

Representations On A Current Application For A Grant/Variation Of A Premises Licence Or Club Premises Certificate Under The Licensing Act 2003

Section 1 – Licence Application Details

Applicant Name (If Known)	The Porky Pint Limited (review application by Cleveland Police)
Premises Name and Address	The Porky Pint 40 Mill Lane Billingham TS23 1HF

Section 2 - Responsible Authority

- Trading Standards
- Cleveland Police
- Environmental Health
- Cleveland Fire Service
- Planning
- Protection of Children From Harm
- Public Health

Section 3 – Representation Grounds

<p>The representation is relevant to one or more of the following licensing objectives:</p> <p>Please tick relevant box(es)</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Prevention of Crime and Disorder <input type="checkbox"/> Prevention of Public Nuisance <input type="checkbox"/> Protection of Children from Harm <input checked="" type="checkbox"/> Public Safety
<p>Please Select:</p> <ul style="list-style-type: none"> <input type="checkbox"/> I object to the application being granted at all <input type="checkbox"/> I object to the application being granted in its current form* <p>*If you choose this option remember to tell us what changes you would prefer to see.</p>	

The grounds of the representation is based on the following:

(Please continue on a separate sheet if necessary)

I make this representation on behalf of Stockton-on-Tees Borough Council's Trading Standards Service and in support of the application made by Cleveland Police for a review of the premises licence held by The Porky Pint Limited.

In my current role as Trading Standards Manager, I have been involved in the operation of the Council's Covid Compliance Unit (CCU) since October 2020. I therefore have access to the records held by the CCU.

On 15 October 2020, I received information from an Environmental Health colleague with regard to a complaint about the apparent lack of Covid control measures at a premise known as The Porky Pint. The officer had contacted The Porky Pint and spoken to a Mr Paul Henderson about the complaint and was told that staff and customers are free to choose whether or not they wear face coverings and customers are free to decide whether or not they provide track and trace information. The officer then asked Mr Henderson if he was aware of the new rules in place and Mr Henderson replied that he did not recognise the authority of the new rules.

On 30 October 2020, I received a notification of a complaint received via the Council's Public Health team that a wedding reception had been held at The Porky Pint with over 30 guests attending and at that time wedding receptions were limited to 15 people.

On 5 November 2020, new lockdown regulations came into force and hospitality venues including pubs, were required to cease the provision of food and drink for consumption on the premises. Takeaways were allowed, but only if certain conditions were met.

I am aware that John Wynn, a Licensing Officer, attended The Porky Pint posing as a customer on 7 November 2020 in order to buy a takeaway sandwich and as he entered he was asked by a bearded gentleman if he wanted a pint. When he was inside, he noticed four females sat at the far corner table of the bar with drinks glasses in front of them, one of which was a gin glass containing a clear liquid and another two which appeared to contain lager. Following this visit, a warning letter was sent to The Porky Pint Limited on 13 November 2020, a copy of which is attached as reference JJO/01.

On 13 November 2020, I received details of two complaints referred to me by colleagues from Environmental Health, both of which alleged that the Porky Pint was open as normal and serving alcohol to customers to drink inside the premises.

On 19 November 2020 at 17:00 hours, I visited The Porky Pint with John Wynn and Constable Steve Craig from Police Licensing. However, we found the premises to be closed at this time.

On 20 November 2020, I received information from Licensing Officer Polly Edwards that she had just visited The Porky Pint at 19:37 hours and found three Police cars and up to six officers in attendance. Officers told her that the DPS had provided his name as Paul Henderson but had initially refused to allow them in or to give them any more information, saying he didn't believe in Coronavirus. There were five people found drinking inside the premises and they were eventually removed by the Police.

On 23 November 2020, I received another complaint about The Porky Pint, this one referred over by Cleveland Police. The complaint alleged that The Porky Pint was not just serving takeaway food but was allowing customers to use the bar to sit in for alcoholic beverages

and showing live sports for customers.

