

LICENSING ACT SUB-COMMITTEE AGENDA



Friday 15th May 2009

at 2.00 pm

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

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Griffin, Jackson and London

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **ITEMS FOR DECISION**
 - 3.1 Application for the Variation of a Gaming Machine Permit – Yates, Victoria Road – *Head of Procurement, Property and Public Protection*
 - 3.2 Application for the Variation of a Premises Licence for 22-23 Church Street, 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 Procurement, Property and Public Protection outlines the application, any relevant representations and relevancy to Licensing Policy and statutory guidance.
3. Members ask any questions of the Head of Procurement, Property and Public Protection.
4. Applicant presents their case (either personally or via legal representation) and introduces witnesses where appropriate.
5. Questions by Members to applicant and/or applicant's witnesses.
6. Representations by responsible bodies and/or interested parties and witnesses introduced where appropriate.
7. Questions by Members to responsible bodies/interested parties and/or their witnesses.
8. Parties may question and clarify issues raised with the consent of the Chair.
9. If required, responsible bodies/interested parties 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 and Public Protection

Subject: APPLICATION FOR THE VARIATION OF A GAMING MACHINE PERMIT – YATES, VICTORIA ROAD

1. PURPOSE OF REPORT

- 1.1 To consider an application for the variation of a gaming machine permit in respect of Yates, Victoria Road, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Applicant: Town & City Pub Company
Premises: Yates
Victoria Road
Hartlepool
- 2.2 The application is for the variation of a current gaming machine permit so as to increase the number of Category C gaming machines from three to four.
- 2.3 On 14th March 2007 Members of the Licensing Committee determined that applications for four or more gaming machines must be referred to a Licensing Sub-Committee for consideration.

3. BACKGROUND

- 3.1 A gaming machine is defined in the Gambling Act 2005 as: -

‘A machine which is designed for use by individuals to gamble (whether or not it can be used for other purposes’.
- 3.2 A Category C gaming machine is limited to a maximum stake of 50p and a maximum prize of £35. A Category D gaming machine is limited to a maximum stake of 10p (30p in tokens) and a maximum prize of £5 (£8 in tokens).

- 3.3 Category C gaming machines may only be used by players whose minimum age is 18. There are no age restrictions for Category D machines.
- 3.4 The Gambling Act 2005 states that there are no restrictions on the number of Category C and D machines that an alcohol licensed premises may have but that any more than two machines must be determined by the local licensing authority.
- 3.5 The applicant premises has a valid alcohol licence issued under the Licensing Act 2003.

4. ISSUES

- 4.1 Schedule 13 of the Gambling Act 2005 states that, when considering permit applications, licensing authorities shall have regard to the Act's licensing objectives and any guidance issued by the Gambling Commission and any other matters it thinks relevant.
- 4.2 The licensing objectives are: -
 - a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - b) Ensuring that gambling is conducted in a fair and open way; and
 - c) Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 4.3 The Council's Gambling Act Policy states that, in relation to applications for permits: -

Matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling. The applicant will be expected to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

Measures which will satisfy the authority that there will be no access may include whether adult machines are in sight of the bar, or in sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

- 4.4 Holders of gaming machine permits must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine. A copy of this code of practice is attached as **Appendix I**.
- 4.5 On considering an application for a permit a licensing authority shall: -
- 1) Grant the application
 - 2) Refuse the application; or
 - 3) Grant it in respect of: -
 - (i) a smaller number of machines than specified in the application,
 - (ii) a different category of machines from that specified in the application, or
 - (iii) both.
- 4.6 Members may not attach conditions to a permit.

5. RECOMMENDATIONS

- 5.1 That Members consider whether the application should be granted.

GAMBLING COMMISSION

Gaming Machine Permits Code of Practice

- Club Gaming Permits and Club Machine Permits
- Alcohol Licensed Premises Permits and Permissions

June 2007

Introduction

- i. This is the Gambling Commission's Code of Practice issued under section 24 Gambling Act 2005 (the Act) relating to provision of facilities for gambling in accordance with club gaming, club machine and licensed premises gaming machine permits. This includes:
 - registrations under Parts II and III Gaming Act 1968 which, under transitional provisions, are treated as club gaming and club machine permits respectively; and
 - alcohol licensed premises gaming machine permits (formerly s34 1968 Act permits).
- ii. The Code will come into force on 1 September 2007.
- iii. Those items marked in bold and shaded are the provisions which are a condition of the permit and must be complied with.

