.

Application forms for both TEN's and premises licences can be obtained from: -
www.hartlepool.gov.uk/licensing.

If you have any questions regarding this matter please contact the Licensing Team on the above number.

Yours faithfully

Ian Harrison
Trading Standards & Licensing Manager

Mike Veale
Chief Constable



Postal Reply to: **MIDDLESBROUGH LOCAL POLICING AREA**

Shared Service Centre
Ash House
III Acres
Princeton Drive
Thornaby
Stockton on Tees
TS17 6AJ

Telephone: 101

Your Ref:
Our Ref: H/50/19

When telephoning please use
(01642) 302360 to contact
Middlesbrough Licensing Unit

25/05/2019

Dear Cliffe Hotels Ltd,

Re: Licensing Act 2003
Staincliffe Hotel, The Cliff, Hartlepool, TS25 1AB.

An application has been received by Cleveland Police to grant a premises licence for Staincliffe Hotel, The Cliff, Hartlepool. The application is made by Cliff Hotels Ltd

Cleveland Police make representations to this application on the grounds that should the premises licence be granted then the prevention of crime and disorder and public safety licensing objectives will be undermined.

On 8th May 2019 Hartlepool Borough Council notified Cleveland Police Licensing Unit that the Staincliffe Hotel had been operating without a Premises Licence since August 2018, following the Premises Licence holder, Paul Montgomery, being made bankrupt during this time. The premises were notified that they were conducting licensable activities without an authorisation in place and informed a new application for a premises licence would be required. The application for a premises licence was submitted along with two temporary event notices to cover the sale of alcohol whilst the application was in the consultation period.

It would appear from emails in regard to this application that Paul Montgomery is involved in the current operation of Cliff Hotels Ltd.

Cleveland Police are informed by Cleveland Fire Brigade that on three separate occasions the Staincliffe have breached a prohibition notice served upon them; this prohibition notice is regarding the fire safety of some of the rooms of the site.

CRIMESTOPPERS
0800 555 111

We are an equal opportunities employer

On 27th April 2019 Cleveland Police were contacted by Cleveland Fire Brigade to report issues at the premises following them breaching the prohibition notice. Although the premises were blatantly breaching the notice served, Cleveland Fire Brigade worked with the venue and retained a fire appliance on site overnight to allow the premises to continue with the event booked.

Another breach of prohibition notice reportedly occurred weekend of 17rd May 2019 when a temporary event notice was in place.

Cleveland Police make representations to the application for a premises licence on the grounds that the crime and disorder licensing objectives have been undermined and the public safety objective continues to be so.

To conduct licensable activities without an authorisation of a premises licence is a clear breach of the Licensing Act 2003. The venue have also shown blatant disregard to fire safety, the prohibition in place and the subsequent safety of their customers.

Should this application not be withdrawn then Cleveland Police will provide further evidence.

Yours faithfully,

PC 1841 Emma Price
Cleveland Police Licensing Unit

Hartlepool Borough Council

TRADING STANDARDS TEAM

STATEMENT OF WITNESS

(Criminal Procedure Rules 2005, r. 16.2; Criminal Justice Act 1967, s.9)

Statement of **Neil Harrison**
(Full name)

Age of witness (if over 18 enter "over 18") **Over 18**

Occupation of witness **Senior Trading Standards Officer**

This statement (consisting of 2 pages and signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 24th day of May 2019

....

(Signed)

I am Neil Harrison, a Trading Standards Officer employed by Hartlepool Borough Council. On behalf of Hartlepool Borough Council's Trading Standards Department I hereby make a representation in relation to the application for a premises licence in respect of The Staincliffe Hotel, Seaton Carew, Hartlepool.

In March 2019 Hartlepool Borough Council's Trading Standards department received intelligence that The Staincliffe Hotel was broadcasting illegal football matches to its customers.

On Saturday 9th March 2019 an undercover Council officer visited The Staincliffe Hotel at 3:00 p.m. and watched a premiership football match being broadcast. As it is not possible for live premiership football matches to be legally broadcast at 3:00 p.m. on Saturday afternoons, a referral was made to the Federation Against Copyright Theft (FACT).

FACT have subsequently provided a statement (attached as Exhibit NH/1) which states that three further visits were made to The Staincliffe Hotel on 14th April 2019, 20th April 2019 and 24th April 2019 and on each occasion live broadcasts of premiership football were observed. The Staincliffe Hotel does not have any valid contract for the legitimate broadcast of these matches.

The statement from FACT highlights that broadcasting these football matches represents a dishonest reception of programmes which is a criminal offence by virtue of Section 297 of the Copyright, Designs and Patents Act 1988.

Signed ..

Paragraph 11.27 of the Licensing Act's statutory guidance provides advice to licensing authorities undertaking licence reviews and states that 'there is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises....for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected....'

The illegal use of copyrighted material and other intellectual property not only deprives the legal owner of revenue but also gives the criminal an unfair trading advantage over legitimate businesses that operate within the law. For example, customers of legitimate pubs and restaurants in the area may find their customers leave to watch football matches being illegally broadcast elsewhere, or the legitimate pub/restaurant loses business due to having to charge higher prices in order to cover the costs of running a legitimate business....costs which are not paid by premises such as The Staincliffe Hotel.

Hartlepool Borough Council's Trading Standards department has reason to believe that The Staincliffe Hotel has been evading copyright by broadcasting unauthorised material and, as such, has not been promoting the Licensing Act's objective of 'The Prevention of Crime and Disorder'.

Signed



STATEMENT OF WITNESS

Criminal Justice Act 1967, s9; Criminal Procedures Rules r.16

STATEMENT OF: Stephen Gerrard

AGE OF WITNESS: over 18

OCCUPATION: Prosecuting Manager

ADDRESS: Regal House, 70 London Road, Twickenham, Middlesex, TW1 3QS

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything, which I know to be false or do not believe to be true.

Dated the 23rd May 2019 

Signature: _____

FACT is a company principally involved in the protection of intellectual property (IP) on behalf of its members and clients.

I am employed by FACT. Part of my duties includes the management of a programme investigating allegations of the illegal use of Sky pay- television systems in licensed premises.

I have been employed in this role since March 2007. I have dealt with approximately 1500 cases.

I have been made aware of a series of visits made to The Staincliffe Hotel, The Cliff, Hartlepool TS25 1AB when broadcasts of live Premier League football matches were seen. Namely, the matches.

Crystal Palace vs Manchester City on the 14/04/2019.
Manchester City vs Tottenham Hotspur on the 20/04/2019.
Manchester United vs Manchester City on the 24/04/2019.

The Football Association Premier League (FAPL) sells broadcasting rights for live Premier League football matches to broadcasters in various countries throughout the world. These rights only allow the broadcaster to sell their broadcasts in their respective geographic area.
Each broadcaster embeds their own distinctive logos in their broadcasts.

The UK broadcasting rights are currently held by Sky UK (Sky), BT Sport and Amazon. The rights are split into packages. It is a fact that if a football match is shown by one broadcaster it will not be shown by either of the other two.

Sky had the exclusive rights to broadcast live coverage of the following Premier League football matches.

Crystal Palace vs Manchester City on the 14/04/2019.
Manchester City vs Tottenham Hotspur on the 20/04/2019.
Manchester United vs Manchester City on the 24/04/2019.

Signature: _____





Continuation statement of Stephen Gerrard

These were the matches seen at the Staincliffe Hotel.

Sky sells separate viewing agreements for either domestic or commercial use. Commercial Viewing Agreements include licensed premises.

Commercial Viewing Agreement subscriptions cost substantially more than Domestic Viewing Agreements and are calculated according to the rateable value of the premises.

An average cost of a monthly subscription taken from the most recent 100 cases prosecuted by FACT is £1077 per month including VAT.

Commercial Viewing Agreements are only available direct from Sky.

During the programme various screen logos are displayed identifying the broadcast as a Sky programme.

A screenshot of a Sky Sports Commercial broadcast is exhibited as exhibit SG/O1.

The logo in the top right is the Sky Sports channel and is exclusive to Sky. This would appear on both commercial and domestic feeds.

The logo in the bottom right corner is the commonly referred to as the "Pint Mug." This logo would only appear on Sky Sports feeds for commercial premises. It would not appear on a feed for domestic use. The presence of this "Pint Mug" logo would suggest that the licensed premises has a legitimate commercial viewing agreement with Sky. The absence of the same logo would suggest that a domestic Sky TV system is being used.

beIN Sports has the rights to broadcast Premier league matches in the Middle East. Their broadcasts should not be shown in commercial or licensed premises in the UK. beIN Sports does not sell viewing agreements for use in the UK.

When beIN Sports or other foreign broadcaster's programmes are shown in licensed premises in the UK they are in the majority of cases obtained via an illegal internet feed. Briefly, a legitimate feed from a broadcast will be obtained and broadcast via the internet.

The person or organisation that does this will either sell advertising space on their feed and or charge a subscription to subscribers. Subscriptions are normally substantially less than the cost of a legitimate Sky Commercial Viewing Agreement.

FACT carries out private criminal prosecutions against individuals and companies for offences contrary to Section 297 of the Copyright, Designs and Patents Act 1988. This legislation creates an offence in relation to the dishonest reception of programmes. It states that.

297(1) A person who dishonestly receives a programme included in a broadcasting service provided from a place in the United Kingdom with intent to avoid payment of any charge applicable to the reception of the programme commits an offence.

297(2) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of a director, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity, he as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.

The offences carries a Level 5 fine , unlimited per offence. It is included as a "relevant offence", in Schedule 4 of the Licensing Act 2003. A court can suspend or revoke an individual's Personal Alcohol Licence upon conviction.

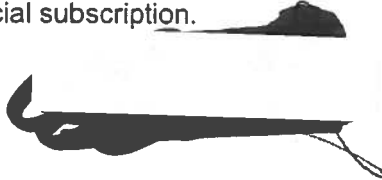
Signature: 



Continuation statement of Stephen Gerrard

The evidence I have seen from the 3 visits mentioned above leads me to believe that there was a realistic prospect of conviction for offences under this legislation against any individuals or companies involved in the management and running of the Staincliffe Hotel for the following reasons.

- 1) There was no Sky Sports Commercial Viewing agreement in place at the Staincliffe Hotel during the period 14/04/2019 to 24/04/2019 inclusive.
- 2) The absence of the Sky Sports logo and the Pint Mug logo shows that the broadcasts were not from Sky Sports. Sky Sports held the exclusive UK broadcast rights for these three football matches.
- 3) The presence of the beIN Sports logos suggests that the broadcasts came from a broadcast from beIN Sports.
- 4) By showing the beIN Sports broadcasts the suspects dishonestly avoided paying any charge applicable i.e. the Sky Sports commercial subscription.