On 23 November 2020 at 14:33 hours, I visited The Porky Pint in order to serve a prohibition notice under The Health Protection (Coronavirus, Restrictions) (England) (No.4) Regulations 2020. However, the premise was closed, and the letterbox was boarded up, so I was unable to serve the notice at the premises. As a result, I sent a copy of the notice by first class post to the Billingham address and to a correspondence address in Birmingham. I also emailed a copy to Mr Henderson. I attach a copy of the prohibition notice as reference JJO/02.

On 28 January 2021, I received information from the Council's Media Team, that both Stockton Council and Cleveland Police had been tagged into a post on Twitter from Paul Henderson who claimed the Porky Pint in Billingham would be opening on Saturday 30 January 2021.

I was aware of a national campaign called The Great Re-opening, which was encouraging business owners to re-open on Saturday 30 January 2021. I attach a copy of the Business Owners Guide to the Great Re-opening as reference JJO/03. With regard to establishments serving food and drink, the Guide states on page 4:-

As current legislation deems your current business 'non-essential' we suggest the best way to circumvent this is to re-brand your business to one deemed as 'essential'. If you are an establishment that may provide food, drinks, alcohol, refreshments or seating you will instead re-brand as an essential 'business meeting space'. This has proved successful with several business owners across the UK and is covered as 'essential' under the Coronavirus Act 2020.

Take away meals can be purchased and any groups that chose to sit inside will simply be involved in a business meeting. Any drinks or alcohol served in your establishment will be given to attendees without expectation of a financial transaction. Of course, donations are accepted and allowed.

On 30 January 2021, I'm aware that Licensing Officer John Wynn visited The Porky Pint and found six customers drinking on the premises. Mr Henderson told Mr Wynn that he was hosting a business meeting and an emotional support meeting and that he was allowed to do this on the basis of legal advice published on a website. Mr Wynn telephoned for Police support.

I'm aware that DC Andrew Yau then attended The Porky Pint and asked Mr Henderson if he could provide any evidence in terms of advertising, social media posts, emails or texts etc. for his business meeting or support group, to which Mr Henderson replied that he could not and it was all done via word of mouth.

On 9 February 2021, at 15:10 hours, I visited The Porky Pint in order to serve a fixed penalty notice under The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020. However, the premise was closed, and the letterbox was boarded up, so I was unable to serve the notice at the premises. As a result, I sent a copy of the notice by first class post to the Billingham address and to a correspondence address in Birmingham. I also emailed a copy to Mr Henderson. I attach a copy of the fixed penalty notice as reference JJO/04.

To date, as far as I'm aware, Mr Henderson has not paid the £1000 fixed penalty notice.

Signed: Jimmy Jones	Position: Trading Standards Manager	Dated: 19/04/2021
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When complete this form should be returned to the address above or e-mailed to licensing.administration@stockton.gov.uk

For Office Use Only

Date Received		Checked By	
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My Ref:400046
Your Ref:153574

Licensing Service
Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD

SAT NAV code: TS19 1UE
Tel: 01642 526568
Email: john.wynn@stockton.gov.uk
Date: 13/11/2020

Dear Sir

**The Health Protection (Coronavirus, Restrictions) (England)
(No. 4) Regulations 2020
Licensing Act 2003**

The above regulations came into force on Thursday 5 November 2020 and put restrictions on the serving of food and drink, from licensed premises in England. You are only allowed to serve takeaway food and alcoholic drinks and you must not have customers on your premises. The regulations state;

Restrictions on service of food and drink for consumption on the premises

15.— (1) A person responsible for carrying on a restricted business, or providing a restricted service, must—

- (a) close any premises, or part of the premises, in which food or drink are provided for consumption on those premises, and
- (b) cease providing food or drink for consumption on its premises

Your premise is classed as a restricted premise and you must therefore abide by the regulations.

On Saturday 7 November 2020. I was able to enter your premise and order hot food. As I entered, I was informed "You can have a pint if you want". I declined and ordered my food at the bar. Whilst waiting for my food I was able to observe 4 females sitting at the corner table drinking what appeared to be pints of lager and other drinks in large gin type glasses.

A Licensing Colleague spoke with you the previous week, accompanied by an APS Licensing Officer, you refused them entry and refused to cooperate with enquires or provide your details.