Section A: Location and operation of machines

All permit holders

Compliance with these provisions is a condition of your permit, and failure to do so could result in revocation of the permit.¹

- 1 All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.**

Permit holders must have in place arrangements for such supervision.
- 2 All gaming machines situated on the premises shall be located in a place that requires a customer who wishes to use any ATM made available on the premises to cease gambling at the gaming machine in order to do so. 'ATM' means a machine located on the premises, which enables a person using it to obtain cash by use of a credit or debit card.**

¹ Compliance with these provisions is a condition of the relevant permit as a result of the Gambling Act 2005: section 271 for Club Gaming Permits, section 273 for Club Machine Permits, section 282 for alcohol licensed premises using their automatic machine permissions and section 283 for licensed premises Gaming Machine Permits and alcohol licensed premises Gaming Machine Permits.

Section B: Access to gambling by children and young persons

All permit holders

This section sets out the best practice which the Gambling Commission considers should be implemented by permit-holders, compliance with this provision is not a condition of your permit.

- 3 Permit holders should put into effect procedures intended to prevent underage gambling. This should include procedures for:
 - checking the age of apparently underage customers; and
 - refusing access to anyone who appears to be underage, and who tries to use category B or C gaming machines and cannot produce an acceptable form of identification.
- 4 Permit holders should take all reasonable steps to ensure that all relevant employees understand their responsibilities for preventing underage gambling.
- 5 Permit holders should only accept identification which:
 - contains a photograph from which the individual can be identified;
 - is valid; and
 - is legible and has no visible signs of tampering or reproduction.

(The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (eg Citizencard, Validate and the Government's own Connexions card); driving licence (including a provisional licence) with photocard; and passport).

- 6 Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on category B or C machines, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.

Section C: Self exclusion

This section sets out the best practice which the Gambling Commission considers should be implemented by permit-holders, compliance with this provision is not a condition of your permit.

Club gaming permit and club machine permit holders only

- 7 Permit holders should put in place procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 8 Permit holders should implement procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling; this includes:
 - a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
 - photo identification (where available and in particular where enforcement of the system may depend on photographic ID), and a signature;
 - staff training to ensure that relevant staff are able to enforce the systems; and
 - the removal of those self-excluded persons found in the gambling area or attempting to gamble from the premises.

- 9** Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.
- 10** Before an individual self-excludes, permit holders should provide or make available sufficient information about what the consequences of self-exclusion are. Customers should be given the opportunity to discuss self-exclusion in private, where possible.
- 11** Permit holders should take all reasonable steps to ensure that:
- the self-exclusion period is a minimum of six months and give customers the option of extending this to a total of at least five years;
 - a customer who has decided to enter a self-exclusion agreement is given the opportunity to so do immediately without any cooling off period. However, if the customer wishes to consider the self exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self exclusion;
 - at the end of the period chosen by the customer (and at least six months later), maintain the self-exclusion in place, unless the customer takes positive action in order to gamble again. No marketing material may be sent to the individual unless that has taken positive action in order to gamble again, and has agreed to accept such material; and
 - where a customer chooses not to renew, and makes a positive request to begin gambling again, give the customer 1 day to cool off before being allowed access to the gambling facilities.
- 12** Please note that the Commission does not require the permit-holder to carry out an assessment or make any judgement of whether the individual should have access to gambling. The requirement to take positive action in person or over the phone is purely to:
- a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and
 - b) implement the 1 day cooling-off period and explain why this has been put in place.

Gambling Commission June 2007

The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling, by ensuring that gambling is conducted fairly and openly, and by protecting children and vulnerable people from being harmed or exploited by gambling. The Commission also provides independent advice to government on gambling in Britain.

For further information or to register your interest in the Commission please visit our website at:
www.gamblingcommission.gov.uk

Gambling Commission
Victoria Square House
Victoria Square
Birmingham B2 4BP

T 0121 230 6500
F 0121 233 1096
E info@gamblingcommission.gov.uk

Report of: Head of Procurement, Property and Public Protection

Subject: APPLICATION FOR THE VARIATION OF A PREMISES LICENCE FOR 22-23 CHURCH STREET, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for the variation of a premises licence in respect of 22-23 Church Street, Hartlepool.

