

LICENSING ACT SUB-COMMITTEE AGENDA



Wednesday 13th May 2009

at 10.00 am

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

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Aiken, Brash and Morris

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **ITEMS FOR DECISION**
 - 3.1 Application for a Premises Licence – Kiosk Building, Navigation Point, Hartlepool – *Head of Procurement, Property and 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 Procurement, Property & Public Protection

Subject: APPLICATION FOR A PREMISES LICENCE –
KIOSK BUILDING, NAVIGATION POINT,
HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for a premises licence in respect of the Kiosk Building, Navigation Point, Hartlepool Marina, Hartlepool.

2. BACKGROUND

- 2.1 Applicant: Kevin Donald and Julie Peart
Premises: The Kiosk Building
Navigation Point
Hartlepool
TS24 0UH

3. SUMMARY OF THE APPLICATION

- 3.1 The Kiosk Building premises are not yet constructed.
- 3.2 Appropriate planning permission has been granted for the premises.
- 3.3 The applicant has applied for a new premises licence to authorise the following activities: -

Supply of Alcohol (for consumption on and off trade premises)	Mon – Sun	0700 – Midnight
Plays	Mon – Sun	0700 – Midnight
Films	Mon – Sun	0700 – Midnight
Indoor Sporting Events	Mon – Sun	0700 – Midnight
Live Music	Mon – Sun	0700 – Midnight
Recorded Music	Mon – Sun	0700 – Midnight
Performances of Dance	Mon – Sun	0700 – Midnight
Provision of facilities for Dancing	Mon – Sun	0700 – Midnight

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

- 3.4 The application has been advertised in the prescribed manner and representations have been received from two Interested Parties in the immediate vicinity (**Appendices 2 and 3**) together with the Police (**Appendix 4**) and Environmental Health (**Appendix 5**).

- 3.5 The nature of the representations made by the Interested Parties can be summarised as follows:
- Premises toilet provision is inadequate
 - Trade waste storage is inadequate
 - Current drainage problems will be exacerbated
 - Access issues for pedestrians and wheelchair users
 - Car users will be subject to glare from the premises windows
 - Emergency services access will be restricted
 - Emergency services evacuation of the residential and commercial premises would result in overcrowding of the area
- 3.6 The nature of the representations from Cleveland Police can be summarised as a general lack of demonstration by the applicants operating schedule, to show how they intend to promote the licensing objectives.
- 3.7 The nature of the representations from Environmental Health can be summarised as a failure by the applicants to address a number of Health and Safety concerns in their operating schedule.
- 3.8 Following receipt of the above representations, and in compliance with statutory requirements, a Notice of Hearing has been sent to the applicant and those parties making relevant 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 The representations from Interested Parties relate to potential problems with pedestrian and vehicular access, public nuisance, disorder and health and safety, associated with the premises.
- 4.3 The representation from Cleveland Police relates to a general lack of demonstration by the applicants operating schedule, as to how they intend to promote the licensing objectives.
- 4.4 The Environmental Health representation details that the operating schedule fails to address a number of Health and Safety concerns and therefore the Public Safety licensing objective.
- 4.5 The applicant has, as part of their application, agreed to six conditions proposed by the Principal Trading Standards Officer, that will be attached to the premises licence should it be granted. These conditions include: -

(i). A CCTV system of a type and specification approved by Cleveland Police shall be operational during all trading hours and, 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.

(ii). There shall be in place a written policy to prevent the sale or 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.

(iii). 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

(iv). 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.

(v). The licence holder shall implement a policy of regular monitoring and review of all staff authorised to sell or supply alcohol. Such a policy shall include periodic analysis of CCTV footage to ensure sales and refusals correspond with till records.

(vi). 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.

4.6 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 with conditions, or amended conditions
- iii) Reject those parts of the application that are relevant to the representations received

4.7 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

5. RECOMMENDATIONS

- 5.1 That Members consider the representations made by the applicant, Interested Parties and Responsible Authorities 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 or typed in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

KEVIN DONALD & JULIE PEART

I/We.....apply for as premises licence under section 17 of
(insert name(s) of applicant)

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 KIOSK BUILDING NAVIGATION POINT HARTLEPOOL MARINA	
Post Town HARTLEPOOL	Post Code TS24 0UH

Telephone number at premises (if any)

N/A.