I am also in receipt of information from Cleveland Police that a wedding reception took place at your premise on Friday 30 October 2020, it is alleged that in excess of the 15 people permitted by the current regulations, were present.

Continued..

The Porky Pint Ltd
40 Mill Lane
BILLINGHAM
TS23 1HP

I must warn you that if you continue to ignore the guidance and regulations issued by central government we, along with partner agencies, will look to review your premise licence under the Public Safety and Crime and Disorder elements and objectives of the Licensing Act 2003. This can lead to your premise licence being revoked.

I must also warn you that I have powers of entry under the Licensing Act and can require that you provide your details to me. Any attempt to frustrate entry or not provide requested information will be viewed as obstruction, which is a criminal offence for which you can be prosecuted in the Magistrate's Court.

I trust the above is clear. Do not hesitate to contact me if you require further clarification or have any comments regarding the content of this letter.

Yours faithfully

John Wynn
Licensing Officer

Cc. Mr Paul Henderson, 47 Watermarque, 100 Browning Street, BIRMINGHAM B16 8GY



Notice Ref: COVID/PN/400046

**The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020,
as amended¹ (SI. 2020: No.1200)**

PROHIBITION NOTICE

23 November 2020

Part A

To: Mr Paul Thomas Henderson

Trading as: The Porky Pint

At: 40 Mill Lane, Billingham, TS23 1HF

Of: The Porky Pint Limited, 40 Mill Lane, Billingham, TS23 1HF

This Prohibition Notice is served under Regulation 19(2) of The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020 (the Regulations) and has immediate effect.

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, James Robert Jones, designated as a relevant person for the purposes of the Regulations by Stockton-on-Tees Borough Council, have reasonable grounds for believing that you are contravening a requirement in the Regulations as set out in Part B below and that it is necessary and proportionate to issue this Prohibition Notice to prevent continued contravention of that requirement.

Part B. Contravention of the restrictions

Regulation contravened: **In relation to a breach of Regulation 15(1)** (Restrictions on service of food and drink for consumption on the premises - applies to business or service listed in Part 1 of the Schedule, or is carried on from, or provided at, premises of a kind specified in Part 1 of the Schedule)

Mr Paul Thomas Henderson on the 20 November 2020 carried on a business / provided a service, other than as permitted by the exceptions listed in regulation 17(1) and (2) namely: a public house known as The Porky Pint at 40 Mill Lane, Billingham TS23 1HF and being in contravention of regulation 15(1) The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020.

Particulars of the offence: On Friday 20 November 2020, at approximately 19:37 hours, Mr Paul Thomas Henderson carried on a restricted business / provided a service as a public house at premises known as The Porky Pint, 40 Mill Lane, Billingham, TS23 1HF and that premises was open and providing food and drink for consumption on the premises, in breach of Regulation 15(1) of The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020.

¹ Amended by 2020 No. 1242

Part C. Action required

This Prohibition Notice requires that you immediately cease the activities identified in Part B giving rise to contravention of the Regulations. The measures specified below must be taken to prevent continued contravention of the Regulations:

In relation to a breach of Regulation 15(1) (*Business or service listed in Part 1 of the Schedule, or is carried on from, or provided at, premises of a kind specified in Part 1 of the Schedule*)

Actions required:

- *Close the premises, or part(s) of the premises, in which food or drink are provided for consumption on the premises; and*
- *Cease providing food or drink for consumption on the premises*

Part D. Consequences of non-compliance with this Notice, and with the Regulations

Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under regulation 20 of the Regulations, punishable upon summary conviction (regulation 20(2)) or by a fixed penalty notice (regulation 21).

Part E. Challenging this Prohibition Notice

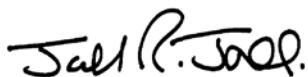
If you consider that the Notice should not have been issued, you can make representations to Stockton-on-Tees Borough Council in writing outlining your reasons for challenging the Notice, within 28 days of the date on this Notice.

Your challenge will be processed in accordance with Stockton-on-Tees Borough Council's Complaint Procedure: <https://www.stockton.gov.uk/our-council/customer-services/customer-feedback-and-complaints/>

Contact: Email foiandcomplaints@stockton.gov.uk / telephone 01642 527521 between 9am - 4pm, Monday to Friday / or write via post to Information Governance Team, Information and Improvement, Stockton-on-Tees Borough Council, Municipal Buildings, Church Road, Stockton-on-Tees, TS18 1LD.