2. BACKGROUND

- 2.1 Applicant: Miss Danielle Maria Massey
Premises: 22-23 Church Street
Hartlepool
- 2.2 The current licence authorises the following activities: -
- | | |
|-------------------------------------|--------------------------------|
| 1. Alcohol Sales (On & Off Sales) | Monday to Sunday 11:00 – 01:30 |
| 2. Indoor Sporting Events | Monday to Sunday 11:00 – 02:00 |
| 3. Live Music | Monday to Sunday 11:00 – 02:00 |
| 4. Recorded Music | Monday to Sunday 11:00 – 02:00 |
| 5. Anything similar to 3 or 4 above | Monday to Sunday 11:00 – 02:00 |
- 2.3 A copy of the current premises licence is attached as **Appendix I**.

3. SUMMARY OF APPLICATION

- 3.1 The applicant has applied for a number of additional activities to be added to the licence and for all activities to be available until 4:00 a.m. 7 days a week.
- 3.2 The proposed new activities and licensed hours are detailed as follows: -
- | | |
|---------------------------|-------------------------------|
| 1. Films | Monday – Sunday 11:00 – 04:00 |
| 2. Indoor Sporting Events | Monday – Sunday 11:00 – 04:00 |
| 3. Live Music | Monday – Sunday 11:00 – 04:00 |

4.	Recorded Music	Monday – Sunday 11:00 – 04:00
5.	Performance of Dance	Monday – Sunday 11:00 – 04:00
6.	Anything similar to 4 or 5 above	Monday – Sunday 11:00 – 04:00
7.	Facilities for Making Music	Monday – Sunday 11:00 – 04:00
8.	Facilities for Dancing	Monday – Sunday 11:00 – 04:00
9.	Anything similar to 7 or 8 above	Monday – Sunday 11:00 – 04:00
10.	Late Night Refreshment	Monday – Sunday 11:00 – 04:00
11.	Supply of Alcohol	Monday – Sunday 11:00 – 04:00

3.3 The application has also stated that adult entertainment may be provided.

3.4 The proposed closing time for the premises is 4:30 a.m. hours 7 days a week.

3.5 A copy of the application is attached as **Appendix II**.

3.6 The application has been advertised in the prescribed manner and two relevant representations have been received from **Planning (Appendix III)** and **Cleveland Police (Appendix IV)**.

3.7 The representation from Planning states that there is currently only planning permission in place for the ground floor of the premises whereas the proposed application refers to the current licensed area of both the ground floor and first floor.

3.8 The representation from Cleveland Police states that an extension to the opening hours for the premises would undermine the crime and disorder licensing objective and questions the ability of the current Designated Premises Supervisor to manage the extended hours.

4. ISSUES

4.1 As relevant representations have been received within the prescribed time, a hearing must be held for Members to consider those representations (unless all parties agree a hearing is unnecessary).

4.2 The licensing objectives are: -

- a) the prevention of crime and disorder;
- b) public safety;
- c) the prevention of public nuisance; and
- d) the protection of children from harm

4.3 The Planning Department has indicated that there is no appropriate planning permission for the first floor of the premises and therefore any

variation of the current licence would be a breach of current planning permission.

- 4.4 Hartlepool Borough Council's Licensing Policy states that premises 'must have suitable, appropriate authorised use under planning legislation' and that 'The Licensing Authority will not normally entertain an application for a licence unless the applicant can demonstrate that the premises have an appropriate planning consent.'
- 4.5 Should Members determine that the application should be granted, it would be possible to add a condition to the licence stating that it would only take effect in relation to the first floor when appropriate planning permission had been obtained. This would prevent the applicant from having to make a further licence application once planning permission was in place.
- 4.6 Cleveland Police have stated that the area in which the premises are situated already suffers significantly from alcohol related crime and disorder, especially after 2:00 a.m. and that, in their opinion, granting the application would undermine the crime and disorder licensing objective.
- 4.7 Cleveland Police have also stated that they are concerned that the current Designated Premises Supervisor, Mr David Lai, has never been present at the premises when visited by the Police Licensing Officer.
- 4.8 Having regard to the representations received, Members may take any of the following steps for the promotion of the licensing objectives.
- 1) Grant the application without amendment
 - 2) Grant the application with conditions, or amended conditions
 - 3) Reject those parts of the variation that are relevant to the representations received
- 4.9 Members are reminded that they must only consider those aspects of the licence variation that are relevant to the representations received.

