

LICENSING ACT SUB-COMMITTEE AGENDA



Wednesday 23rd April 2008

At 9.30 am

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

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Fleming, Hall and Laffey

- 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 – 2 Victoria Road, Hartlepool – *Head of Public Protection*

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. Head of Public Protection and Housing outlines the application, any relevant representations and relevancy to Licensing Policy and statutory guidance.
3. Members ask any questions of the Head of Public Protection and Housing.
4. Applicants present their case (either personally or via legal representation) and introduces witnesses where appropriate.
5. Questions by Members to applicant and/or applicant's witness.
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: Head of Public Protection

Subject: APPLICATION FOR A NEW PREMISES LICENCE -
2 VICTORIA ROAD, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for a new Premises Licence in respect of 2 Victoria Road, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Applicant: 1st Leisure Limited

Premises: 2 Victoria Road
Hartlepool
TS24 7SD

- 2.2 The applicant has applied for the following:

1. Indoor sporting Events	Monday – Sunday	1000 – 0400
2. Films	Monday – Sunday	1000 – 0400
3. Live Music	Monday – Sunday	1000 – 0400
4. Recorded Music	Monday – Sunday	1000 – 0400
5. Performances of Dance	Monday – Sunday	1000 – 0400
6. Anything similar to 3, 4 or 5 above	Monday – Sunday	1000 – 0400
7. Provision of facilities for making music	Monday – Sunday	1000 – 0400
8. Provision of facilities for dancing	Monday – Sunday	1000 – 0400
9. Provision of facilities for Anything similar to 5 or 6	Monday – Sunday	1000 – 0400
10. Late Night Refreshment	Monday – Sunday	2300 – 0400
11. Supply of Alcohol	Monday – Sunday	1000 – 0400

A copy of the application is attached as Appendix I.

3. BACKGROUND

- 3.1 The premises to which this application relates currently benefits from a Premises Licence for the ground floor only that was granted by Licensing Sub-Committee in January 2006. As the applicant wishes for the licence to be

extended so as to incorporate the first floor, the Licensing Act requires that a new licence application be made for the entire building and not a variation to the existing licence.

- 3.2 The application has been advertised in the prescribed manner and two representations have been received. One from Environmental Health (Health and Safety) and one from Cleveland Police (see Appendices II - III).
- 3.3 The nature of the representations received can be summarised as follows:
- Environmental Health has indicated that they believe conditions should be applied to the licence in order to promote the public safety licensing objective.
 - Cleveland Police have stated that the area already suffers from crime and disorder and drink related problems and are of the opinion that a number of the licensing objectives would be undermined if the licence was granted.
- 3.4 Following receipt of the above representations, and in compliance with statutory requirements, a Notice of Hearing has been sent to the applicant and those making representations.

4. **ISSUES**

- 4.1 As relevant representations have been received within the prescribed time period, a hearing must be held for Members to consider those representations (unless all parties agree a hearing is unnecessary).
- 4.2 Members are advised that the applicant's premises are situated within Hartlepool's 'Special Policy' area.
- 4.3 The Special Policy forms part of Hartlepool's Licensing Policy and states that, because of the significant number of licensed premises in the specified area, there is a potential impact on the promotion of the four licensing objectives.
- 4.4 The existence of a Special Policy creates a rebuttable presumption that applications for new premises licences will normally be refused, unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives.
- 4.5 Having regard to the representations received, Members may take any of the following steps for the promotion of the licensing objectives:
- i) Grant the application without amendment
 - ii) Grant the application in part and/or with conditions or amended conditions
 - iii) Refuse the application

4.6 The licensing objectives are:

- i) The prevention of crime and disorder
- ii) Public safety
- iii) The prevention of public nuisance, and
- iv) The protection of children from harm

4.7 Members are reminded that they must only consider those aspects of the licence application that are relevant to the representations received.

4.8 Members are also reminded that this is a new application for a premises that already holds a licence for the ground floor. This licence will remain in force until surrendered by the licence holder and any decision about the application being considered today will not affect, in any way, the licence already issued.

5. RECOMMENDATIONS

5.1 That members consider the representations made by the applicant and responsible authorities and determine what aspects, if any, of the proposed application should be granted and, if appropriate, what conditions, if any, should be attached.