This Notice remains in force even if you have raised a challenge.

Should the local authority's review of your challenge determine that the Notice should not have been issued, you will be notified in writing.



Signed:

Date: 23 November 2020

Name in Capitals: JAMES ROBERT JONES

Name and Address of Local Authority: Stockton-on-Tees Borough Council, Municipal Buildings, Church Road, Stockton-on-Tees TS18 1LD

Telephone: 01642 526528

Email: jimmy.jones@stockton.gov.uk

If you are not sure of your rights or the implications of this Notice, you may want to seek independent legal advice



Business owners guide to The Great Re-Opening 30th January 2021

www.the-great-reopening.com

For any questions please contact: imopen@the-great-reopening.com

Introduction

Thank you for joining in on the most important defence of your civil rights in modern history! This is a big day for you and the last thing we want is there to be issues with any attendees not being prevented access to your premises. This document has been created to ensure you are able to re-open without any interference or prosecution from local authorities and police.

Please read the document carefully to ensure you can remain open long-term and avoid any issues with police and authorities.

Disclaimer: the creators of this document, The Great Re-Opening, are not registered legal entities or litigate in person and we are not providing legal advice or service. We take no liability for your actions. It is your responsibility to ensure that you have done all your due diligence. We are providing guidance based on the COVID legislation in parliament and have provided you with links so that you can refer to them.

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- 2) Strategies to avoid but be aware of**
 - 2.1) Dispelling misconceptions around the usage of 'Common Law'
 - 2.2) How your Human Rights have been infringed upon and how use this to appeal to the emotion, responsibility and conscience of authorities and police.
- 3) Appealing to authorities as an essential mental health group.**
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- 6) Perception of activities happening within your establishment**
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- 6.3) Participants and how to establish your business
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- 10) Business Promotion**
- 11) Document List to print.**

1) Summary and strategy

The following strategy is based around authorities recognising that you are adhering to:

1) The Coronavirus Act 2020

Specifically, 'Schedule 22, Part 2, Paragraph 6 (1), (a)preventing, protecting against, delaying or otherwise controlling the incidence or transmission of coronavirus.' Your completed risk assessment proves this.

Your risk assessment will also provide evidence that your business is providing the essential service of a business meeting or a professional film production studio with attendees either being part of a business meeting or being part of a cast, film, podcast or photo shoot.

2) A sufficient risk assessment being present and visible.

Present your completed risk assessment clear attached to a window/ door. Make sure this is clear to see and visible at all times. Make sure that you have several printed copies to pass through letterboxes.

2) Strategies to avoid but to be aware of

2.1) Dispelling misconceptions around the usage of 'Common Law'

Some well-known social media activists have bravely used what is know as 'Common Law' to prevent authorities disturbing their business practise.



However, this is most likely due to confusion from police. Crucially, if these cases were taken to a court, common law would be over-ruled by the law of parliament, for example the Coronavirus Act 2020. One example of this can certainly be seen in the House of Lords in the case of Jackson v Attorney General. In that case, Lord Steyn said that:

'...the supremacy of Parliament is still the general principle of our constitution. It is a construct of the common law.'
<https://www.gov.uk/government/speeches/parliament-and-the-judiciary>

We therefore advise to avoid the usage of common law, due to the fact present parliamentary law makes it null and void in this scenario.

2.2) How your Human Rights have been infringed upon and how use this to appeal to the emotion, responsibility and conscience of authorities and police.

Similarly to Common Law, activists and business owners have cited breaches of the European Convention of Human Rights and the Universal Declaration of Human Rights. On December 4th 2020, a team of lawyers hired by entrepreneur Simon Dolan took a case to the supreme court of the United Kingdom under the challenge that:

'...the restrictions brought in by the Government contravene the European Convention of Human Rights, which cover the right to liberty, family life, education and property.'