Non-domestic rateable value of premises

£ NOT KNOWN

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 type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input checked="" 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 | <input type="checkbox"/> | 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 | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | 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	KEVIN DONALD & JULIE PEART
Address	THE SPOTTED COW 31 THE GREEN ELWICK HARTLEPOOL TS27 3EF
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	PARTNERSHIP
Telephone number (if any)	01429 266373
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
0	1	0	4	0	9

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 note1)

CAFE BAR / WINE BAR WITH OUTSIDE EATING
DRINKING / EATING AREA.

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 checked="" 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 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 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 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	0700	0000			
Tue	0700	0000	State any seasonal variations for performing plays (please read guidance note 4)		
Wed	0700	0000	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)		
Thur	0700	0000			
Fri	0700	0000			
Sat	0700	0000			
Sun	0700	0000			

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	Please give further details here (please read guidance note 3) Showing of film via DVD onto television screen		
Mon	1000	2200			
Tue	1000	2200	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed	1000	2200			
Thur	1000	2200	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)		
Fri	1000	2200			
Sat	1000	2200			
Sun	1000	2200			

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	0700	0000	
Tue	0700	0000	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed	0700	0000	
Thur	0700	0000	<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	0700	0000	
Sat	0700	0000	
Sun	0700	0000	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

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"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>
Mon	0700	0000	Please give further details here (please read guidance note 3)	
Tue	0700	0000		
Wed	0700	0000	State any seasonal variations for the performance of live music (please read guidance note 4)	
Thur	0700	0000		
Fri	0700	0000	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	0700	0000		
Sun	0700	0000		

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	0700	1200 0000	Please give further details here (please read guidance note 3) BACKGROUND MUSIC (AMPLIFIED)	Both	<input type="checkbox"/>
Tue	0700	1200 0000			
Wed	0700	1200 0000	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	0700	1200 0000			
Fri	0700	1200 0000	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	0700	0000			
Sun	0700	0000			

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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	0700	0000	Please give further details here (please read guidance note 3)		
Tue	0700	0000	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	0700	0000	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)		
Thur	0700	0000			
Fri	0700	0000			
Sat	0700	0000			
Sun	0700	0000			

H

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

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>				
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input type="checkbox"/>	Outdoors
Indoors	<input type="checkbox"/>						
Outdoors	<input type="checkbox"/>						
Both	<input type="checkbox"/>						
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)				
Mon							
Tue			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)				
Wed							
Thur			<u>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</u> (please read guidance note 5)				
Fri							
Sat							
Sun							

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	Please give further details here (please read guidance note 3)		
Mon	0700	0000			
Tue	0700	0000	State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Wed	0700	0000	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)		
Thur	0700	0000			
Fri	0700	0000			
Sat	0700	0000			
Sun	0700	0000			

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)			<u>Please give a description of the type of entertainment facility you will be providing</u>	
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)	
Wed				
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)	
Fri				
Sat			<u>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</u> (please read guidance note 5)	
Sun				

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 type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Thur						
Fri						
Sat			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)			
Sun						

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 checked="" type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	0700	0000			
Tue	0700	0000			
Wed	0700	0000			
Thur	0700	0000	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	0700	0000			
Sat	0700	0000			
Sun	0700	0000			

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

Name	KEVIN DONALD PEART
Address	THE SPOTTED COW 31 THE GREEN ELWICK HARTLEPOOL
Postcode	TS27 3EF
Personal Licence number (if known)	HART/PL/069
Issuing licensing authority (if known)	HARTLEPOOL

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

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	0700	0000	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	0700	0000	
Wed	0700	0000	
Thur	0700	0000	
Fri	0700	0000	
Sat	0700	0000	
Sun	0700	0000	

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)

b) The prevention of crime and disorder

Sale of alcohol to be refused to anyone who is or appears to be too drunk.
A refusal book will be kept.

c) Public safety

Fire extinguishers will be placed inside building.
Emergency exit signs to be prominently displayed.
Any breakages to be cleared away swiftly.

d) The prevention of public nuisance

No glass emptying will take place after 9.30pm.
No loud music will be played at anytime

e) The protection of children from harm

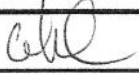
All children to be accompanied and supervised by adult.