Signature: _____

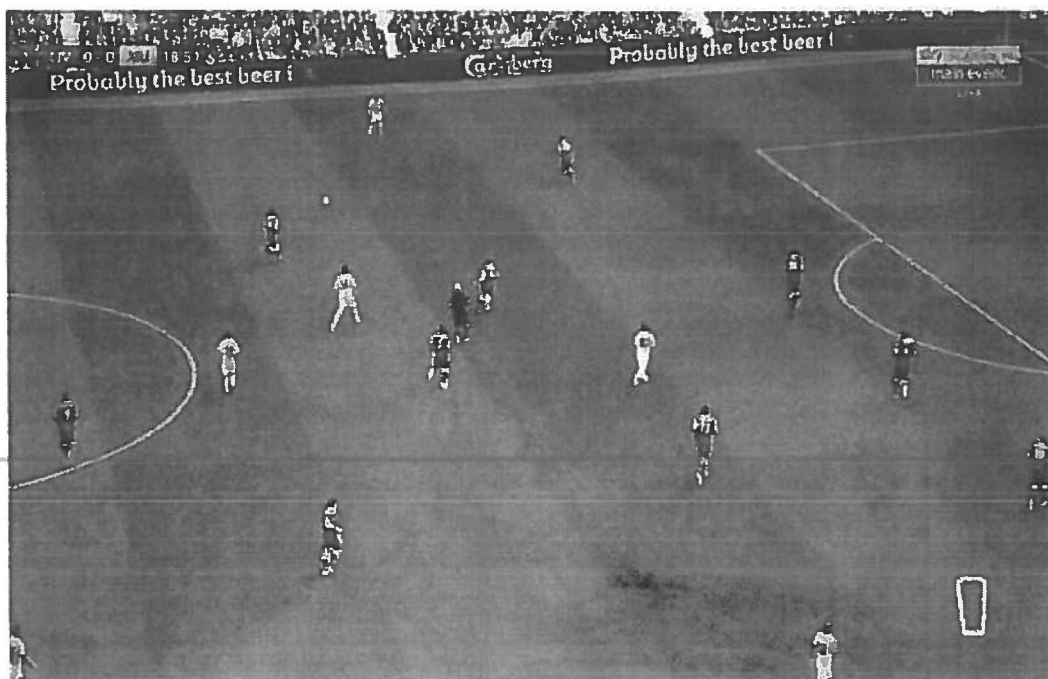


Exhibit Number	SG/01
Relating to Statement of Signed	Stephen Gerrard
Date	23/05/2019



FIRE AUTHORITY

Please reply to:

Mr P J Devlin, Solicitor
Legal Adviser & Monitoring Officer
Cleveland Fire Authority
Training and Administration Hub
Endeavour House
Queens Meadow Business Park
HARTLEPOOL TS25 5TH

BY E-MAIL and HARD COPY

Trading Standards & Licensing Manager
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

28th May, 2019

Dear Sir,

NOTICE OF APPLICATION FOR PREMISES LICENCE – STAINCLIFFE HOTEL

I act on behalf of Cleveland Fire Authority and its Fire Brigade, in the exercise of a core function of promoting fire safety in its area under the Fire and Rescue Services Act, 2004 and which in turn relates to the application submitted by Cliffe Hotels Limited for a premises licence in respect of the Staincliffe Hotel, Seaton Carew, Hartlepool.

This correspondence is to be taken as an objection to the grant of a premises licence for the reasons specified herein. Primarily, I am instructed that the licensing objective of 'public safety' is not currently being met in respect of these premises under the control of the applicant, Cliffe Hotels Limited.

The Fire Brigade are presently engaged in inquiries in respect of the operation of these premises and such is the level of concern in relation to the safety of members of the public attending these premises that regular inspections have taken place by Officers of the Cleveland Fire Brigade. The premises are subject to a Prohibition Notice served under the provisions of the Regulatory Reform (Fire Safety) Order, 2005. On visits to these premises on the 4th May, 11th May and 18th May, 2019, it was noted that various events were taking place, for example, a wedding party, birthday celebration and a football presentation evening where it appeared alcohol was being sold for retail and regulated activity was taking place through the playing of 'live' and recorded music. In the absence of any 'Temporary Event Notices' for such occasions, no licence exists for these premises.

The application is deficient and contrary to the requirements of Section 17(4) of the Licensing Act, 2003. It is not sufficient for the applicant merely to indicate an operating schedule "as before". This is a 'new' application and is therefore determined on its own individual merits and there is no information, by way of example, as to how the applicant would 'promote the licensing objectives'. From the Council's website it is discerned the notation that such information has 'not been provided by the applicant'. It is this rather casual approach wherein Officers of the Brigade reasonably believe there are serious concerns that the applicant is unable to satisfactorily manage and control these premises to promote the licensing objectives.

There appears to be no fire risk assessment in relation to these premises covering fire evacuation procedures. Further, there has never been evidenced from the visits of Brigade Officers documentation to cover a register of guests attending the hotel premises, room locations, duration of stay and adequate means of escape in the event of fire in conjunction with a fire risk assessment. Noting the 'regulated activity' sought in connection with these premises, there does not appear to be in existence systems and processes for the monitoring and testing of electrical equipment, particularly "cut off" mechanisms in the event of an alarm. The Brigade has yet to receive adequate details of the occupancy/ capacity figures for the various functions rooms of what is an extensive building complex and how those areas accessible by the public are managed to ensure public safety.

Although the Licensing Authority will inform the applicant of these representations a copy of this correspondence will be sent directly to the applicant for its information by the writer.

I would be grateful if you could acknowledge safe receipt of this communication and inform the Fire Authority of the date and time of the meeting of the Licensing Sub-Committee to determine this application in view of representations made.

Yours sincerely,

Peter Devlin, Solicitor
Legal Adviser and Monitoring Officer

I, Adrian Hurst, Environmental Health Manager (Environmental Protection), for Hartlepool Borough Council hereby make the following representation in respect of the premises licence application for The Staincliffe Hotel, Seaton Carew.

The Staincliffe Hotel is situated in a primarily residential area of Seaton Carew with residents located to the sides and the rear of the property.

Residential homes are located in close proximity to all the hotels gardens and external seating areas all of which are used as beer gardens. Residential premises located adjacent to the rear gardens of the hotel also face the large, single glazed French windows which have historically been opened to allow guests access to the gardens. The function rooms, ballroom and sports bar do not have any additional mechanical ventilation and these French windows have also been used historically to provide ventilation to these rooms.

This close proximity to residential properties combined with historical issues of noise associated with the hotel's gardens, external seating areas and the opened rear doors, leads me to conclude that the proposed latest hour of 2:00 a.m. for regulated activities is simply too late for the area. I believe it would be reasonable, appropriate and proportionate for the licensed activities to extend no later than midnight within the hotel building and that use of the exterior garden and seating areas should be limited to 8:00 p.m. or sunset, whichever is sooner. Any tables or chairs used in connection with the gardens or external seating areas should be removed or restricted to prevent use outside of these times. In addition there should be no music played or relayed to any of the external areas of the hotel and the external gardens and seating area and the areas must be controlled and managed to prevent nuisance to local residents.

These hours are consistent with those of The Marine Hotel which is a similar premises in a similar location in Seaton Carew....albeit The Marine Hotel has fewer residential properties close by.

In summary, the close proximity of The Staincliffe Hotel to neighbouring residential premises, combined with the age of the building which does little to prevent noise breakout, and the use of the hotel to host large functions, are all matters that can contribute towards the potential for public nuisance and should be mitigated against by the implementation of restrictions to the licensed hours as detailed above.

petition

No 1-6 Cliffe Court
Seaton Carew
Hartlepool
TS25 1DL

Staincliffe Hotel, The Cliffe Seaton Carew TS25 1AB
Cliffe Hotels Application for a premises licence under section 17 of the Licensing act 2003

Dear Sirs

We are writing to you to register our objections to the application for a premises license by (Cliffe Hotels) Staincliffe Hotel, The Cliffe, Seaton Carew, Hartlepool, TS25 1AB.

The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of noise from live music and recorded music, performances of dance and anything of a similar description.

Prevention of public nuisance

Noise from live and recorded music as well as other entertainment would adversely affect residents both in Cliffe Court as well as those in the vicinity of the Staincliffe Hotel and would carry across to nearby properties for example The Cliffe, Lawson Road and Staincliffe Rd etc, especially and the license application covers both inside and outside of the premises until early hours of the morning.

Protection of children and others from harm! Noise

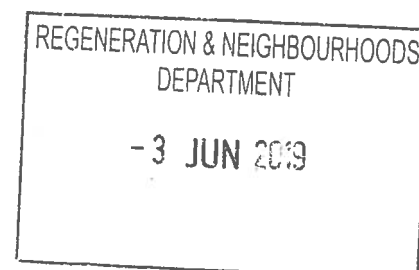
Our experience to date with events taking part at the premises are that for a lot of the time the fire doors and windows which are meant to be closed at all times (except in an emergency) are open throughout the day and night and into the early morning, as a result associated noise from music or entertainment emanates outside and can be clearly heard within the local vicinity.

Anti Social Behaviour

We have experienced several problems over the years and despite new ownership we envisage the same problems! Loud Music when asked to lower the volume Police had to be called because there was no response from the hotel, glasses, bottles and stones thrown over the wall throughout the day, late evening and early morning. Frankly 2am is far too late for live music, recorded music, alcohol service and dance provision for a supposed hotel in a residential area. 11pm weekdays and 12 midnight weekends is by far more appropriate and we are sure more acceptable to most residents.

Please consider our strong objection to this application for a premises licence.

It is unclear as to whether this is an amendment to an existing licence or a new application. As we understand the situation there is currently no licence in place, can you please clarify this.



31/05/19

Dear Sir

I am writing to object to the Notice of Application for Premises Licence re The Graincliffe Hotel, Seaton Bawen.
 The proposal covering recorded (on sale), Recorded music and provision of Performance of Dance 11.00AM - 2.00AM and live music 11.00AM - 1.00AM. This covers a full 7 days a week.

In the many years I have lived here, there has been "one off" celebratory occasions, and the noise was horrendous.

We live in a residential area and this proposal would be like living next a night club; with all the associated traffic that goes with it.

Yours faithfully,

REGENERATION & NEIGHBOURHOODS DEPARTMENT

30 May 2019

Dear Sir,

NOTICE OF APPLICATION FOR PREMISES LICENCE
STAINCLIFFE HOTEL.

I wish to object to the proposal in respect of the
Staincliffe Hotel.

The proposal states that from Monday - Sunday 11:00AM - 2:00AM
Recorded music, Alcohol (on sale), Provision of performance of dance.
Live music - Monday - Sunday 11am - 1am.

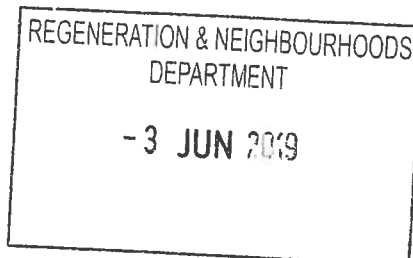
In addition, Provision of anything of a similar description to
Live & Recorded music - Monday - Sunday 11am - 2am.