Unfortunately, the supreme court rejected these assertions and maintained that the human rights of its citizens had not been breached. The case was ultimately rejected. This is obviously a shock to many within our movement. However, this makes clear how under current legislation, the case for re-opening under the premise of it being guaranteed under your 'human rights' is null and void.

Nevertheless, we urge all of you to print the attached 'Trespass Notice' onto a visible spot around the entrance of your establishment (a window, for example). This serves to appeal to the conscience and responsibility of the authorities and police to uphold your fundamental human rights. This is also part of their duty as evidenced below by the Oath of Allegiance that all police officers serving in the United Kingdom swear by:

'I solemnly and sincerely declare and affirm that I will well and truly serve the Queen in the office of constable, with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people'

3) Appealing to authorities as an essential mental health group.



A separate notice will be sent through to you via email named 'Essential Mental Health Group Notice'. We recommend this is printed and placed in a visible area of your establishment. This once again follows current legislation and simultaneously appeals to the Oath of Allegiance sworn by police officers.

4) Advice on operating long-term- donations and finances

The purpose of re-opening is for you to remain open for long-term business. Businesses would be to continue with revenue and some form of profit in order to survive. The business owners need to consider whether the pivot into a different type of service can work within the old business model and with past customers. Donations can of course be taken at any time from attendees to your business meetings and from participating in activities surrounding filming/ photography or audio recordings (haircuts, nail work, tattoo work etc).

5) How to re-open within the current Coronavirus Act 2020

5.1) Establishments serving food and drink

As current legislation deems your current business 'non-essential' we suggest the best way to circumvent this is to re-brand your business to one deemed as 'essential. If you are an establishment that may provide food, drinks, alcohol, refreshments or seating you will instead re-brand as an essential 'business meeting space'. This has proved successful with several business owners across the UK and is covered as 'essential' under the Coronavirus Act 2020.

Take away meals can be purchased and any groups that chose to sit inside will simply be involved in a business meeting. Any drinks or alcohol served in your establishment will be given to attendees without expectation of a financial transaction. Of course, donations are accepted and allowed.

EXAMPLES OF RESTAURANTS who have provided business meeting services for sole traders or other businesses who have had limited access to their offices or could not conduct meetings from home.

<https://www.bbc.co.uk/news/business-54612206>

5.2) Establishments providing a service

If you would had considered yourself any other type of service (hair salons, tattoo parlor, clothing store etc) we recommend to rebrand as an essential 'film and/or audio and/or podcast production studio'. To achieve this re-brand of your business we recommend the use/ purchase and hire of equipment or signage that indicates this, although this is not essential. You can simply use your mobile phones to record or take photos of the process. You will officially not be open 'for business' and will not be taking any transactions or seeing any 'customers', but instead 'actors', 'models' and 'guests' for the show or promotional video you are creating.



This method has achieved success in Ontario, Canada for the last couple of weeks.

See here: 'Barbershop? No, this is a film production studio | Chrome Artistic Barbering rebrands itself'

https://www.youtube.com/watch?v=Wk2H-Fgfmpe&ab_channel=RebelNews

For business meetings we recommend paper, pens, stationary, laptops, computers and anything else creative. For film/ audio/ podcast production studios we recommend tripods, microphones, lighting and decorations.

6) Perception of activities happening within your establishment

6.1) Social media and the importance of correct wording

Make sure that any social media or promotion of your re-opening makes the public aware that you are meeting solely for business meetings or solely to professionally record films/ and or audio that involve what your business would traditionally partake in. Mention the need for 'participants' instead of 'customers' to avoid any legal issues.

6.2) Visible signage to confirm sufficient risk assessments, mask exemptions and essential business activities

Signage will be sent to you in this email which you will need to briefly fill in. These will indicate that you are a 'business meeting space' or 'film/ audio/ podcast production studio'. People featuring on your film/ podcast or audio recording will take part in whatever activity is deemed necessary for your recording, as well as adhering to the completed risk assessment. This includes wearing a mask. Unless either of you are exempt. If this is the case you will be able to present mask exemption documentation as attached to your introductory email.