Appendix I

**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.

I/We 1st Leisure Ltd

(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 2 Victoria Road			
Post town	Hartlepool	Post code	TS24 7SD

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ NONE (NOT YET ASSESSED)

Part 2 – Applicant Details

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

- | | |
|---|---|
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <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 ☐ 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 ☐ 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:

Please tick yes

- 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		
I am 18 years old or over <input type="checkbox"/> Please tick yes					
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

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		
I am 18 years old or over <input type="checkbox"/> Please tick yes					

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(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 1 st Leisure Limited
Address 25 Park View Road West, Industrial Estate, Hartlepool, TS25 1PE RO Kensington House, 3 Kensington, Bishop Auckland, Co Durham, DL14 6HX
Registered number (where applicable) 04490285
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 01429 866448
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? **IMMEDIATELY** Day Month Year

--	--	--	--	--	--	--	--

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

--	--	--	--	--	--	--	--

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

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

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

☒

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

☒

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish		
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 4)	
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 5)	
Sat				
Sun				

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon	1000	0400	Please give further details here (please read guidance note 3)	
Tue	1000	0400		
Wed	1000	0400	State any seasonal variations for the exhibition of films (please read guidance note 4)	
Thur	1000	0400		
Fri	1000	0400	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 5)	
Sat	1000	0400		
Sun	1000	0400		

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon	1000	0400	
Tue	1000	0400	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed	1000	0400	
Thur	1000	0400	<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 5)
Fri	1000	0400	
Sat	1000	0400	
Sun	1000	0400	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	
Mon			
Tue			
Wed			Please give further details here (please read guidance note 3)
Thur			
Fri			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Sat			
Sun			
			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 5)

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish		
Mon	1000	0400	Please give further details here (please read guidance note 3)	
Tue	1000	0400		
Wed	1000	0400	State any seasonal variations for the performance of live music (please read guidance note 4)	
Thur	1000	0400		
Fri	1000	0400	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 5)	
Sat	1000	0400		
Sun	1000	0400		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>
Mon	1000	0400	Please give further details here (please read guidance note 3)	Both <input type="checkbox"/>
Tue	1000	0400		
Wed	1000	0400	State any seasonal variations for the playing of recorded music (please read guidance note 4)	
Thur	1000	0400		
Fri	1000	0400	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 5)	
Sat	1000	0400		
Sun	1000	0400		

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	
			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 3)	
Mon	1000	0400		
Tue	1000	0400		
Wed	1000	0400	State any seasonal variations for the performance of dance (please read guidance note 4)	
Thur	1000	0400		
Fri	1000	0400		
			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 5)	
Sat	1000	0400		
Sun	1000	0400		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing Karaoke		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	1000	0400		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1000	0400	Please give further details here (please read guidance note 3)		
Wed	1000	0400			
Thur	1000	0400	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri	1000	0400			
Sat	1000	0400	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 5)		
Sun	1000	0400			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon	1000	0400	Outdoors	<input type="checkbox"/>
Tue	1000	0400	Both	<input type="checkbox"/>
Wed	1000	0400	Please give further details here (please read guidance note 3)	
Thur	1000	0400	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Fri	1000	0400	Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	1000	0400		
Sun	1000	0400		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing	
Day	Start	Finish		
Mon	1000	0400	Please give further details here (please read guidance note 3)	
Tue	1000	0400		
Wed	1000	0400	State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thur	1000	0400		
Fri	1000	0400	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	1000	0400		
Sun	1000	0400		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
Mon	1000	0400		Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue	1000	0400	Please give further details here (please read guidance note 3)	
Wed	1000	0400	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)	
Thur	1000	0400		
Fri	1000	0400		
Sat	1000	0400	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun	1000	0400		

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	2300	0400	Please give further details here (please read guidance note 3)		
Tue	2300	0400			
Wed	2300	0400	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	2300	0400			
Fri	2300	0400	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 (please read guidance note 5)		
Sat	2300	0400			
Sun	2300	0400			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>		
Mon	1000	0400	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	1000	0400			
Wed	1000	0400			
Thur	1000	0400	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 5)		
Fri	1000	0400			
Sat	1000	0400			
Sun	1000	0400			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Craig Wilkinson	
Address 1 Endeavour Close Hartlepool	
Postcode	TS25 1EY
Personal Licence number (if known) HART/PL/244	
Issuing licensing authority (if known) Hartlepool Borough Council	