The noise associated with these activities are totally
not in keeping with what is primarily a residential
area. In close proximity to the Staincliffe Hotel are
the retirement homes (known as The Vesper Houses).

Yours faithfully

REGENERATION & NEIGHBOURHOODS DEPARTMENT - 2 JUN 2019

The Licensing Team
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY



1st June 2019

New Premises Licence – The Staincliffe Hotel, The Cliff, Seaton Carew, Hartlepool. TS25 1AB

We are residents in Cliffe Court which backs directly onto The Staincliffe Hotel. I object to the granting of the Premises Licence as proposed as we have an interest in this application greater than the general public because the premises are located in a residential area and the majority of occupants within Cliffe Court live less than 40 metres away.

This is a google maps view of No: 1 - 6 Cliffe Court showing the distances ranging from 4m to 40m from The Staincliffe Hotel.



Our objections are:-

Section E: Live Music

11:00 – 01:00 Mon-Fri & 02:00 Sat – Sun Both Indoors & Outdoors

- The potential extended noise problem if the 1am / 2am finish with associated disturbances would be unacceptable due to anti social behaviour when leaving the premises.
- Live outdoor music would also incur light pollution as the areas would need to be adequately lit.
- Recorded music is becoming a nuisance within the building so music outside would dramatically increase the chance of disturbance to local residents.
- There are no restriction notes on their Annex 2 (copy of previous conditions) document to comply with live outdoor music as the previous licence holder did not have a licence for outdoor live music so how will we know if they are breaching any conditions.

1. What are the maximum sound decibel levels they are proposing for Amplified or acoustic music?

- Non completion of submitted application of licence form.
 1. Where will performance of live music take place indoors especially outdoors e.g. Ballroom garden, Function garden Room or Sports Bar garden as per guidance notes 3?
 2. Further details of type of activity. Is the music Amplified or acoustic music as per guidance notes 4?
 3. State any seasonal variations as per guidance note 5?
 4. Non standard timings where you wish the activity to go on longer on a particular days as per Guidance Note 6?

Section F: Recorded Music

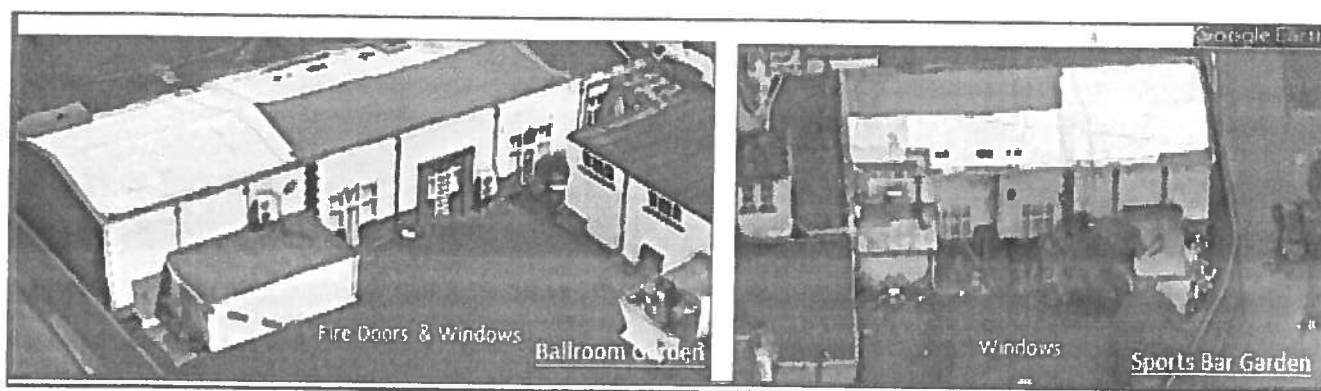
11:00 – 02:00 Mon-Sun Indoors only.

- The potential extended noise problem if the 2am finish with associated disturbances would be unacceptable due to anti social behaviour when leaving the premises.
- The noise levels increase dramatically when doors and windows are left open disturbing all residents of Cliffe Court.

This contravenes Section 14 on Annex 2

(The external doors and windows to the part of the premises used for the purpose of regulated entertainment are not to be left open whilst entertainments are being held in the premises except in the case of an emergency)

These are views of both sides of the ballroom showing doors and windows where noise could be emanating from.



- When we call them to ask them to close the doors they say "Don't worry, it will all over in an hour or so" This is unacceptable and also contravenes Section 15 on Annex 2 *(The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level noise where it is likely to cause a disturbance to local residents).*

Question: How do we know who the Designated Premises Supervisor is to make our complaints too? Can we have the fast track telephone number of the DPS as a point of contact? This could benefit both parties.

Section G: Performance of Dance

11:00 – 02:00 Mon-Sun Indoors only.

- Non completion of submitted application of licence form. We would like the answers to the questions listed before approval.
 1. Description of the type of entertainment they will be providing indoors?
 2. Where the entertainment will be taking place indoors as per guidance notes 3?
 3. Further details of type of activity as per guidance notes 4?
 4. State any seasonal variations as per guidance note 5?
 5. Non standard timings as per guidance note 6?

Section H: Anything of a similar description.

11:00 – 02:00 Mon-Sun Both Indoors & Outdoors.

- Non completion of submitted application of licence form. We would like the answers to the questions listed before approval.
 1. *Description of the type of entertainment they will be providing either indoors or outdoors?*
 2. *Where the entertainment will be taking place indoors and outdoors (e.g. Ballroom, Function Room or Sports Bar gardens) as per guidance notes 3?*
 3. *Futher details of type of activity. Is the music Amplified or accoustic music as per guidance notes 4?*
 4. *State any seasonal variations as per guidance note 5?*
 5. *Non standard timings as per guidance note 6?*

Section J: Supply of Alcohol.

11:00 – 02:00 Mon-Sun Indoors Only

- Non completion of submitted application of licence form. We would like the answers to the questions listed before approval.
 1. *State any seasonal variations for he supply of alcohol as per guidance note 5?*
 2. *Non standard timings as per guidance note 6*
- The longer alcohol is available will tend to mean more rowdy and loud behaviour.

Other objections

- The Manager of the Staincliffe Hotel told us he didn't have a licence so this is why there was an application for a new licence. How can the new owners Cliffe Hotels Ltd hold functions until late at night on a regular basis without a licence. Is this lawful?
- Bottles and cans have been thrown over the ballroom garden wall into our road just missing parked cars on several occasions. Luckily not hitting a person walking passed.
- Anti social behaviour when leaving the premises has been a long standing issue around the Staincliffe Hotel vicinity so if we can minimise this and the noise by reducing the opening hours requested this would help all local residents. Most places with alcohol licences in Seaton Carew are closed by 12:00 which then encourages people who want to drink later to move onto The Staincliffe Hotel to carry on drinking meaning there will be more chances of anti social behaviour in a 99% residential area which we think is unfair to all residents surrounding the premesis.
- We feel a licence between 11:00pm – 12:00am is more appropriate for a residential area.
- We would like the questions in Sections E, F,G & H answered before approval as we cant agree or object to something we don't know about.

APPENDIX 13

Trading Standards & Licensing Manager
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Dear Sir.

I wish to object most strongly to the application by Cliffe Hotels Ltd. for a license for the Staincliffe Hotel to be allowed to sell alcohol, have live or recorded music and dancing any time between 11.00am and 2.00am from Monday to Sunday on any, and every, day of the year.

This part is Seaton Carew is almost completely residential and many older people live in the area. There were repeated problems years ago when there was a nightclub on The Front, with drunken, noisy and unruly behaviour by the people who frequented it. There was also damage done to cars and property for which few, if any, people were apprehended by the police and brought to court.

What Cliffe Hotels Ltd. seem to be aiming for is, in reality, a potential "nightclub" inside the Staincliffe Hotel and I dread to think of the consequences for the local residents if their application is granted as it stands, particularly as the thin blue line of the local police force is even thinner these days.

I appreciate there may be occasions when the hotel will be hosting wedding receptions, birthday parties etc., and I have no wish to prevent that, but surely they could apply for a special or temporary license for such events. As the application stands it is for blanket cover and not for special occasions only. Finally, I also feel 2.00am is too late for these activities to end. It could then easily take until 3.00am before all the party goers have left the area and taken their noise and disruption with them.

I trust the council members will bear all of this in mind, and think about how the lives of local residents/Council Tax payers would be affected, when they consider this application, and I would be grateful if I could be advised of their decision.

Yours faithfully

Objection letter to Licencing Application submitted by the Staincliffe Hotel, Seaton Carew, Hartlepool

We wish to strongly object to the proposed application for a premises licence recently submitted to the Hartlepool Borough Council by the Staincliffe Hotel at Seaton Carew on the 7th of May 2019. It is unclear as to whether this is an amendment to an existing licence or a new application. As I understand the situation there is currently no licence in place even though events are happening on a regular basis and this requires clarification.

The application itself requests the provision of regulated entertainment consisting of live music, recorded music and performances of dance (or a combination of all of these) occurring at various times, notably live music 7 days per week terminating at 1 AM Mon-Fri and 2 AM on a weekend. For recorded music and for performance of dance these events are scheduled to finish at 2 AM over the full week. During this time alcohol will be served until closing time.

My experience to date with events taking place at the premises are that for a lot of the time (and especially on warm sunny days) the fire doors and windows, which are meant to be closed at all times, except in an emergency, are open throughout the day and into the evening and as a result associated noise from the music or entertainment emanates outside and can be clearly heard within the vicinity.

We have also experienced, due to drunken behaviour, objects been thrown over the rear garden wall and into Cliffe Court. These include beer bottles and glasses as well as stones and small objects. My car is sometimes parked in close proximity to the wall and there have been occasions in the past when debris has fallen and landed on the bonnet of my car and as a consequence, the relevant authority was duly notified as well as the management of the Staincliffe Hotel. We also have litter thrown over the wall and in the back lane/Lawson Road area from people leaving the premises and have the task of clearing this up afterwards.

My main points of objection, in addition to the problems mentioned above are as follows:

Noise from live music (or other entertainment) would adversely affect residents both in Cliffe Court as well as those in the vicinity of the Staincliffe Hotel and would carry across to nearby properties especially as the licence application covers events both inside and outside of the premises until the early hours of the morning. Residents in the area already suffer noise nuisance and anti-social behaviour and it is totally unacceptable to expect them to continue to do so.

The supply of alcohol until 2 AM could potentially subject residents to crime and vandalism.

Public safety concerns due to the opening of fire doors and windows during hot sunny days (or other). The noise is more prevalent with these opened.

The supply of alcohol to over 18s, especially to those with children in attendance, could lead to abuse of the child in some form or another.

In view of the above, I would urge the Licencing Authority to refuse the application.