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



Hartlepool Borough Council, Civic Centre, Victoria Road, Hartlepool, TS24 8AY

THE LICENSING ACT 2003
PREMISES LICENCE (PART A)

Premises licence number

HART/PS/312

Part 1 - Premises details

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

Reds
22-23 Church Street

Post Town Hartlepool

Post Code TS24 7DH

Telephone number

Where the licence is time limited the dates

N/A

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

- 1 Alcohol Sales (On & Off Sales)
- 2 Indoor Sporting Events
- 3 Live Music
- 4 Recorded Music
- 5 Anything similar to 3 or 4 above

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

- 1 Alcohol Sales (On & Off Sales)
Monday to Sunday 11:00 – 01:30
- 2 Indoor Sporting Events
- 3 Live Music
- 4 Recorded Music
- 5 Anything similar to 3 or 4 above
Monday to Sunday 11:00 – 02:00

The opening hours of the premises

Monday to Sunday 11:00 – 02:00

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

One and Off Sales

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

Miss Danielle Maria Massey
22-23 Church Street
Hartlepool
TS24 7DH Tel: 07899752699

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

N/A

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

David Lai
15 Nunwick Way
Little Benton
Newcastle upon Tyne
NE7 7GB

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

NCCOOCJ0624
Newcastle Upon Tyne

Date licence granted: 19th December 2008

ANNEX 1 – Mandatory Conditions

- 1 No supply of alcohol may be made under the premises licence –
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

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

ANNEX 2 – Conditions consistent with the Operating Schedule

- 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 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.
- 3 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.
- 4 In the event of the fire alarm being activated a suitable relay must be provided so that the electrical power supply to all sound amplification system in the licensed premises must be immediately intercepted so that the alarm can be clearly heard in all parts of the licensed premises.
- 5 A drugs policy shall be implemented and monitored by staff during operating hours.
- 6 CCTV shall be installed, in operation and monitored by staff during operating hours.
- 7 Signage shall be displayed in prominent positions near exits requesting customers to leave in a quiet and orderly manner.
- 8 During the provision of live or recorded music all reasonable steps will be taken to avoid disturbance to neighbouring properties.
- 9 Persons under 18 years of age are prohibited unless they are accompanied by an adult.
- 10 Signage shall be displayed in prominent positions, at all bars, stating that supply of alcohol to children is prohibited and illegal.

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

NONE

ANNEX 4 - Plans

See attached

Hartlepool Borough Council, Civic Centre, Victoria Road, Hartlepool, TS24 8AY

**APPLICATION TO VARY A PREMISES LICENCE 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.

I/we DANIELLE MASSEY apply for as premises licence holder, apply to vary a
(insert name(s) of applicant)
premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

HART/PS/312

Part 1 - Premises details

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

22-23 CHURCH STREET

Post Town HARTLEPOOL

Post Code TS24 7DH

Telephone number at premises (if any)

Non-domestic rateable value of premises

£

Part - 2 Applicant details

Daytime contact telephone number

07899752699

E-Mail address
(optional)

Current postal
address if different
from premises
address

Post Town

Postcode

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick Yes ☒

If not do you want the variation to take effect from

Day	Month	Year

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

NO

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

FOR THE LICENSING TO BE EXTENDED
TO 4-00 A.M

FOR DANCING AND ADULT ENTERTAINMENT
TO BE ALLOWED

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Please tick ✓ yes

Provision of regulated entertainment

- | | | |
|----|-------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 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 for:

- | | | |
|----|-------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 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)

