LICENSING ACT SUB-COMMITTEE AGENDA



Thursday, 4 September 2008

at 10.00 am

in Committee Room B, Civic Centre, Hartlepool

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Fleet, Fleming and G Lilley

- 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 112 Flint Walk, Hartlepool Head of Procurement, Property & 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 subcommittee 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 guestion 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 Procurement, Property & Public Protection

Subject: APPLICATION FOR A NEW PREMISES LICENCE -

112 FLINT WALK, HARTLEPOOL

1. PURPOSE OF REPORT

1.1 To consider an application for a new Premises Licence in respect of 112 Flint Walk, Hartlepool.

2. BACKGROUND

2.1 Applicant: Catherine Ruth Daniel

Premises: 112 Flint Walk

Hartlepool

3. SUMMARY OF THE APPLICATION

3.1 The applicant has applied for the following:

Sale of Alcohol Monday – Sunday 0800 – 2000

A copy of the application is attached as Appendix I.

- 3.2 The application has been advertised in the prescribed manner and one relevant representation has been received from Hartlepool Borough Council's Trading Standards Team. (Appendix II).
- 3.3 Trading Standards had requested that the applicant agree to the addition of a number of conditions onto the Premises Licence but no such agreement could be reached. The conditions proposed by Trading Standards can be summarised as follows: -
 - The installation of a CCTV system that complies to a standard approved by Cleveland Police
 - The adoption of the 'Challenge 21' approach to help prevent the sale of alcohol to children.

- The display of notices informing customers that alcohol will not be sold to children or to adults on behalf of children.
- The maintenance of staff training records.
- Regular monitoring of staff authorised to sell alcohol.
- The adoption of a means of remind staff to verify age whenever an alcohol sale is made.
- 3.4 Following receipt of the above representation, and in compliance with statutory requirements, a Notice of Hearing has been sent to both the applicant and Responsible Authority.

4. ISSUES

- 4.1 Having regard to the representation 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 with conditions, or amended conditions
 - iii) Refuse the application
- 4.2 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 ham
- 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 Responsible Authority 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



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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 entertainment facilities:	
i) making music (if ticking yes, fill in box I)	
j) dancing (if ticking yes, fill in box J)	
k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	
Provision of late night refreshment (if ticking yes, fill in box L)	
Supply of alcohol (if ticking yes, fill in box M)	P
In all cases complete boxes N, O and P	
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18	State premi: Name Addre	the name sees super	and deta	er (if known) ity (if known)	on the licence	as

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matte	rs ancilla	ry to the	use of the premises that may give rise to concern in respect of the premises that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in respect of the premise that may give rise to concern in the premise that
			Nanc
0			
open standatiming	s premise to the pul ard days a s (please nce note 6	blic and read	State any seasonal variations (please read guidance note 4)
Day	Start	Finish	NONE
Mon	8AM	DPM	
Tue	8 Am	8 PM	
Wed	8 AM	Dem	
11277	0 /4/-1		Non standard timings. Where you intend the premises to be
Thur	MAS	8 PM	open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	8AM	Dem	
	9 AM	8 PM	NONE
Sat		0.1.	
Sat	9 AM	8 pm	

P Describe the step	s you intend to take to promote the four licensing objectives:
a) General – all fou	r licensing objectives (b,c,d,e) (please read guidance note 9)
A(LLOHOL WILL NO BY SUPPLIED TO LASER 185 OR
b) The prevention of	of crime and disorder
	CCTV INSTALLED
c) Public safety	
i	WILL NOT SELL AL COURT TO CAPER 185.
d) The prevention of	of public nuisance
	45 ABNC
e) The protection of	f children from harm
	AS ABOVE
	20