Yours Sincerely

REGENERATION & NEIGHBOURHOODS
DEPARTMENT

To whom it may concern

As a resident of Seaton Carew and having lived behind the Staincliffe Hotel for twenty plus years, I am writing to strenuously object to this hotel being granted extended licensing hours.

We have experienced several problems over the years and despite new ownership I envisage exactly the same problems.

Loud music, when asked to lower the volume, police had to be called because there was no response from the hotel after numerous telephone calls. Music was so loud they must not have been able to hear the telephone!

Flying plates, glasses and bottles thrown over the wall late at night and into the early hours of the morning.

During warmer evenings the door to the function room is opened and the music is so loud, especially the live music, the residents on the Headland must be able to hear it!

Please consider;

Most late night functions end up with intoxicated customers who seem to get louder and louder as the evening goes on. The longer the drinking time the worse they seem to get.

Alcohol is available all day, why the necessity to extend licensing hours? More money? More opportunity to serve alcohol into the early hours? Who benefits, certainly not the residents. This will lead to more trouble with drunkenness and irresponsible behaviour.

An extension at weekends until 12 midnight is acceptable with the proviso that this can be rescinded if behaviour becomes unmanageable. By the time the hotel stops serving it will be at least another hour for customers to drink up and leave the premises.

If this application is granted as per public notice, it will I believe incite major problems, especially at the weekend.

I am no killjoy but frankly 2am is far too late for live music, recorded music, alcohol service and dance provision for a supposed hotel in a residential area.

11pm weekdays, 12 midnight weekends is far more appropriate and I am sure acceptable to most residents.

Please consider my strong objection to this extended licence being granted.

STATEMENT OF WITNESS

STATEMENT OF Joseph Flounders

OCCUPATION Fire Officer

ADDRESS c/o Fire Brigade Headquarters, Endeavour House, Queens Meadow Business Park, Stockton Road, Hartlepool, TS25 5TH

Cleveland Fire Brigade enforces the Regulatory Reform (Fire S-safety) Order 2005 on behalf of Cleveland Fire Authority. On 13th August 2018 the Authority had reason to serve Prohibition Notice 182 – prohibiting sleeping on the 1st and 2nd floors of the premises known as The Staincliffe Hotel, Seaton Carew, due to an inadequate means of giving warning and an inadequate means of escape. Following some improvements including repairs to the fire warning and detection system made by Cliffe Hotels Limited as the person having control of the premises ("the Responsible Person") this Prohibition Notice was withdrawn on 5th April 2019. However, a further Prohibition Notice 192 (Exhibit JF1) was served at the same time, again prohibiting sleeping on the 1st and 2nd floors with the exception that rooms 19, 20, 20a, 21 and 22 could be used, the remaining rooms being restricted due to the inadequate means of escape.

On the 27th April 2019 at approximately 17:40hrs I received a call from Station Manager Bond informing me that he had received information relating to the Staincliffe Hotel, Seaton Carew, Hartlepool; which suggested that the Prohibition Notice served on the premises was being contravened.. That information gave me reason to attend the premises. I arrived at approximately 18:00hrs, at that time I spoke with Amanda Fletcher a Director of Cliffe Hotels Limited. I established that a wedding reception was taking place within the rear function room. I observed a bar being provided and guests were purchasing what appeared to be alcoholic beverages. In addition a DJ was providing recorded music. It appeared that the Sports Bar located on the right upon entry into the premises from the front of the building was also serving alcoholic beverages.

During the course of my inspection I was able to establish that a number of rooms which had been restricted in use had been let, these being rooms 16, 18, 26 and 31. It was my belief that many more rooms had been let. However, due to poor accounting practices at these premises there were no records to establish which rooms had been let. I received little cooperation from Amanda Fletcher and as a result of having no confidence that all guests would be relocated to alternative accommodation to ensure their safety, I liaised with the Principal Officer covering that evening, namely Ian Hayton the Chief Fire Officer. This led to a Fire Appliance being located at these premises from 22:00hrs until 09:00hrs the following morning 28th April 2019 for the safety of those guests who remained within the premises overnight.

I believe that the facts stated in this witness statement are true.

Signed: 

Dated: 11th June 2019

**CLEVELAND FIRE BRIGADE
REGULATORY REFORM (FIRE SAFETY) ORDER 2005 ARTICLE 31
PROHIBITION NOTICE 192**

Name: Cliffe Hotels Ltd

Address: 5 The Cliffe

Occupier of:
Staincliffe Hotel
The Cliff
Seaton Carew
Hartlepool
TS25 1AB

I Ian Hayton, Chief Fire Officer on behalf of the Cleveland Fire Authority (The Relevant Fire Authority), Endeavour House, Queens Meadow Business Park, Hartlepool TS25 5TH hereby give you notice that Cleveland Fire Brigade are of the opinion that the following use of the said premises as occupied by you, namely Hotel involves, or will involve, a risk to persons on the premises in the event of fire so serious that use of the premises ought to be restricted.

Cleveland Fire Brigade are further of the opinion that the matter(s) which give rise to the said risk are

Inadequate means of escape from the first and second floors

Cleveland Fire Brigade hereby direct that the use of the premises to which this Notice relates is restricted as follows:

Restrict the use of sleeping on the premises with the exception of rooms 19, 20, 20a, 21 and 22 as indicated on the attached plans until the matters specified below have been remedied.

Cleveland Fire Brigade are of the opinion that the risk of injury would be imminent and the restriction is to take effect immediately.

This notice continues in force until the specified matters have been remedied and Cleveland Fire Authority withdraws it.

Signature

Date 5/04/19

Being a person authorised by Cleveland Fire Authority under Section 101 of the Local Government Act 1972 to issue such a notice.

OFFICIAL

ExhibitJF1



Protecting local
communities

Our Ref: I0900852 LH

Date: 05 April 2019

Cliffe Hotels Ltd
5 The Cliffe,
The Cliff,
Seaton Carew,
Hartlepool
TS25 1AB

Chief Fire Officer
Ian Hayton

When telephoning ask for:
Lee Haggath
Tel: (01429) 872311 Ext. 4113
Email: lhaggath@clevelandfire.gov.uk

Dear Sir/Madam,

REGULATORY REFORM (FIRE SAFETY) ORDER 2005 ARTICLE 31
PROHIBITION NOTICE NO. 192
STAINCLIFFE HOTEL THE CLIFF SEATON CAREW HARTLEPOOL TS25 1AB

Cleveland Fire Brigade enforces the above legislation, on behalf of Cleveland Fire Authority, (The Enforcing Authority).

Following the withdrawal of Prohibition 182 of the above premises by one of my inspectors on 5th April 2019 I confirm that Cleveland Fire Brigade is of the opinion that the premises ought to be restricted in its use as specified in the attached Notice.

Your attention is drawn to the notes which accompany this Notice.

Any queries concerning these matters may be directed to the inspector named above but all correspondence should be addressed to me.

Please assist us to improve the service we provide in completing our Fire Safety Survey by visiting the following site <https://www.surveymonkey.co.uk/r/VMNWDJH>

Yours faithfully


Chief Fire Officer

Enc: Prohibition Notice
Schedule to Prohibition Notice
Notes to Accompany Prohibition Notice

Cleveland Fire Brigade

Training & Administration Hub, Endeavour House, Queens Meadow Business Park, Hartlepool TS25 5TH

T: 01429 872311 | E: info@clevelandfire.gov.uk | W: www.clevelandfire.gov.uk |  [/clevelandfb](https://www.facebook.com/clevelandfb) |  [@Clevelandfb](https://twitter.com/Clevelandfb)

**SCHEDULE REFERRED TO IN PROHIBITION NOTICE NO. 192
REQUIRING STEPS TO BE TAKEN UNDER ARTICLE 31 OF THE REGULATORY
REFORM (FIRE SAFETY) ORDER 2005 ISSUED BY THE CLEVELAND FIRE BRIGADE
ON 5th April 2019**

Name and Address of Premises:

Cliffe Hotels Ltd Formerly Carew Sports and Leisure Limited
TS25 1AB

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of Cleveland Fire Brigade, need to be taken in order to comply with The Regulatory Reform (Fire Safety) Order 2005.

Note: Notwithstanding any consultation undertaken by Cleveland Fire Brigade, **before** you make any alterations to the premises, **you** may need to apply for approval from either the Local Authority Building Control or an Approved Inspector and/or the approval of any other bodies having a statutory interest in the workplace.

SCHEDULE

The location and details of matters which are considered to be failures to comply with The Regulatory Reform (Fire Safety) Order 2005 are detailed below.

The steps considered necessary to remedy the failures are detailed below.

Article 14 (Emergency Routes and Exits)

In order to rectify the situation a competent structural engineer should be instructed to conduct a survey on both external means of escape stairway.

**NOTES TO ACCOMPANY PROHIBITION NOTICE
SERVED UNDER ARTICLE 31 OF THE
REGULATORY REFORM (FIRE SAFETY) ORDER 2005**

- 1 Under Article 32(2)(h) of this Order it is an offence for any person to fail to comply with any prohibition or restriction imposed by a Prohibition Notice and renders the offender liable, on summary conviction, to a fine not exceeding the statutory maximum or, on conviction on indictment, to a fine, or to imprisonment for a term not exceeding two years, or to both.
- 2 In any proceedings for an offence referred to in Note 1. Where the commission by any person of an offence under the Order, is due to the act or default of some other person, that person is guilty of the offence, and a person may be charged with and convicted of the offence whether or not proceedings are taken against the first mentioned person.
- 3 Nothing in the Order operates so as to afford an employer a defence in any criminal proceedings for a contravention of those provisions by reason of any act or default of an employee or person nominated to implement measures for fire-fighting and procedures for serious and imminent danger and for danger areas, and appointed to assist him/her in undertaking such preventive and protective measures as necessary.
- 4 Subject to Note 3, in any proceedings for an offence under the Order, except for a failure to comply with articles 8(a) (Duty to take general fire precautions) or 12 (Elimination or reduction of risks from dangerous substances), it is a defence for the person charged to prove that he/she took all reasonable precautions and exercised due diligence to avoid the commission of such an offence.
- 5 In any proceedings for an offence under the Order consisting of a failure to comply with a duty or requirement so far as is reasonably practicable, it is for the accused to prove that it was not reasonably practicable to do more than was in fact done to satisfy the duty or requirement.
- 6 A person on whom a Prohibition Notice is served may appeal under article 35 of the said Order to the magistrates' court, for the area in which the premises is situated, within 21 days from the date on which the prohibition notice is served. The bringing of an appeal does not have the effect of suspending this notice, unless on the application of the appellant, the court so directs (and then only from the giving of the direction).
- 7 It should be noted that in order to satisfy the "Environment and Safety Information Act 1988" Cleveland Fire Brigade is obliged to enter details of any prohibition notice into a register to which the public have access. If you feel that any such entry would disclose secret or confidential trade or manufacturing information then you should appeal in writing to the Authority within a period of fourteen days following the service of the notice.
- 8 The works or actions specified in the Notice are only intended to reduce the excessive risk to a more acceptable level. The Notice is issued without prejudice to any other enforcement action that may be taken by this or any other enforcement authority.
- 9 Cleveland Fire Brigade would be willing to consider and reasonably assist with any proposals you may have to remedy the matters specified in the notice.