☒

Sale by retail 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 [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
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 [Y] (please read guidance note 2)	Indoors	Y
Day	Start	Finish		Outdoors	
Mon	11-00	4-00	Please give further details here (please read guidance note 3)	Both	
Tue	11-00	4-00			
Wed	11-00	4-00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	11-00	4-00			
Fri	11-00	4-00	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	11-00	4-00			
Sun	11-00	4-00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	11-00	4-00	
Tue	11-00	4-00	
Wed	11-00	4-00	
Thur	11-00	4-00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Fri	11-00	4-00	
Sat	11-00	4-00	
Sun	11-00	4-00	
			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 (please read guidance note 5)

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 [Y] (please read guidance note 2)	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	
Mon	11-00	4-00	Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11-00	4-00	Please give further details here (please read guidance note 3)		
Tue	11-00	4-00			
Wed	11-00	4-00			
Thur	11-00	4-00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Fri	11-00	4-00			
Sat	11-00	4-00			
Sun	11-00	4-00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		

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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11-00	4-00	Please give further details here (please read guidance note 3)		
Tue	11-00	4-00			
Wed	11-00	4-00			
Thur	11-00	4-00	State any seasonal variations for playing recorded music (please read guidance note 4)		

Fri	11-00	4-00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat	11-00	4-00	
Sun	11-00	4-00	

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 [Y] (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon	11-00	4-00				
Tue	11-00	4-00				
Wed	11-00	4-00	State any seasonal variations for the performance of dance (please read guidance note 4)			
Thur	11-00	4-00				
Fri	11-00	4-00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat	11-00	4-00				
Sun	11-00	4-00				

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		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	<input checked="" type="checkbox"/>
				Outdoor	
Mon	11-00	4-00		Both	

Tue	11-00	4-00	Please give further details here (please read guidance note 3)
Wed	11-00	4-00	
Thur	11-00	4-00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri	11-00	4-00	
Sat	11-00	4-00	Non standard timings. Where you intend to use the premises for the entertainment of 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	11-00	4-00	

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 [Y] (please read guidance note 2)	
Day	Start	Finish	Indoors	4
			Outdoors	
			Both	
Mon	11-00	4-00	Please give further details here (please read guidance note 3)	
Tue	11-00	4-00		
Wed	11-00	4-00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Thur	11-00	4-00		
Fri	11-00	4-00	Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	11-00	4-00		
Sun	11-00	4-00		

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 [Y] (see guidance note 2)		Indoors	7
					Outdoors	
					Both	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing			
Mon	11-00	4-00	Please give further details here (please read guidance note 3)			
Tue	11-00	4-00				
Wed	11-00	4-00	State any seasonal variations for providing dancing facilities (please read guidance note 4)			
Thur	11-00	4-00				
Fri	11-00	4-00	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	11-00	4-00				
Sun	11-00	4-00				

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 [Y] (please read guidance note 2)		Indoor	7
					Outdoor	
Mon	11-00	4-00			Both	

Tue	11-00	4-00	Please give further details here (please read guidance note 3)
Wed	11-00	4-00	
Thur	11-00	4-00	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)
Fri	11-00	6-00	
Sat	11-00	4-00	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	11-00	4-00	

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 [Y] (please read guidance note 2)	
			Indoors	Y
Day Start Finish			Outdoors	
			Both	
Mon	11-00	4-00	Please give further details here (please read guidance note 3)	
Tue	11-00	4-00		
Wed	11-00	4-00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	11-00	4 am		
	11-00	4 am	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)	
Fri	11-00	4am		
Sat	11-00	4am		
Sun	11-00	4am		

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	
Day	Start	Finish	Both		
Mon	11-00	4-00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	11-00	4-00			
Wed	11-00	4-00			
Thur	11-00	4-00			
Fri	11-00	4-00			
Sat	11-00	4-00			
Sun	11-00	4-00			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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)

NO CHILDREN ALLOWED ON THE PREMISES AT ANY TIME

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	11-00	4-30	
Tue	11-00	4-30	

Wed	11-00	4-30	Non standard timings. Where you intend to use 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)
Thur	11-00	4-30	
Fri	11-00	4-30	
Sat	11-00	4-30	
Sun	11-00	4-30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