6.3) Participants and how to establish your business

Participants in your recordings are to be considered 'actors', 'models' and or guests on a show. Recordings and photography of your work does not have to be constant and can take place occasionally. For example a short clip/ photography, at the beginning of a haircut, in the middle and then at the end. These recordings or photographs can be used for your social media or promotional usage at your leisure. There is no necessity to publish them at any point. Signs to print and risk assessments to fill in are attached to the email-one for each type of re-branded business. Pick which ever type you feel suits your business surroundings.

7) Safety and guidance checklist

Instructions for following these guidelines are detailed below. If these are followed correctly, in co-ordination with your refusal to let authorities enter the property



without a signed warrant from your local council, authorities will have no clear legal route to gain access to your establishment. If no crime is being committed then access to your property is unlawful. To reiterate, breaching coronavirus legislation (of which we are confident you will not be) is only punishable by a fine. The UK court system currently has a backlog of over 500,000 cases. Our team will work hard to support you in the unlikely scenario this fine is brought to court

7.1) Preventing access to your establishment from authorities

It is crucial that your establishment is locked at all times, with no access being possible. We highly recommend any people that wish to attend a business meeting or take part in your film/ audio production come through a secondary entrance and leave through that area also.

7.2) Communication with authorities

It is highly recommended that any communication or interaction with authorities is done by the management of the business. There is no necessity to identify yourself or anyone else within the business or answer any questions in regards. Employees of the business have the right to remain silent.

8) Conduct in relation to authorities

- 1)** Ensure that any moments where you consider any third party interloper to be acting unlawfully is filmed for proof of the crime.
- 2)** Reject any fines on the basis that you have no understanding of the fine being given and no belief that you have breached any laws or regulations.
- 3)** Silence between authorities is recommended at all times except to direct them to your visible risk assessment and to your assurance that you are adhering to the Coronavirus Act 2020 through your risk assessment.
- 4)** Refuse to engage in personal conversation with any authorities and simply direct them to your completed risk assessment and state that under your understanding you are following the regulations of the Coronavirus Act 2020.
- 5)** In addition, ensure that anyone entering your property refuses to speak to any authorities or third party interlopers in relation to any of occurrences in relation to your establishment in any way whatsoever, and to reject any fines on the basis that you have no understanding of the fine being given and no belief that you have breached any laws and/ or regulations.
- 6)** Let any authorities know you will be operating under the essential service of a 'business meeting' if your premises are seen as a 'pub, restaurant, cafe' or a similar service. If your business is none of the mentioned, you will instead be operating as a 'professional film and/or audio production studio'.



If these are followed correctly, in co-ordination with your refusal to let authorities enter the property without a signed warrant from your local council, authorities will have no clear legal route to gain access to your establishment. If no crime is being committed then access to your property is unlawful. The hire or purchase of any film production equipment for example tripods or microphones will be advised to establish an efficient film studio.

9) Full legislation which supports your right to re-open under the circumstances

[The Health Protection \(Coronavirus, Restrictions\) \(Local Authority Enforcement Powers and Amendment\) \(England\) Regulations 2020.](#)

Exemptions surrounding businesses who have been ordered to close.

Under the Tier 3, the hospitality sector must remain closed. Tier4, retail, gyms, hair salons and beauty salons, and a national lockdown includes schools. There are however exemptions where business can operate.

[The exemptions:](#)

Examples of reasonable excuse

1. Work or provide voluntary or charitable services, where it is not possible for the person to do so from home,
2. Access, provide or receive childcare, education or training, including a support service for parents or expectant parents,
3. Services relating to mental health,
4. Access services provided by voluntary or charitable services, including food banks,
5. Business meetings

EXAMPLES OF RESTAURANTS who have provided business meeting services for sole traders or other businesses who have had limited access to their offices or could not conduct meetings from home.