I acknowledge receipt of Prohibition/Restriction Notice issued by Cleveland Fire Authority on 5th April 2019 relating to the premises situated at:

Cliffe Hotels Ltd Formerly Carew Sports and Leisure Limited
The Cliff
Seaton Carew
Hartlepool
TS25 1AB

SIGNED: 

NAME:

A J Fletcher

(IN BLOCK CAPITALS)

STATUS IN ORGANISATION:

Director

DATE:

5/4/2019

STATEMENT OF WITNESS

STATEMENT OF Station Manager Stephen Collishaw

OCCUPATION Fire Officer

ADDRESS Fire Brigade Headquarters, Endeavour House, Queens
Meadow Business Park, Stockton Road, Hartlepool, TS25 5TH

On the 18th May 2019 I attended the Staincliffe Hotel, Seaton Carew, Hartlepool. This was to carry out an inspection following previous contraventions of the Prohibition Notice issued to the premises. The inspection started at approximately 20:19 hrs and I was accompanied by Station Manager Alan Peirson.

We were met greeted by Miss Fletcher, a Director of Cliffe Hotels Limited. We waited for approximately 10 minutes until Miss Fletcher could clear serving at the bar and had given staff some further instruction regarding the evenings work.

I requested to see the guest register for the 18th May. Miss Fletcher produced the book from behind the bar and I observed that no names or contact details had been recorded against the 18th May, however rooms 18, 19, 20a, 21 and 22 were stated as being booked.

I informed Miss Fletcher that the use of room 18 was restricted under the Prohibition Notice.

Miss Fletcher stated that she had had to use room 18 as a previous guest had left with the key to number 19. The guest had promised to return the key via first class post but had not received it yet. Miss Fletcher stated that she therefore had no option but to put guests into room 18.

Miss Fletcher, Station Manager Peirson and I undertook a physical inspection of the sleeping areas. I requested access to rooms 18, 25 and 30.

We entered room 18, which had guests personal belongings in it. I took photographic evidence to confirm the contravention of the prohibition notice.

During the inspection, I observed that the numerous fire doors were wedged open throughout the premises.

I identified a number of large items, some combustible, which were blocking the means of escape to the emergency exit of the first floor. These items were close to rooms 30 and 31.

The fire escape to the right hand side rear of the building had a significant amount of combustible material rubbish underneath the staircase.

I advised Miss Fletcher that both of these items had been identified on previous inspections and still had not been removed.

Further photographic evidence of these breaches was obtained.

During the inspection it was identified the premises was hosting a number of functions. Given the issues identified elsewhere within the premises, we inspected the compliance of the means of escape for the ground floor.

The function room to the rear of the property was in use. This room had 16 tables and approximately 160 persons using the room at the time of inspection with upwards of an additional 100 people utilising the rear garden area of the hotel.

It was observed during the inspection that numerous bars were serving alcohol however it was not determined if the premises had an alcohol license at the time.

Following the inspection, we discussed with Miss Fletcher that the use of room 18 was a contravention of the Prohibition Notice and that guests would need to be moved from room 18.

Miss Fletcher confirmed that this would be done immediately that the guests returned to the hotel.

The inspection was concluded at 21:10 hrs.

I believe that the facts stated in this witness statement are true.

Signed: 

Dated: 11th June 2019

STATEMENT OF WITNESS

(Criminal Procedure Rules, r27.2,
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

STATEMENT OF Stuart Simpson

AGE OF WITNESS (if over 18 state 'over 18') Over 18

OCCUPATION Station Manager

ADDRESS Cleveland Fire Brigade, Endeavour House, Hartlepool.

This statement (consisting of pages 1 of 3, each signed by me) is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Dated the 16/6/2019

Signed 

The provisions of the Regulatory Reform (Fire Safety) Order 2005 are enforced by the Cleveland Fire Brigade on behalf of the Cleveland Fire Authority. The Authority had reason to serve a Prohibition Notice (No: 182) under this Order in relation to the premises known as The Staincliffe Hotel, Seaton Carew on the 13th August, 2018. This Notice prohibited sleeping on the 1st and 2nd floors of the premises due to an inadequate means of giving warning and an inadequate means of escape. Following the service of this Notice some improvements were undertaken which included repairs to the fire warning and detection system through Cliffe Hotels Limited, who actively controlled the premises and were therefore classified as being "the Responsible Person" under the governing legislation. Consequently, in the light of these improvements, this particular Prohibition Notice was withdrawn on 5th April 2019. A further Prohibition Notice (No: 192) was served on the same date, which again prohibiting sleeping on the 1st and 2nd floors with the exception of rooms 19, 20, 20a, 21 and 22 that could be used. For the avoidance of doubt, the remaining rooms were restricted due to inadequate means of escape.

At approximately 20:05 hrs on Saturday 4th May 2019 I visited the Staincliffe Hotel accompanied by Group Manager Robinson.

The reason for the visit was to ensure that the sleeping restrictions that had been imposed on the premises were being observed. It had been mentioned previously, Amanda Jane Fletcher, a Director of Cliffe Hotels Limited that there was to be a 40th birthday party and a tribute band playing that evening meaning that there was the possibility that a large number of people would be present on the premises.


SIGNED...

.....DATE.....16/06/2019.....

On entering the premises I was met by Amanda Jane Fletcher. She indicated that she was very busy owing to the 40th birthday party taking place within the function room at the chapel end of the establishment.

Amanda Jane Fletcher also confirmed that 'The Valentines' tribute band was also playing within the Sports Bar area of the premises.

I asked Ms Fletcher if any of the rooms, where sleeping was permitted (namely rooms 19, 20, 20a, 21 and 22), had been booked.

She confirmed that a number of these rooms were being occupied. With this information I asked to see the Hotel Register to confirm numbers. Ms Fletcher informed me that the Register would have no entries as the guests had just recently booked into the hotel. Acknowledging this I still asked to see the booking in book. She went into the main office and came back with a security box containing the keys to all of accommodation rooms. She asked if we could go and check the rooms then check the booking in book when we returned to reception. I insisted that I would like to see the booking in book before we conducted a physical inspection of the premises. Ms Fletcher immediately went into the Bar and produced the required booking in book. On turning to the appropriate page, (entry - 4th May 2019), I confirmed that the booking in book hadn't been updated to highlight which rooms were occupied, guest names, number of occupants and contact details. I took photographs to highlight that no entries had been made.

Together with Ms Fletcher, Group Manager Robinson and myself then proceeded to the first floor. I checked a number of rooms to ensure that they weren't being used. On inspection I am confident that the following rooms weren't being used:- 10, 12b, 14, 15, 26 and 31. I took a number of photographs to reflect this opinion.

Ms Fletcher confirmed that room 11 was being used by the tribute band, but only as a changing room.

Opposite room number 31 I identified that there was a double mattress and a metal radiator blocking what would be the 'Means of Escape' (MOE) route to the corridor that leads to the final exit door at first floor level. Although this area of the first floor is restricted I still gave advice that these items should be removed.

During the inspection I observed that there were 4 cross corridor doors, on the first floor MOE corridors, that had been wedged open. There were 3 doors wedged open on the North end of the premises with the other door on the South end of the premises. Again, advice was given to Ms Fletcher on what had been observed and photographic evidence was taken at the time.

There had been a previous issue, regarding a mattress and divan, blocking the external MOE gantry serving the North side of the premises. On inspection this issue appeared to have been resolved as the mattress and divan were no longer there.

I then proceeded along the front of the premises to enable me to gain access to the side gates, to the North end of the premises, then ultimately to the rear of the premises. As I passed by the Sports Bar window, where the tribute band were playing, I witnessed guests consuming what appeared to be alcoholic beverages.

I conducted an inspection of the external MOE to the rear of the premises. All ground floor exits checked were found to be clear. However there were a large number of flammable items located at ground level and beneath the external MOE staircase that

SIGNED...

.....DATE.....16/06/2019.....

serves the North Side of the premises. Advice was again given to have this area cleared to allow easy access from the gates to the front of the premises.

Group Manager Robinson and myself left the premises at approximately 20:30 hrs

At approximately 1730hrs on Friday 10th May 2019 I visited the Staincliffe Hotel, 5 the Cliff, Seaton Carew, accompanied by Station Manager Miley.

The reason for the visit was again to ensure that the sleeping restrictions that had been imposed on the premises were being observed.

On entering the premise I was met by Ms Fletcher. I inquired if any of the rooms, where sleeping was permitted, had been booked. She confirmed that one of these rooms was being occupied. With this information I asked to see the booking in book to confirm details. I was informed that this booking was highlighted on the electronic booking system. Ms Fletcher went into the main office and came back with a security box containing the keys to all of accommodation rooms.

Together with Ms Fletcher we proceeded to the first floor of the premises. I checked two rooms to ensure that they were not being used. On inspection I am confident that rooms 11 and 24 were not being used. Photographs were again taken.

Opposite room number 31 I again identified that there was a double mattress and a metal radiator blocking what would be the MOE route to the corridor that leads to the final exit door at first floor level. I advised that these items had to be removed.

During the inspection I again observed that there were 4 cross corridor doors, on the first floor MOE corridors, that had been wedged open. Advice was again reiterated to Ms Fletcher regarding this practice, as there was only one usable staircase within the premises.

At the time of this inspection I was informed that a party had been booked for the premises the following night (11th May, 2019).

Station Manager Miley and myself left the premises at approximately 18:00hrs.

SIGNED...



.....DATE.....16/06/2019.....

RESTRICTED (when complete)**CLEVELAND POLICE****WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; MC Rules 1981, r70)

URN	17			
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Statement of **James Johnson**Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Pc190**

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated anything in it, which I ~~know to~~ be false, or do not believe to be true.

Signature _____

Date: **11th June 2019**Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Constable in the Cleveland Police presently posted to the Licensing unit at Middlesbrough Police office.

At 10.50am on Friday 10th May 2019 I was on duty in company with Pc1237 Craig.

At this time we attended the Staincliffe Hotel, The Cliff, Seaton Carew as I had been made aware that this premises no longer has a premises licence due to an insolvency issue, but a late Temporary Event Notice (TEN) had been given which was due to start on the 14th May.

My intention was to speak to the applicant, a female by the name of Amanda Fletcher regarding this TEN as well as her responsibilities regarding public safety as I was also aware of an issue about the number of hotel rooms they could use following intervention from the Fire Service.

The premises main doors were open although I could not see any customers in the building.

I spoke to a male at first but shortly after Ms Fletcher appeared so I spoke to her about the upcoming TEN.

Signature _____

Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **2**Continuation of Statement of **James Johnson**

She advised me that the Fire service allowed her to use 5 bedrooms in the hotel but when the TEN was being used, they will not be using any of the 5 rooms during the length of the notice.