I have enclosed the premises licence

Please tick ✓ yes

☒

I have enclosed the relevant part of the premises licence

☐

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

b) The prevention of crime and disorder

CCTV ON PREMISES AT ALL TIMES
AND EMPLOYMENT OF DOOR STAFF

c) Public safety

ENSURE ALL FIRE EXTINGUISHERS ARE
WORKING AND FIRE EXITS ARE CLEAR
AT ALL TIMES

d) The prevention of public nuisance

DOOR STAFF EMPLOYED
WHILST ADULT ENTERTAINMENT IS SHOWN THE BLINDS
WILL BE CLOSED TO SHUT OFF THE OUTSIDE
PUBLIC.

e) The protection of children from harm

NO CHILDREN ALLOWED ON PREMISES
AT ANY TIME

Please tick ✓ yes

- I have made or enclosed payment of the fee ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- 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 5 – Signatures (please read guidance note 10)

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

Signature

Date

Capacity

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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 address for correspondence associated with this application (please read guidance note 13)

22-23 CHURCH STREET

Post town

HARTLEPOOL

Post code

TS24 7DH

Telephone number (if any)

07899752699

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Julie Humphreys

From: Alison Macklam
Sent: 25 March 2009 11:52
To: Licensing
Subject: RE: Premises Licence Variation - 22-23 Church Street

Morning Julie

I have checked the planning history on the above premises and would advise you that planning permission (H/1983/0298) was granted 9 August 1983 for the change of use from retail unit to private snooker and pool club. A further permission (H/1997/0128) was granted 7 May 1997 for the change of use of **ground floor to public house**. I have spoken to Danielle Massey today to ascertain which part of the premises is to be used. I was advised that they are looking to operate as a nightclub opening just 3 nights a week using the whole building after making alterations to the first and second floors. I informed Danielle that an application for a change of use would be required to allow the premises to operate as a nightclub.

Regards

*Alison Macklam
Monitoring Officer (Development Control)
Hartlepool Borough Council
Regeneration & Planning Services
Bryan Hanson House
Hanson Square
HARTLEPOOL TS24 7BT*

*Tel: 01429 284380
Fax: 01429 523599*

From: Alison Macklam
Sent: 23 March 2009 12:16
To: Licensing
Subject: RE: Premises Licence Variation - 22-23 Church Street

Hi Julie

I have now received of a copy of the above application.

Regards

*Alison Macklam
Monitoring Officer (Development Control)
Hartlepool Borough Council
Regeneration & Planning Services
Bryan Hanson House
Hanson Square
HARTLEPOOL TS24 7BT*

*Tel: 01429 284380
Fax: 01429 523599*

From: Julie Humphreys **On Behalf Of** Licensing
Sent: 09 March 2009 09:03
To: Adrian Hurst; Jane Kett; Michael Welsh; Sylvia Pinkney; Jacqui Rogers; Maureen McEnaney; bstephen@clevelandfire.gov.uk; kreadhead@clevelandfire.gov.uk; pbradley@clevelandfire.gov.uk; satkinson@clevelandfire.gov.uk; tconnor@clevelandfire.gov.uk; Alison Macklam; Richard Teece; Alan Ions; terence.swales@cleveland.pnn.police.uk

26/03/2009

Your Ref:
Our Ref: LICE/20/631/MN

When telephoning please use
(01642) 301231 to contact
Marie Nevison
Marie.Nevison@cleveland.pnn.police.uk

1st April 2009

Dear Sirs

Re:- Application to Vary Premises Licence
Reds Bar- Church Street Hartlepool

Cleveland Police wish to make representations to the above application to vary the hours of opening until 4.30am for the following reasons:

Historically, an increase in hours has lead to an increase in alcohol related crime and disorder. The area in which the premises is situated already suffers significantly from alcohol related crime and disorder, especially after 2.00am – the time in which the premise currently close. Cleveland Police are therefore of the opinion that if this application is granted, the likely effect will be that the crime and disorder objective will be undermined.

In addition to the above, Cleveland Police are concerned that the current DPS, Mr Lai has never been present at the premises when PC Swales, Licensing Officer has attended. It is understood that Mr Lai's business interests are in the Newcastle area. Cleveland Police believe that Danielle Massey will eventually take over the role of DPS after having successfully completed a personal licence course and applied for her personal licence. Therefore, Ms Massey is inexperienced.

In the event that this application is not withdrawn further evidence will be provided by Cleveland Police.

Should you have any further queries, please do not hesitate to contact me.

Mr Ian Harrison
Hartlepool Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AG