

# LICENSING ACT SUB-COMMITTEE AGENDA



**Thursday 23<sup>rd</sup> July 2009**

**at 2.00 pm**

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

**MEMBERS: LICENSING ACT SUB-COMMITTEE:**

Councillors Atkinson, R Cook and Rogan

- 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 - 131 Elwick Road,  
Hartlepool - *Head of Procurement, Property and Public Protection*

**Report of:** Head of Procurement, Property & Public Protection

**Subject:** APPLICATION FOR A NEW PREMISES LICENCE -  
131 ELWICK ROAD, HARTLEPOOL

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## **1. PURPOSE OF REPORT**

- 1.1 To consider an application for a new Premises Licence in respect of 131 Elwick road, Hartlepool.

## **2. SUMMARY OF APPLICATION**

- 2.1 Applicant: Mr Paul Grange

Premises: 131 Elwick Road  
Hartlepool  
TS26 9BQ

- 2.2 The applicant has applied for the following:

Supply of alcohol                      Monday – Sunday                      0600 – 2300

A copy of the application is attached as Appendix 1.

## **3. BACKGROUND**

- 3.1 The application has been advertised in the prescribed manner and representations have been received from **eleven** Interested Parties (see Appendices 2-12). One of these representations is from a local Ward Councillor and another from the Chairman of the local Resident's Association. In addition a petition has been received (Appendix 13) containing 61 signatures – some of whom had also provided individual representations.
- 3.2 The nature of the representations received can be summarised as follows:
- There will be an increase in crime and disorder if the premises licence was granted.
  - Littering and loitering in the area will increase.
  - Another off-licence in the area will increase anti-social behaviour.

- 3.3 Following receipt of representations, and in compliance with statutory requirements, a Notice of Hearing has been sent to the applicant and those making representations.

#### 4. ISSUES

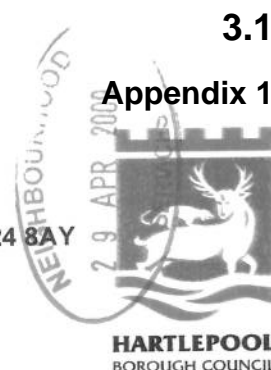
- 4.1 As relevant representations have been received within the prescribed time period, a hearing must be held for Members to consider those representations (unless all parties agree a hearing is unnecessary).
- 4.2 A map of the area is attached as Appendix 14 to allow Members to understand the proximity of the applicant's premises to other licensed premises referred to in some of the representations.
- 4.3 The Licensing Act 2003 states that representations against licence applications must refer to at least one of the Act's 'licensing objectives'. The petition attached as Appendix 13 is headed 'Objection to Drinks Licence' but does not refer to any licensing objectives. As such Members must determine whether the petition should be considered as a relevant representation.
- 4.4 A number of representations refer to the lack of 'need' for another off-licence in the area. Statutory Guidance that accompanies the Licensing Act states that "Need concerns the commercial demand for another [premises]. This is not a matter for a licensing committee in discharging its functions".
- 4.5 The applicant has agreed to a number of conditions that will be attached to the licence, should it be granted. These include the installation of a CCTV system, a 'Challenge 21' approach to under age sales (whereby anyone under the age of 21 would be required to produce proof of age) staff training and the monitoring of sales.
- 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 in part and/or with conditions or amended conditions
  - iii) Refuse the application
- 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

- 4.8 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 Interested Parties and determine what aspects, if any, of the proposed application should be granted and, if appropriate, what conditions, if any, should be attached.

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



## 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.

*Paul Grange*

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

*131 ELWICK ROAD  
HARTLEPOOL*

Post Town

*HARTLEPOOL.*

Post Code

*TS26 9BQ.*

Telephone number at premises (if any)

*01429 - 272958.*

Non-domestic rateable value of premises

*£ 3200*

#### Part 2 - Applicant Details

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

- |   |   |
|---|---|
| a) an individual or individuals *               | <input checked="" 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 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <i>GRANGE</i>			First names <i>PAUL DAVID</i>		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		<i>2 MEADOW WALK, CARLTON</i>			
Post Town	<i>SPALTON - ON - TEES</i>			Postcode	<i>TS 21 1QN</i>
Daytime contact telephone number		<i>07736 - 487135</i>			
E-mail address (optional)		<i>PAUL.GRANGE @ YAHOO.CO.UK.</i>			

**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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
1	0	0	5	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)

RETAIL SHOP UNIT - MID-TOWN, MAIN ROAD  
LOCATION.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

**Please tick yes**

- |  |                          |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A)   | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B)   | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)  | <input 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 type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)  | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)   | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)<br>(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 type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)   | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)<br>(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