I also advised her regarding time limits for submitting future TEN's.

She did say at this time that a new premises licence application had been submitted for the Staincliffe but at that time I had not received it.

The TEN that I spoke to Ms Fletcher about is dated 3/5/19.

The dates of the event are from the 14th – 20th May 2019 between 11am – Midnight with the maximum number of persons present at the premises to be 100.

The event is described as a band, background music and a DJ.

I have attached a copy of this notice which I exhibit as JRJ/1.

At 5.30pm on Thursday 6th June 2019 I was on duty in company with Pc1237 Craig when we attended the Staincliffe again.

This was in regards to an application for a further late TEN which was due to commence on the 7th June 2019 but had been subject of a counter notice issued by Hartlepool council as the applicant Ms Fletcher had already submitted 2 late TEN's prior to this.

I have attached this counter notice and TEN which I exhibit as JRJ/2

Our intention was to speak to the applicant to advise her that this event should not go ahead due to the counter notice.

I had also been given a Facebook post which stated that the Staincliffe sports bar which forms part of the premises had an offer on the 1st June 2019 which stated that on this date

Signature _____

Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **3**Continuation of Statement of **James Johnson**

from 7pm until the first goal was scored in the Champions League final, it would be only £2.50 for a pint.

I have attached a copy of this post which I exhibit as JRJ/3.

I was aware that on the 1st June the premises was not covered by any TEN as the late TEN I discussed with Ms Fletcher on the first occasion I visited expired on the 20th May and a subsequent late TEN had expired on the 28th May.

On arrival at the premises I pulled our car into the car park which was quite busy.

I noticed that the Sports bar which is situated to the right of the premises appeared open as I could see persons inside and a fruit machine was flashing.

We entered the main doors to the Staincliffe and turned immediate right and walked through the hotel towards the Sports bar.

On entering the Sports bar I saw a single male staff member pulling alcohol from the pumps for a male and female stood at the bar.

There was also a male sat with his back to us eating a meal that also had a drink.

The staff member served the male and female although I did not see any money change hands but then another male wearing a fluorescent jacket came in.

The staff member looked at us but I told him we would wait as I wanted to see if he was going to serve the male in the fluorescent jacket.

The male ordered 2 pints, which I believe were lager and cider and blackcurrant and he paid the staff member I believe £6.80.

The male walked off with the drinks and we then identified ourselves to the staff member who gave his name as Chris Davison.

Signature _____

Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **4**Continuation of Statement of **James Johnson**

I informed Mr Davison that there is no licence in place or a TEN which would allow him to serve alcohol.

He was not aware of this so he made a telephone call to I presume was Ms Fletcher.

Shortly afterwards he came over to me and said that he is going to stop serving alcohol.

He advised me that Ms Fletcher was unable to come down to the premises.

I asked whether there was any CCTV at the premises and Mr Davison said there was however it was in a locked office and could not be accessed.

I also asked him if the premises was trading on Saturday the 1st June when the drinks offer for the Champions league final was in place and he confirmed that they were open and selling alcohol on this day as well as the following day Sunday 2nd June.

As Ms Fletcher was unable to attend the premises and I could not access the CCTV I left my details with Mr Davison and asked they be passed on to Ms Fletcher so she could contact me in the following days.

We then left the premises and returned to Middlesbrough Police station.

I subsequently made an objection to a late TEN that was received on this day for an event at the premises on the 14th – 16th June 2019 between the hours of 9am – 2am.

This late TEN had been submitted by a male giving his name as Shaun Montgomery.

I have attached a copy of my e-mail to Hartlepool council which I exhibit as JRJ/4 and a copy of the late TEN for the 14th – 16th June which I exhibit as JRJ/5.

On Friday 7th June 2019 a further TEN was received for the premises which had been submitted by Mr Montgomery for an event between the 21st – 23rd June 2019.

Signature

Form/Template Revised 09/2004

Signature Witnessed by

J:\CLICENSINGSUPPORT\HARTLEPOOL DLU FOLDER\REVIEWS\STAINCLIFFE
HOTEL\STAINCLIFFE MG11.DOC

RESTRICTED (when complete)**CLEVELAND POLICE**

Page No 5

Continuation of Statement of **James Johnson**

In light of the above I submitted a further objection to Hartlepool council and I have attached my e-mail which I exhibit as JRJ/6.

I have also attached a copy of this TEN which I exhibit as JRJ/7. ,

U -

Signature _____

Form/Template Revised 09/2004

Signature Witnessed by _____

JJ(O:\LICENSINGSUPPORT\HARTLEPOOL DLU FOLDER\REVIEWS\STAINCLIFFE
HOTEL\STAINCLIFFE MG11.DOC

JRJ/1

(46)

£23



Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)		REGENERATION & NEIGHBOURHOODS DEPARTMENT	
1. Your name			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input checked="" type="checkbox"/> Other (please state)		07 MAY 2019
Surname	FLETCHER		
Forenames	AMANDA JANE		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day	Month
5. 8. 82		5	8
4. Your place of birth		Year 82	
Hartlepool			
5. National Insurance Number		JK 03 31 12 A	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
SPAINCLIFF HOTEL The Cuff Seaton Area			
Post town		Postcode	
HARTLEPOOL		TS 25 1AB	
7. Other contact details			
Telephone numbers		01429 661 774.	
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)		treenstancey@hotel & mail . com .	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Post town		Postcode	

TEN01

JRS/11

9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
STAINEL FFE Hono	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	HAET/PS/501.
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
ALL.	
Please describe the nature of the premises below. (Please read note 4)	
Public House, Restaurant - rooms.	
Please describe the nature of the event below. (Please read note 5)	
Licensed Premises.	

JRJ/1

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input checked="" type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input checked="" type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	
10th May 11th May 12th 13th 14th 15th 16th * Dates agreed with Ms Fletcher via telephone on 8/5/19 * 14 th - 20 th May 2019	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)	
11 am - Midnight	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	
100	
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only
	Off the premises only
	Both
Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)	
Band. background music. D.J.	

JRS/1

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

JRS/1

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declaration (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	3. 5. 19.
Name of Person signing	AMANDA JANE FROSTHOR.

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	
Date	On behalf of the licensing authority
Name of Officer signing	

Notes for Guidance

General

In these notes, a person who gives a temporary event notice is called a "premises user".

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 8 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below ~~would be exceeded. If any of the limits below are breached or if a counter notice has been issued,~~ any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 16 below sets out the definition of an "associate".

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for

JRJ/2

Prescribed form of counter notice (Permitted Limits) Permitted Temporary Activities



On 31st May 2019 the licensing authority received from you, Ms Amanda Jane Fletcher, a temporary event notice ("the notice") in respect of proposed temporary licensable activities due to take place on 7th June 2019 at The Staincliffe Hotel, The Cliff, Seaton Carew, Hartlepool, TS25 1AB. The licensing authority is satisfied that if the activities were to take place, one of the permitted limits set out in section 107(2), (3), (4) and (5) of the Licensing Act 2003 ("the Act") would be exceeded.

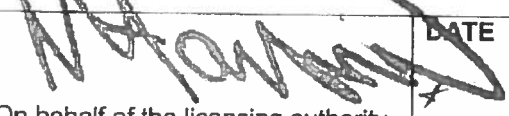
The limit (and subsection) which applies is indicated by an "X" in the following table.

Relevant limit (and subsection of the Licensing Act 2003)	Insert "X" as applicable
You are a personal licence holder and you have already given at least 50 temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. (See section 107(2)(b)(i) of the Act)	
You are a personal licence holder and you have already given at least 10 late temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. (See section 107(2)(b)(ii) of the Act)	
You are not a personal licence holder and you have already given at least 5 temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. (See section 107(3)(b)(i) of the Act)	
You are not a personal licence holder and you have already given at least 2 late temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. (See section 107(3)(b)(ii) of the Act)	X
At least 15 temporary event notices have already been given which are in respect of the premises indicated in the notice and which specify as the event a period wholly or partly within the same calendar year as the event specified in the notice. (See section 107(4) of the Act)	
In the calendar year in which the event period specified in the notice (or any part of it) falls, more than 21 days are days on which one or both of the following fall – that event or any part of it, an event period specified in a temporary event notice already given in respect of the same premises as the notice, or any part of such period. (See section 107(5) of the Act)	

A copy of this counter notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the temporary event notice you gave is situated.

The Licensing Act 2003 does not make provision for you to appeal against this counter notice.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine of any amount, or to both.

SIGNATURE		DATE	3/6/19
	On behalf of the licensing authority		
Name of Officer signing	TONY HANSON		

JRJ/2

£23



Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)		REGENERATION & NEIGHBOURHOODS	
1. Your name		DEPARTMENT	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input checked="" type="checkbox"/> Other (please state)	- 3 JUN 2019	
Surname	FLUSTCH		
Forenames	AMANDA JANE		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day	Month
5.8.82		5	8
4. Your place of birth		HARTLEPOOL	
5. National Insurance Number		JK 03 2121	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
STAINCROFT HOTEL The Caffe			
Post town		Postcode	
Hartlepool		TS 25 1AB	
7. Other contact details			
Telephone numbers		01429 861774.	
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)		the new stancroft hotel & mail.com	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Post town		Postcode	

TEN01

JRJ/2

9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Symonds Hotel	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	1444 / 15 / 501.
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
An pub, bar, restaurant, rooms	
Please describe the nature of the event below. (Please read note 5)	
licensed premises	

JRJ/2

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)	
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	1
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)	
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

JRJ/2

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input checked="" type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)	
7h 8h 9h 12h 13h 14h 15h	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	150
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only <input checked="" type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input type="checkbox"/>
Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)	
Band, background DJ	

JRJ/2

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	31. 3. 19.
Name of Person signing	Amanda Jane Furtak

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	
Date	On behalf of the licensing authority
Name of Officer signing	

Notes for Guidance

General

In these notes, a person who gives a temporary event notice is called a "premises user".

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 8 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 16 below sets out the definition of an "associate".

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for

JRS 13

Home

Posts

Photos

About

Community

Event



The New Staincliffe Hotel

Saturday at 09:36 • 🌐



Staincliffe Sports Bar

Tuesday at 11:32 • 🌐



ANNOUNCEMENT!!!

Best offer in the town for this big game on Saturday!

Expecting an amazing atmosphere!

Boxing showing afterwards 🥊

Saturday 1st June

From 7pm - the first

goal is scored



UEFA
**CHAMPIONS
LEAGUE**

Only £2.50 a pint!

JRJ/4

JOHNSON, James (P0190)

From: JOHNSON, James (P0190)
Sent: 06 June 2019 18:41
To: 'Licensing'
Cc: 'Ian Harrison'
Subject: RE: The Staincliffe - TEN (LATE)

Good evening,

Cleveland Police **do object** to this notice as following enquiries at the premises at 5.30pm on Thursday 6th June 2019, the premises was found to be open where persons were witnessed in the Sports Bar area purchasing and consuming alcohol.