- 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 ☒

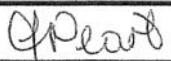
IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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	
Date	9-2-09
Capacity	PARTNER

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	9-2-09
Capacity	PARTNER

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

KEVIN & JULIE PEART, THE SPOTTED COW, 31 THE GREEN,
ELWICK, HARTLEPOOL, TS27 3EF

Post town		Post code	
Telephone number (if any)	01429 266373		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

**CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES
SUPERVISOR UNDER THE LICENSING ACT 2003**

IKEVIN DONALD PEART..... (full name)
of31 THE GREEN, ELWICK.....(home address)
.....HARTLEPOOL.....
.....TS27 3EF.....

hereby confirm that I give my consent to be specified as the Designated
Premises Supervisor in relation to: -

.....BAR 516..... (name of licensed premises)
.....NAVIGATION POINT.....(address of premises)
.....HARTLEPOOL MARINA.....
.....HARTLEPOOL.....
.....TS24 0UH.....

I also confirm that I am applying for, intend to apply for or currently hold a
personal licence, details of which I set out below

.....HART/PL/069..... (Personal Licence Number)
.....HARTLEPOOL.....(Issuing Authority)

..........(Signed)

.....KEVIN DONALD PEART.....(Name)

.....9-2-09.....(Dated)



Mark and Neil Evans
Unit 10-12 navigation point
Middleton road
Hartlepool
TS24 OUH
07957224155

To Dave Barnfather

I would like to make a representation regarding the new cafe/wine bar that is possibly going to be built next to fatso's on hartlepool marina.

We have just taken over the nursery and are at present fitting it out as a new restraunt/wine bar,we are concerned about the location of this new venture as one of the reasons we took on this property was the good location,it is in the centre of the bars and other properties.

As it is at the moment we have full view of the marina as we do at north star which we also own,we know that our customers like to sit outside and look out over the marina.

If this new venture goes ahead,it would block out our view of the marina which will not be good for business,one of our other concerns is on having looked over the proposed drawings ,it shows there would be only one public toilet.

I know the regulations on toilets have changed,but I do feel that if the bar was busy on a weekend.one toilet would cause no end of problems,as in enviromental.

People urinating outside and using other residents premises which would cause issues and bad feeling.

Also there doesnt seem to be anything for a bin store,would they be removing their waste each day?

These are our concerns,and strongly feel this venture should not go ahead,if you would like to discuss any of the above please dont hesitate to contact me on the above number,thank you for your time and I hope for a successful outcome.

Neil Evans (North Star)

A handwritten signature in cursive script, appearing to read 'Neil Evans'.

Hi Russell

Not sure if this is directed to correct person think it may be for Dave Barnfather if so could you please forward.

Wanting to oppose planning for the drinking establishment on land opposite navigation point. Have the following concerns:

Environmental:

No apparent area designated for trade waste.

Problem already surrounds the drainage of the site this would only increase that problem. I understand that there should have been an additional sewer pump added to the site around Seymour and this has not been rectified.

Health & Safety

Access issues for the unit behind the proposed build and the new build for possible future employees being wheel chair users.

Access around the new build for pedestrians

Pedestrian crossing main traffic area from existing builds to the new proposed build.

Proposed build to be constructed mainly in glass issues around glair created from the sun, causing visibility problems around new build for car users and pedestrians.

Access problems during the construction period as the site is a one way in and out. This also relates to access for emergency services.

The emergency services will have given maximum numbers able to be evacuated from the site based on residential units and commercial units. And maximum numbers in the area at any one time this may create a situation of over crowding if the new unit is at maximum capacity?