N

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 8)
 None is intended but if any were to take place children would be excluded so general permission is sought

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	1000	0430	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 5)
Tue	1000	0430	
Wed	1000	0430	
Thur	1000	0430	
Fri	1000	0430	
Sat	1000	0430	
Sun	1000	0430	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

-do-

b) The prevention of crime and disorder

-do-

c) Public safety

-do-

d) The prevention of public nuisance

-do-

e) The protection of children from harm

-do-

- Please tick yes
- 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 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 ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	<i>[Handwritten Signature]</i>
Date	05.03.08
Capacity	Manager

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Tilly Bailey & Irvine York Chambers York Road			
Post town	Hartlepool	Post code	TS26 9DP
Telephone number (if any)	01429 264101		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 18:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Appendix II

JLK/196

JRE/KVP/100570.01

Mrs Kett
Direct Line (01429) 523320

18 March, 2008

Mr J R Ellwood
Tilly Bailey & Irvine LLP
York Chambers
York Road
Hartlepool
TS26 9DP

Dear Sir

Licensing Act 2003
Re: Application for a Premises Licence
2 Victoria Road, Hartlepool

I am in receipt of a completed copy of your application for a licence under the Licensing Act 2003 and as a designated 'Responsible Authority' I have considered the contents carefully in relation to the Public Safety Licensing Objective.

I am of the view that your completed Operating Schedule fails to (adequately) address the following matters. I am therefore considering making a recommendation to the Licensing Authority recommending that your licence should only be granted subject to the inclusion of the following conditions.

1. 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.

W:\HEALTH\KETT\Licensing Act 2003\Correspondence\2 victoria Rd - 180308.doc

2. The licensee shall ensure that the electrical socket outlets in the licensed premises to be used with electrical equipment provided for the purpose of entertainment shall be protected by a residual current device being a 30 mA tripping circuit.
3. 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.
4. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials for use by patrons.
5. A drugs policy should be prepared and implemented. In preparing the policy regard should be had to the guidance document 'safer clubbing' - Guidance for licensing authorities, club managers and promoters, published by the Home Office and London Drugs Policy Forum in partnership with Release. (Copies of this document are available from www.drugs.gov.uk.)

If you are willing for the above conditions to be attached to your Operating Schedule I would ask that you sign the enclosed acceptance form and return it to the above address, marked for my attention, by **2 April 2008**. This will negate the need for me to make a representation in respect of your application.

If you are unwilling to accept the above conditions, it is likely that the matter will need to be resolved by the Council's Licensing Committee, by way of a hearing.

Yours faithfully



J L KETT
PRINCIPAL ENVIRONMENTAL HEALTH OFFICER
(COMMERCIAL SERVICES)

W:\HEALTH\KETT\Licensing Act 2003\Correspondence\2 victoria Rd - 180308.doc

Appendix III

Your Ref:
Our Ref: MN/KR

When telephoning please use
Direct Line (302587) to contact
PC Swales

26 March, 2008

Dear Sirs,

Re: Licensing Act 2003
2 Victoria Road, Hartlepool
Application for new Premises Licence

Cleveland Police wish to make representations to this application for the following reasons:

Cleveland Police are aware that although there is an existing premises licence in respect of 2 Victoria Road on the ground level, the extent of the variation of the licence to incorporate the top floor has resulted in the requirement for an application for a new premises licence.

The premise is situated close to a residential area and in an area which already suffers from crime and disorder and drink related problems. Cleveland Police are therefore of the opinion that if granted, the crime and disorder, public safety and public nuisance objectives may be undermined and the premises may add to the problems already encountered within the vicinity.

The premise is situated in an area of Hartlepool which has been declared as saturated and therefore, a special policy area. It is therefore the opinion of Cleveland Police that the onus is on the applicant to demonstrate how the application, if granted, will not have a negative impact on the licensing objectives.

I confirm that a statement from PC Swales will follow shortly.

I trust that the above information is sufficient to form the basis of police objections. Should you have any further queries in relation to this matter, you may wish to speak to PC Swales on the above number.

Licensing Department
Hartlepool Borough Council
DX 60669
Hartlepool

Yours faithfully,

M. Nevison
Legal Adviser