At this time there is no notice of any kind in place which will allow licensable activities to take place.

The member of staff serving behind the bar has confirmed to myself and my colleague that the premises was open on Saturday 1st June when the champions league final was being played and that alcohol was being sold. The previous temporary notice expired at Midnight on the 28th May 2019.

Unlicensable activities have taken place at this premises and given this, Cleveland Police have no option other than to object to this notice.

Cleveland Police are of the view that no person at the premises is taking effective control of the premises to operate legally and this is impacting on the public safety objective as Cleveland Fire brigade have concerns over the current operation of this premises.

Regards,

Pc190 James Johnson
Licensing Support Unit
Middlesbrough Police Office
Bridge Street West
Middlesbrough
TS2 1AB

www.cleveland.pnn.police.uk
Website | Facebook | Twitter | Instagram | LinkedIn



Public Service | Transparency | Impartiality | Integrity

Please do not use social media or email to report crime as we do not monitor these accounts 24/7. Dial 999 in an emergency or visit the [contact us](#) section of our website for all reporting options.

From: Licensing [<mailto:Licensing@hartlepool.gov.uk>]
Sent: 06 June 2019 16:52
To: Adrian Hurst; JOHNSON, James (P0190); Lesley Huitson; HIGGINS, Paul (p0944); H0 Licensing Unit; Sylvia Pinkney; Zoe Craig
Subject: The Staincliffe - TEN (LATE)
Importance: High

J23/4

LICENSING ACT 2003 - NOTIFICATION OF RECEIPT OF APPLICATION - ATTACHED

IF YOU HAVE NOT RECEIVED SUCH A COPY YOU SHOULD NOTIFY THIS OFFICE AS SOON AS POSSIBLE.

On 6th June 2019

Hartlepool Borough Council received an application for a temporary event notice under the Licensing Act 2003 from: -

Name: Shaun Michael Montgomery

We must receive your comments within 3 working days of you receiving the application.

Your organisation has been designated or identified as a 'responsible authority' under the Licensing Act and as such the applicant must send you a complete copy of their application immediately.

IF YOU HAVE ANY FURTHER QUERIES ON THIS APPLICATION PLEASE CONTACT THE APPLICANT DIRECT.

To avoid any doubt, it would be appreciated if you could reply to this e-mail with a 'No Comment' if you have no concerns.

Please reply to this e-mail with your comments (licensing@hartlepool.gov.uk)

**Licensing Team
Hartlepool Borough Council**

Tel: 01429 523354

Email: licensing@hartlepool.gov.uk

Website: www.hartlepool.gov.uk/licensing

Facebook: /hartlepoolcouncil

Twitter: @HpoolCouncil



#LOVEHARTLEPOOL

Share your photos and what you love about
Hartlepool using #LoveHartlepool

LOVE
HARTLEPOOL

JRJ15

(68)

£23
paid

Temporary Event Notice



Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input checked="" type="checkbox"/> Other (please state)		
Surname	MONTGOMERY		
Forenames	SHAWN MICHAEL		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day 12	Month 05	Year 82
4. Your place of birth	NEWCASTLE		
5. National Insurance Number	YR 668334C		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
STANCLIFF ROAD			
Post town		Postcode TS25 1AB	
7. Other contact details			
Telephone numbers	01469 861774		
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)	the new stancliff hotel & more. com		
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Post town		Postcode	

REGENERATION & NEIGHBOURHOODS
DEPARTMENT
- 6 JUN 2019

TEN01

JRJ/5

9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
STANCLIFFE HOTEL.	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	HART / PS / SD1
Club premises certificate number	.
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
All public bar, restaurant, rooms.	
Please describe the nature of the premises below. (Please read note 4)	
All public bar, restaurant rooms	
Please describe the nature of the event below. (Please read note 5)	
License d Premises	

JRS/5

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input checked="" type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	
1st June 12th to 16th 2016 June 14 th 15 th 16 th	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)	
0900 - 0200.	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	
150	
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only
	Off the premises only
	Both
Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)	

JRJ/5

4. Personal licence holders (Please read note 14)					
Do you currently hold a valid personal licence? (Please tick)	<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No				
<input type="checkbox"/>	<input type="checkbox"/>				
If "Yes" please provide the details of your personal licence below.					
Issuing licensing authority					
Licence number					
Date of issue					
Any further relevant details					

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	2	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? ✓	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

JRJ/5

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	3. 6. 19.
Name of Person signing	S.M. Mon Romsay

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	
	On behalf of the licensing authority
Date	
Name of Officer signing	

JRJ/6

JOHNSON, James (P0190)

From: JOHNSON, James (P0190)
Sent: 07 June 2019 13:35
To: 'Licensing'
Subject: RE: The Staincliffe Hotel - TEN

Good afternoon,

Cleveland Police do object to this notice.

At this time there is no premises licence in place for the Staincliffe and it has been operating on Temporary Event Notices with the last TEN expiring on the 28th May 2019.

At 5.30pm on Thursday 6th June 2019 officers from Cleveland Police's licensing unit attended the premises where the Sports bar of the venue was open and alcohol was being sold.

On speaking to the member of staff who was witnessed selling alcohol, he stated that the premises had also been open and selling alcohol on Saturday 1st June 2019 when the Champions league final was taking place and also on Sunday 2nd June 2019.

It is obvious that unlicensable activities have been taking place at the premises and because of this Cleveland Police have no recourse other than to object to this notice.

It appears that no person at the premises is taking effective control to allow the premises to operate legally and this could impact on the public safety objective as Cleveland Fire brigade have concerns over the safety and current operation of this premises.

Regards,

Pc190 James Johnson
Licensing Support Unit
Middlesbrough Police Office
Bridge Street West
Middlesbrough
TS2 1AB

james.johnson@pnn.police.uk

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#)



Public Service | Transparency | Impartiality | Integrity

Please do not use social media or email to report crime as we do not monitor these accounts 24/7. Dial 999 in an emergency or visit the [contact us](#) section of our website for all reporting options.

From: Licensing [<mailto:Licensing@hartlepool.gov.uk>]

Sent: 07 June 2019 09:33

To: Adrian Hurst; JOHNSON, James (P0190); Lesley Huitson; HIGGINS, Paul (p0944); H0 Licensing Unit; Sylvia Pinkney; Zoe Craig

Subject: The Staincliffe Hotel - TEN

LICENSING ACT 2003 - NOTIFICATION OF RECEIPT OF APPLICATION - ATTACHED

JRJ/6

IF YOU HAVE NOT RECEIVED SUCH A COPY YOU SHOULD NOTIFY THIS OFFICE AS SOON AS POSSIBLE.

On 6th June 2019

Hartlepool Borough Council received an application for a temporary event notice under the Licensing Act 2003 from: -

Name: Shaun Michael Montgomery

We must receive your comments within 3 working days of you receiving the application.

Your organisation has been designated or identified as a 'responsible authority' under the Licensing Act and as such the applicant must send you a complete copy of their application immediately.

IF YOU HAVE ANY FURTHER QUERIES ON THIS APPLICATION PLEASE CONTACT THE APPLICANT DIRECT.

To avoid any doubt, it would be appreciated if you could reply to this e-mail with a 'No Comment' if you have no concerns.

Please reply to this e-mail with your comments (licensing@hartlepool.gov.uk)

**Licensing Team
Hartlepool Borough Council**

Tel: 01429 523354

Email: licensing@hartlepool.gov.uk

Website: www.hartlepool.gov.uk/licensing

Facebook: /hartlepoolcouncil

Twitter: @HpoolCouncil



**HARTLEPOOL
BOROUGH COUNCIL**

#LOVEHARTLEPOOL

Share your photos and what you love about
Hartlepool using #LoveHartlepool

**LOVE
HARTLEPOOL**

Please consider the environment before printing this e-mail

JRJ/7

(69)

Paid

Temporary Event Notice



Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	MONTGOMERY		
Forenames	SHAW Michael		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day 12	Month 5 Year 82
4. Your place of birth		HARTLEPOOL	
5. National Insurance Number		YK6 83300	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Stamcliffe Hotel		REGENERATION & NEIGHBOURHOODS DEPARTMENT - 6 JUN 2019	
Post town Hartlepool		Postcode TS 25 1 AB	
7. Other contact details			
Telephone numbers		01429 861774	
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)		knewstamcliffehotel@mail.com	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Post town		Postcode	

TEN01

JRS/17

9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
STAINCLIFFE HOTEL	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	HART/88/SU1
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
BAR, RESTAURANT ROOMS	
Please describe the nature of the premises below. (Please read note 4)	
Hotel	
Please describe the nature of the event below. (Please read note 5)	
Licensed Panto	

J25/7

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input checked="" type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	
June 21 - 22 - 23 rd	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)	
0900 - 02:00	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	150
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only <input checked="" type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input checked="" type="checkbox"/>
Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)	

JLS/17

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)	
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	1
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)	
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	3
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

JRJ/7

7. Checklist (Please read note 17)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	6 th June 2019.
Name of Person signing	S. H. MONTGOMERY

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	
Date	On behalf of the licensing authority
Name of Officer signing	

RESTRICTED (when complete)**CLEVELAND POLICE****WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; MC Rules 1981, r70)

URN	17			
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Statement of **James Johnson**Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Pc190**

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature _____

Date: **19th June 2019**Tick if witness evidence is visually recorded ☒ (supply witness details on rear)

I am a Police Constable in the Cleveland Police presently posted to the Licensing unit at Middlesbrough Police office.

Further to my statement dated 11th June 2019 I would like to add the following in relation to the hearing for the Staincliffe Hotel.

I have been given two Facebook posts in respect of promotions for the Staincliffe Sports Bar, the first has the date 10th May and this relates to a Karaoke and disco night called F5ver Fridays from 1st March advertising 2 Bud, 2 WKD, 2 Vodka and energy, 3 Jager bombs and 4 shots for £5 each.

I exhibit this post as JRJ/8

The second post is dated 11th May and is advertising Whitley Neill Raspberry Gin for only £5 a double.

I exhibit this post as JRJ/9.

On these dates the Staincliffe Hotel did not have a premises licence in place.

There had been a late Temporary Event Notice (TEN) applied for but this was not due to start until the 14th May until the 20th May 2019.

Signature _____

Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **2**Continuation of Statement of **James Johnson**

A second late TEN was later applied for and this was due to run from the 22nd – 28th May 2019.

A further late TEN was applied for but unfortunately the applicant had already had two late TEN's so a counter notice was issued and then two further TEN's were also submitted.

The first was a late TEN which Cleveland Police objected to and this was cancelled but a further TEN was submitted which resulted in a hearing on the 19th June following representations from Cleveland Police, and this TEN was rejected by the licensing committee.