• I have made	Please ticl	
	or enclosed payment of the fee \$\frac{100}{2}\$ sed the plan of the premises	
 I have sent of 	copies of this application and the plan to responsible authorities and	व्वव्यव्यव्यव्यव्यव्यव्यव्यव्यव्यव्यव्यव
others where	sed the consent form completed by the individual I wish to be premises	
supervisor, it	fapplicable	4
	that I must now advertise my application that if I do not comply with the above requirements my application will	4
be rejected	with the state of	
STANDARD SCA	CE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE LLE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A ENT IN OR IN CONNECTION WITH THIS APPLICATION	4
Part 4 – Signatur	res (please read guidance note 10)	
Signature of ann	licant or applicant's solicitor or other duly authorised agent (See	
	If signing on behalf of the applicant please state in what capacity.	
Signature	CRWaniel	
Date	9/7/08	
Capacity	SHOP OWNER	
please state in w		_
Date		
		_
Capacity		
	where not previously given) and postal address for correspondence this application (please read guidance note 13) MSP LEGAL SERVICES LLP HAVELOCK HOUSE 24 VICTORIA ROAD FAROMAL DIAGNAL MICHAEL DIAGNAL	
	HARTLEPOOL TS26 8DD	
Post town	Post code	
If you would pre	per (if any) 232204 fer us to correspond with you by e-mail your e-mail address (optional	al)
	21	

Appendix II

NEIGHBOURHOOD SERVICES DEPARTMENT PUBLIC PROTECTION AND HOUSING

Civic Centre Hartlepool TS24 8AY

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For the attention of: Michael Welsh, Principal Trading Standards Officer, Public Protection, Civic Centre, Hartlepool, TS24 8AY

LICENSING ACT 2003 RE: APPLICATION FOR A PREMISES LICENCE PREMISES NAME

Cathies Corner, 112 Flint Walk, Hartlepool,

Catherine Ruth DANIEL 24 Tredegar Walk, Hartlepool, Cleveland

C/o MSP Legal Services LLP
Malcolm Smith & Partners Solicitors,
"Havelock House"
24 Victoria Road,
Hartlepool,
TS26 8DD

Further to your recent correspondence concerning the above. I confirm that if the above application is successful, I am willing to accept that the following Conditions be attached to the Operating Schedule.

Conditions

 A CCTV system of a type and specification approved by Cleveland Police shall be operational during all trading hours throughout the premises, and at least one camera 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 31 days and shall be made available to police officers or other authorised officers upon request or as soon as reasonably practicable.

- .2. There shall be in place a written policy to prevent the sale of supply of alcohol to persons under 18 years of age. That policy shall require any person who appears to be under the age of 21 to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS), a photo driving licence, a passport or official HM Forces or EU ID card bearing photo and date of birth.
- 3. At least one notice shall be displayed at the entrance to the premises where it can be clearly seen and read and shall indicate that it is unlawful for persons under 18 years of age to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.



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NEIGHBOURHOOD SERVICES DEPARTMENT PUBLIC PROTECTION AND HOUSING

Civic Centre Hartlepool TS24 8AY

Page 2 of 2

- 4. A written record shall be maintained detailing the training provided to each member of staff authorised to sell or supply alcohol. Such a record shall be signed by the member of staff to confirm the date that such training took place.
- 5. The licence holder shall implement a policy of regular monitoring and review of all staff authorised to sell or supply alcohol.
- 6. There shall be a means of alerting staff to verify the age of a prospective purchaser whenever an age restricted product is presented for purchase.

LICENSING ACT 2003
RE: APPLICATION FOR A PREMISES LICENCE
PREMISES NAME

Cathies Corner, 112 Flint Walk, Hartlepool,

Catherine Ruth DANIEL 24 Tredegar Walk, Hartlepoo, Cleveland

C/o MSP Legal Services LLP
Malcolm Smith & Partners Solicitors,
"Havelock House"
24 Victoria Road,
Hartlepool,
TS26 8DD

Signature:	f
Print Name:	
Position:	



Date

Customer Service Excellence in Waste management and Street Cleaning