<https://www.bbc.co.uk/news/business-54612206>

Business with retail premises who can remain open

- Essential retail such as food shops, supermarkets, pharmacies, garden centres, building merchants and suppliers of building products and off-licences
- Market stalls selling essential retail may also stay open
- Businesses providing repair services may also stay open, where they primarily offer repair services



- Petrol stations, automatic (but not manual) car washes, vehicle repair garages and MOT services, bicycle shops, and taxi and vehicle hire businesses
- Banks, building societies, post offices, short-term loan providers and money transfer businesses
- Funeral directors
- Launderettes and dry cleaners
- Medical and dental services
- Vets and retailers of products and food for the upkeep and welfare of animals
- Animal rescue centres, boarding facilities and animal groomers (may continue to be used for animal welfare, rather than aesthetic purposes)
- Agricultural supplies shops
- Mobility and disability support shops
- Storage and distribution facilities
- Car parks, public toilets and motorway service areas
- Outdoor playgrounds
- Outdoor parts of botanical gardens and heritage sites for exercise.
- Places of worship
- Crematoriums and burial grounds

OFFENCE.

Offence of failing to comply with Coronavirus Improvement Notice, Coronavirus Immediate Restriction Notice or Coronavirus Restriction Notice.

(B) a Coronavirus Improvement Notice;

Without reasonable excuse.

This offence is punishable by a FINE only.

The offence is only punishable if there is proof that it has been committed.

Prosecutions

Proceedings for an offence pursuant to this may be brought by a local authority, the Crown Prosecution Service and any person designated by the Secretary of State.

[Police must use the Police and Criminal Evidence Act 1984 \(PACE\) codes of practice.](#) When liaising with the public on COVID legalisation.

A [prohibition notice](#) can only be served to the business owner if it can be proven that the business owner has broken the legislation rules.

10) Business Promotion

When will our address and contact details be released to the public?



Your re-branded companies address, phone number and email will be released on our website on Friday at 5pm to give attendees the opportunity to attend your business meetings and to participate in your film/ audio and podcast production.

Your right to work is essential and we will continue to fight for you as the weeks go on.

Please print any of the flyers attached in the email to send through to friends and family. Make sure you make the public aware of your re-branding! They can also be used to spread the word online with #thegreatreopening.

11) Document List to print- These are attached to your welcoming email:

- Completed risk assessment form. Print the one which indicates the type of business you are re-opening. Make sure to print several copies in case they are needed. Ensure one is always visible to those visiting your establishment (taped to a window for example).
- Trespass Notice. This is used to demonstrate your human rights that have been infringed upon and to appeal to the conscience of authorities and police. Ensure one is always visible to those visiting your establishment.
- Essential Mental Health Group Notice- Ensure one is always visible to those visiting your establishment.
- The Oath of Allegiance that all police officers serving in the United Kingdom swear by- ensure one is always visible to those visiting your establishment.
 - Flyers to pass around to your friends, family and to give out to your neighbours.
 - Mask exemption signage (if you are exempt). Read the attached poster for more details.

We are winning this! You are essential!

Be proud that you are partaking in the most important defence of civil liberties in generations! This is just the beginning! Your right to work IS essential!

For any questions, please forward on to: imopen@the-great-reopening.com

Best wishes,

The Great Re-Opening Team



www.the-great-reopening.com

Telegram Chat Group

-<https://t.me/THEGREATREOPENING>

Information Group

-<https://t.me/THEGREATREOPENINGUK>

Find us on Gab :<https://gab.com/thegreatreopening>

Twitter: <https://twitter.com/THEGREATREOPEN1>

Instagram: <https://www.instagram.com/thegreatreopeninguk/>





Notice Ref: FPN/COVID/400170

The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020¹ (SI. 2020 No. 1374)

FIXED PENALTY NOTICE

09 February 2021

Part A

To: Mr Paul Thomas Henderson

At: The Porky Pint, 40 Mill Lane, Billingham, TS23 1HF

Of: The Porky Pint Limited, 40 Mill Lane, Billingham, TS23 1HF

Trading as: The Porky Pint

This Fixed Penalty Notice is served under regulation 11(1) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020, as amended (the Regulations).

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, James Robert Jones, designated as an authorised person for the purposes of the Regulations by Stockton-on-Tees Borough Council, have reasonable grounds for believing that you have committed a criminal offence under the Regulations. I am issuing this Notice to offer the opportunity to discharge liability to conviction for the offence by payment of a fixed penalty.

Stockton-on-Tees Borough Council may not take criminal proceedings against you in respect of the offence during the period of 28 days following the date of this Notice. Payment of the fixed penalty within that period means that you cannot be convicted in relation to the offence set out in Part C of this Notice.