It is well documented that the Staincliffe hotel does not have a current premises licence and had operated on TEN's but since the 28th May 2019 there has not been any TEN in place, but it is of note that the above Facebook posts were retrieved off the Staincliffe hotel Facebook site on the 18th June 2019.

Signature

Signature Witnessed by

JRJ 18

Facebook.com/staincliffe-sports-bar/photos/a.36362211857657119267596556339/10153636339/?type=3&theater


Staincliffe Sports Bar - Home

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Page Safety Tools

The Sports Bar

Karaoke & Disco



5 EVER FRIDAYS

Every Week
From 1st March

All Only £5 Each

- 2 Bud, 2 WKD, 2 Vodka & Energy
- 3 Jager bombs, 4 Shots

Mobile Uploads

15 of 15

Staincliffe Sports Bar

Like This Page

Kick off your weekend with us

1st Friday!

Free pool! See more

Andrea Wright and Vicky Hockborn like this

1 shares

100%


11:34 18/03/2017

JR5/9

facebook.com

File Edit View Favorites Tools Help

Page Safety Tools



Mobile Uploads
16 of 71

Stanclyffe Sports Bar
Like this Page

BRAND NEW
Whitley NEIL Raspberry Gin
ONLY £5 for a DOUBLE!

Ellen Wilmot, Stanclyffe Sports Bar, Christopher Davison and 2 others like this

1 share

Kathryn Butts Yes please Oh I've got one

100% 1000 25/04/2019

RESTRICTED (when complete)**CLEVELAND POLICE****WITNESS STATEMENT**

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN	17			
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Statement Paul HigginsAge if under 18: **Over 18** (if over 18 insert "Over18") Occupation: Police Sergeant 944

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: P HigginsDate: 20/06/2019Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Sergeant in Cleveland Police presently stationed at Middlesbrough Police station in the Licensing Support Unit. I have performed this role for over 15 years and during that time I have successfully completed the BIIAB level 2 National Certificate for Licensing Practitioners and the BIIAB level 2 course in the Assessment of Licensed Premises.

An application has been received for a premises licence for the Staincliffe Hotel in Seaton Carew. The application is for the sale of alcohol from 11:00 until 02:00hrs Monday to Sunday with the premises open 24 hours The application is made by Cliffe Hotels Ltd

Cleveland Police have made a representation against this application because it is the view of the Police that this event will undermine the Prevention of crime and disorder and the Public safety Licensing Objectives.

The Staincliffe hotel currently has no Premises Licence under the Licensing Act 2003 and the concerns of Cleveland Police can be summarised as thus.

- The operators have demonstrated a pattern of ignoring legislation in relation to the Licensing Act 2003 at the Staincliffe since the premises lost its licence, along with

Signature _____

Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **2**

Continuation of Statement of **Paul Higgins**
ignoring other legislation in relation to the broadcast of premier league football

- A pattern of ignoring a Fire Safety Prohibition notice issued on 5th April 2019 prohibiting the use of certain rooms due to inadequate means of escape.

The premises previously had a Licence to sell alcohol in the same format as what is currently being applied for but that licence lapsed due to insolvency because of the following circumstances.

On the 22nd October 2018 the original licence was transferred to Cliffe Hotels Ltd, however in April 2019 Hartlepool Council became aware that the previous premises licence holder had become insolvent in August 2018. This effectively meant that there was no licence to transfer to Cliffe Hotels so the premises had operated without a licence since August 2018.

Hartlepool Council notified the operators by sending a letter on the 29th April 2018 that they did not have a licence to operate and they could only conduct licensable activity with a Temporary Event Notice (TEN) and must apply for a new licence if they intended to operate in future.

Mr Shaun Montgomery one of the directors of Cliffe Hotels contacted Hartlepool Council via telephone on the 3rd May for an explanation as to what had happened.

The current application is signed the 3rd May 2019 and a temporary event notice was also submitted for the premises for the 14th to 20th May 2019 which was also signed the 3rd May 2019. This temporary event notice is exhibited as JRJ/1 This shows that the operators understood their predicament and were actively trying to restore the licence. Cleveland Police did not make a representation against that TEN nor to a second one between the 22nd and 28th May 2018.

It then became apparent that there were dates outside of those where the premises did not have a TEN but it is believed that they conducted Licensable activity.

- Saturday 4th May 2019 Cleveland Fire brigade attended and noted that there was an

Signature

Signature Witnessed by

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **3**

Continuation of Statement of Paul Higgins

event taking place involving a 40th Birthday party with a tribute band called The Valentines playing in the Sports Bar. Station Manager Stuart SIMPSON details this in his statement. This band plays amplified music and this would be classed as regulated entertainment under the Licensing Act 2003. At a hearing for a Temporary Event Notice on Wednesday 19th June 2019 at Hartlepool Licensing Committee. Amanda Fletcher accepted that Licensable activity took place at that event and alcohol was sold. At the hearing an explanation for this was given that they had not realised this would be unlawful at that time.

- Saturday 1st June 2019 the Staincliffe advertised an event for the Champions League with pints being sold for £2.50 – see PC Johnsons statement
- Sunday 2nd June 2019 see PC Johnsons statement
- Thursday 6th June 2019 PC Johnson and Craig observed alcohol being sold to a customer.

Not only had Hartlepool Council made it clear that the premises had no licence on the 29th April 2019 but PC Johnson had also spoken to one of the operators on the 10th May 2019 about the licence situation.

In order to investigate these offences PC Johnson contacted one of the operators and asked for CCTV footage for the weekend of the 1st and 2nd of June along with the 6th June. When PC Johnson attended the premises on Thursday 13th June 2019 to collect footage he was given the entire CCTV hard drive. When he later asked for the password to operate the device it would appear that none of the operators know the password. We are currently unable to establish whether the machine has been recording footage as a result. Given that the premises does not have a licence this is not a breach of a condition but is a further concern about how the premises has been managed.

Signature _____

Form/Template Revised 03/2012

Signature Witnessed by _____

MG 11-00(T)

RESTRICTED (when complete)**CLEVELAND POLICE**

Page No 4

Continuation of Statement of Paul Higgins

In relation to fire safety concerns Cleveland Fire Brigade have been having issues with the Staincliffe Hotel for some time. There evidence of this is provided in statement format.

In relation to the incident on the 27th April detailed in Fire Officer Flounders statement, Cleveland Fire Brigade made a call to Cleveland Police about this incident as they believed that there may be a need for Police assistance in dealing with guests. This call is detailed as event CVP-19-070345. Exhibit PJMH/1

The premises is being operated by people who have ignored a Fire Safety Prohibition Notice and have repeatedly ignored Licensing Law. This has undermined the Public Safety Objective and the Prevention of Crime and Disorder Objective.

Signature _____

Form/Template Revised 03/2012

Signature Witnessed by _____

MG 11-00(T)

STORM INCIDENT REPORT

Closed Incident

Event Id:	CVP-19-070345	Priority:	Priority
Dispatch type:	AS22 Nuisance	Call source:	MOBILE
Dispose type:	PS16 Licensing	Action:	FINALISED
Originating Tel:		Media Consent:	
Reported time:	2019-04-27 19:26:13	View Rated:	NO

Description: NUISANCE

Location: STAINCLIFFE HOTEL
THE CLIFF
HARTLEPOOL
TS251AB

X: 452394, Y: 530394

Person Reporting

Name:	[REDACTED]	Telephone:	[REDACTED]
DOB:	[REDACTED]	Gender:	MALE
Contact:	?		
Ethnicity:			
Involvement:		THIRD PARTY	
Address:			
Proximity:			
Location Type:			

Officer Involvement

9918	Officer In Charge
5541	CAD Operator

Remarks

<u>Time</u>	<u>User</u>	<u>Category</u>	<u>Narrative</u>
2019-04-27 19:23:09	c5541	REMARKS	FIRE MAKING US AWARE THAT THEY MAY REQUIRE OUR ASSISTANCE AT THE A/A - THERE HAS BEEN A PROBITION ORDER SERVED TO THE HOTEL AS THERE IS FIRE SAFETY ISSUES WITHIN SOME OF THE ROOMS
2019-04-27 19:23:09	c5541	REMARKS	IN WHICH THE HOTEL HAS BOOKED OUT - FIRE ATTENDED EARLIER TODAY TO FIND THAT THE HOTEL HAD BOOKED ROOMS OUT TO A WEDDING PARTY AND WHEN FIRE HAD TRIED TO EXPLAIN THE ROOMS WERE

2019-04-27 c5541 REMARKS NOT SAFE TO STAY IN EMOTIONS RAN HIGH AMONGST
19:23:09 THE GUESTS - FIRE LEFT TO LET THINGS SETTLE
ALTHOUGH ARE NOW GOING TO RE ATTEND TO MAKE
SURE THE ROOMS HAVE BEEN EVACUATED - BELIEVES

2019-04-27 c5541 REMARKS THERE MAY BE A DISTURBANCE CAUSED - FIRE WILL
19:23:09 CONTACT IF WE ARE NEEDED

2019-04-27 C6224 REMARKS Incident status changed manually Pending->Further
20:25:53 Action Required OTHER REASON

2019-04-27 c9918 REMARKS RECONTACTING CFB
20:53:04

2019-04-27 c9918 REMARKS THERE ARE TWO OFFICERS THERE
20:53:11

2019-04-27 c9918 REMARKS ITS POSS OVERCROWDING OF THE HOTEL
20:53:29

2019-04-27 c9918 REMARKS X2 HIGH RANKING OFFICERS ARE IN ATTENDANCE
20:53:53

2019-04-27 c9918 REMARKS CFB -- 118997
20:54:57

2019-04-27 c9918 REMARKS STAFF WILL RECONTAQCT OFFICER FLOUNDERS AND SEE
20:55:16 IF WE ARE REQUIRED

2019-04-27 c9918 REMARKS CFB CONTACTED
21:30:38

2019-04-27 c9918 REMARKS STAINCLIFFE HAVE BREACHED THER PROHIBITION
21:30:50 ORDER

2019-04-27 c9918 REMARKS UNABLE TO ESTABLISH THE NUMBERS SO CFB ARE
21:32:45 LEAVING AN APPLIANCE OUSIDE FRO 2200HRS UNTIL
THE MORNING

2019-04-27 c9918 REMARKS THEY WILL CONTACT IF REQUIRED AT ANY POINT
21:33:04

2019-04-27 c9918 REMARKS OFFICER FLOUNDERS THANKS POLICE FOR THEIR
21:33:34 CONCERN AND OFFER OF HELP

2019-04-27 c9918 REMARKS PLEASE CLOSE
21:33:39

2019-04-27 c9918 REMARKS Incident status changed manually Further Action
21:35:33 Required->Complete - Closure team FOR CLOSURE

2019-04-27 C6591 DISPOSE No. of Arrests N.F.A. No. of Reports
21:37:02

2019-04-27 C6591 DISPOSE Handling Officer 9918
21:37:02

2019-04-27 C6591 DISPOSE CVP-19-070345 HAS BEEN DISPOSED
21:37:02