I trust you will forward this objection to the correct person if you are not responsible for this area. if you need to contact me regards any of the above please either reply to this e mail or in writing at the address below

Kind regards

Philip Grylls

The Waterfront (Fish & Chip Shop), unit 14 navigation Point, Hartlepool TS24 OUH

Cleveland Police are concerned regarding the application whereby the premises propose that ALL licensable activities may be carried out both indoors and outdoors. The premises is located on a roundabout whereby traffic from various other premises in the vicinity, in particular, taxis and hire cars utilise the roundabout as the recognised route for exiting Navigation Point at all hours, both day and night. In addition, the premise is situated in an area where there are residents. There is therefore an obvious concern for public safety and public nuisance and Cleveland Police request that the application be amended so that licensable activities are carried out indoors only.

If the operating schedule is clarified to the satisfaction of Cleveland Police, the application is amended as suggested above, and the following conditions are placed on the licence and adhered to, Cleveland Police will withdraw representations:

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours includes:

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Permitted hours under this licence do not prohibit:

- (a) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (b) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) The sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) The sale or supply of alcohol, to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (e) The taking of alcohol from the premises by a person residing there; or
- (f) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (g) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (i) He is the child of the holder of the premises licence
 - (ii) He resides in the premises, but is not employed there
 - (iii) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from where there is no other convenient means of access or egress.
 - (iv) The bar is in the railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

No child under 16 years of age shall be admitted to any other part of the licensed premises unless accompanied by an adult.

3. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the Children and Young Persons Act 1933.
4. Alcoholic and other drinks (bottles, can and glasses) shall not be removed from the premises in open containers.
5. The premise 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 premise is open for business. Any recordings will immediately be available to the responsible authorities if requested and maintained for a minimum period of 30 days.
6. Persons who appear to be under the age of 21 years shall be required to produce proof of age by way of recognised proof of age card, accredited under the Proof of Age Standards Scheme (PASS) or if proof of age card is not available, a photo driving licence or passport.
7. Plastic or toughened glasses will be used.
8. The premises shall adopt and implement a drugs policy and incorporate a secured drugs seizure box of the type approved by Cleveland Police.
9. The DPS, or representative shall attend the Hartlepool Licensing Association meetings held bi-monthly.
10. There shall be a minimum of 2 SIA Registered Door Supervisors employed for all late night openings after 22.00 hours and shall remain present until the premises close to the public.

In the event that an agreement can not be reached, I confirm that Cleveland Police will attend any necessary licensing hearing.

Yours faithfully,

Marie Nevison
On behalf of Legal Services

For the attention of: Jane Kett, Principal Environmental Health Officer,
(Commercial Services), Public Protection Division,
Civic Centre, Hartlepool

LICENSING ACT 2003

RE: APPLICATION FOR A PREMISES LICENCE

KIOSK BUILDING, NAVIGATION POINT, HARTLEPOOL MARINA, HARTLEPOOL

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

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.

2. 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.
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. Before any dancing takes place on the premises, suitable facilities shall be provided for dancing and details of the same shall be agreed with the local authority.

5. Before the premises are opened for the purposes authorised by the licence an inspection shall be carried out to ensure that the premises are safe for use. Details of the inspection, defects discovered and remedial action taken shall be recorded in writing in a logbook kept for that purpose. That logbook shall be made available for inspection on demand to an Authorised Officer of the Council, a Fire Officer or a Police Constable.
6. Clear and unobstructed access shall be available to the premises for use by the emergency services and emergency service vehicles at all times.
7. 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.
8. So far as reasonably practicable, any drinks to be consumed in the licensed area must be served only in containers made of strengthened glass (tempered glassware) or of a material that in the event of breakage, will fragment with no sharp edges remaining. Alternatively, drinks may be served in non-glassware drinking vessels (e.g. plastic, polystyrene, waxed paper).
9. Prior to the provision of regulated entertainment, a risk assessment shall be undertaken to assess the need for security staff to be present on site. Where such an assessment identifies that security staff are required they shall be present on site while regulated entertainment takes place.

Signature: _____

Print Name: _____

Position: _____