Part B. Amount of Penalty and period to pay

The monetary penalty you must pay is: **£1000**

Payment of the fixed penalty must be made within 28 days of the date of this notice.

The penalty must be paid to: Stockton-on-Tees Borough Council, Municipal Buildings, Church Road, Stockton-on-Tees, TS18 1LD

Payment can be made by the following means, please remember to quote the reference number **FPN/COVID/400170**:-

In Person: At cash offices located in the Library and Customer Service Centres in Billingham, Stockton and Thornaby.

By Post: Please make cheques payable to Stockton-on-Tees Borough Council and send to Stockton-on-Tees Borough Council, PO Box 500, Stockton-on-Tees, TS18 1WA. Please write your name and address and the reference number on the back of the cheque.

By Telephone: Please call 01642 527078 to pay by debit card or credit card during the hours Monday - Friday 08:30-17:00 and Saturday 09:30-12:30 (Sunday closed).

Online: Please go to www.stockton.gov.uk/pay-for-it (then select Most popular – Online payment services – Other Payments – Fixed Penalty Notice – COVID Breach).

¹ Amended most recently by SI 2020 Nos. 1611 / 1646 / 1654, and SI 2021 No. 8

Part C. Grounds for imposing the Penalty

Regulation contravened: ***In relation to a breach of a Tier 4 restriction imposed by regulation 8 and Part 3 of Schedule 3A, paragraph 11(1)*** (*Restrictions on service of food and drink for consumption on the premises - applies to business or service listed in paragraph 15(6), or is carried on from, or provided at, premises of a kind specified in paragraph 15(6))*):

- *Failed, without reasonable excuse, to close the premises, or part(s) of the premises, in which food or drink are provided for consumption on the premises; and/ or*
- *Failed, without reasonable excuse, to cease providing food or drink for consumption on the premises*
- *Failed, without reasonable excuse to cease carrying on a business/providing a service other than as permitted by the exceptions listed in paragraphs 12 and 13*

Particulars of the offence: On Saturday 30 January 2021, at approximately 14:30 hours, Mr Paul Thomas Henderson carried on a restricted business / provided a restricted service at a public house known as The Porky Pint, 40 Mill Lane, Billingham, TS23 1HF and that premises was open and providing food and drink for consumption on the premises, in breach of Regulation 10 and Schedule 3A Paragraph 11(1) of the Regulations.

Part D. Challenging this Fixed Penalty Notice

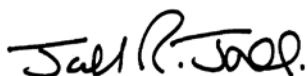
If you consider that the Notice should not have been issued, you can make representations to Stockton-on-Tees Borough Council in writing outlining your reasons for challenging the Notice, within 21 days of the date on this Notice. Your challenge will be processed in accordance with Stockton-on-Tees Borough Council's Complaints Procedure: <https://www.stockton.gov.uk/our-council/customer-services/customer-feedback-and-complaints/>

Contact: Email foiandcomplaints@stockton.gov.uk / telephone 01642 527521 between 9am - 4pm, Monday to Friday / or write via post to Information Governance Team, Information and Improvement, Stockton-on-Tees Borough Council, Municipal Buildings, Church Road, Stockton-on-Tees, TS18 1LD.

This Notice remains in force even if you have raised a challenge. Should the local authority's review of your challenge determine that the Notice should not have been served, you will be notified in writing.

Part E. Consequences of non-payment/ continued non-compliance

Failure to pay fixed penalty within 28 days may lead to criminal proceedings being commenced against you in respect of the offence set out in Part C of this Notice. Continued contravention of a requirement in the Regulations, without reasonable excuse, is an offence punishable by a fine on summary conviction in a Magistrates' Court.



Signed:

Date: 09 February 2021

Name in Capitals: James Robert Jones

Name and Address of Local Authority: Stockton-on-Tees Borough Council, Municipal Buildings, Church Road, Stockton-on-Tees TS18 1LD

Telephone: 01642 526528

Email: jimmy.jones@stockton.gov.uk

If you are not sure of your rights or the implications of this notice, you may want to seek independent legal advice.