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

## B

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

# C

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

# D

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

# E

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

# F

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

# G

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



# H

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

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

# J

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

# K

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b>	
Day	Start	Finish	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)	
Wed				
Thur			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 4)	
Fri				
Sat			<b><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></b> (please read guidance note 5)	
Sun				

L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (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 the provision of late night refreshment</u> (please read guidance note 4)			
Thur						
Fri			<u>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</u> (please read guidance note 5)			
Sat						
Sun						

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  None.		
Mon	06.00	23.00			
Tue	06.00	23.00			
Wed	06.00	23.00			
Thur	06.00	23.00	<b>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</b> (please read guidance note 5)		
Fri	06.00	23.00			
Sat	06.00	23.00			
Sun	06.00	23.00			

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

<b>Name</b>		Paul Grange
<b>Address</b>		2 meadow walk CARTON STURTON ON TREES
<b>Postcode</b>	TS21 120.	
<b>Personal Licence number (if known)</b>		
<b>Issuing licensing authority (if known)</b>		

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)

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			<p><u>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</u> (please read guidance note 5)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

29.4.09

Mr Grange confirmed  
hours same as 'M' 19

**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**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**



- 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

Please tick yes

☒

☒

☒

☐

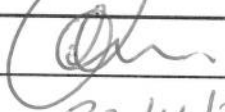
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IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**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	22/4/09.
Capacity	OWNER.

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

Signature	
Date	
Capacity	

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

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

### Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.  
Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
  11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

**Copies of this completed application form must be sent to:-**

**The Licensing Team (HBC),  
Principal Trading Standards Officer (HBC)  
Development Control Manager (HBC)  
Principal Environmental Health Officer (Commercial Services) (HBC)  
Principal Environmental Health Officer (Environmental Protection) (HBC)  
Head of Safeguarding and Review (Licensing) (HBC)  
Cleveland Police,  
Cleveland Fire Brigade**

**Addresses for the above organisations are detailed in the guidance notes that accompanied this document or can be obtained from the Licensing team on request.**

**The Licensing Section  
Public Protection and Housing  
Hartlepool Borough Council  
Civic Centre  
Victoria Road  
Hartlepool  
TS24 8AY**

**Dave Barnfather**

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**From:** Peter Hyde [petehyde@hotmail.com]  
**Sent:** 27 May 2009 12:51  
**To:** Ian Harrison  
**Subject:** RE: Application for Licence - 131 Elwick Road  
**Attachments:** Off License objections.doc

Peter Hyde  
118 Elwick Road  
Hartlepool  
Cleveland  
TS26 9BH

Tel: 01429 222595  
Mobile: 07894 161807  
E mail: petehyde@hotmail.com

27<sup>th</sup> May 2009

Ian Harrison  
Principal Licensing Officer  
Hartlepool Borough Council  
Civic Centre  
Hartlepool  
TS24 8AY

Re: Objections to licence application. 131 Elwick Road, Hartlepool.

Dear Mr Harrison,

I am writing to inform you and your department of the objection I have to a licence being granted to the business located at 131 Elwick Road, Hartlepool allowing the sale of alcohol. Under the licensing objectives you have laid down as being relevant grounds for objection my objections are as follows.

**Prevention of crime and disorder.** There is already an Off Licence business next door to number 131 and there have been a number of incidents where the Police have been called. It is common knowledge that alcohol is the cause of a lot of crime and by introducing a second competitive Off Licence business next door this will undoubtedly lead to an increase of crime and disorder.

**Prevention of public nuisance.** The existing off licence business at 129 Elwick Road is often frequented by drunks, Beer cans and bottles are regularly discarded in the street and neighbouring front gardens and this can only increase with the introduction of another similar business.

**Public Safety.** The introduction of a second off licence business next door to the existing business will lead to extreme competition between the two businesses. This could lead to heavy discounting as one business tries to undercut the other. This will

in turn lead to an increase in the number of drunks and alcoholics frequenting the area looking for cut price booze and I believe that this will directly affect public safety. I also believe that as our medical services and hospitals are constantly overwhelmed with people suffering the effects of alcohol abuse by granting another license at this location would be irresponsible of the council.

**Protection of children from harm.** I believe that children growing up in this area will be harmed by the influence of these businesses. These shops are used by the local children to buy sweets and comics. To be bombarded with advertising and point of sale marketing for alcoholic drinks will cause harm in the long term.

In summation I would point out that alcohol abuse is a huge problem in this town and is often the underlying cause to most of the other social problems in the town. We don't need more shops selling alcohol we need less of them. I know that refusing this license won't solve all the problems but granting it will certainly add to them. I would just ask the council to think of residents here. No-one wants this shop to sell alcohol. We want our area protected and to be able to live peaceful lives. Thankyou.

Yours Sincerely

Peter Hyde

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From: Ian.Harrison@hartlepool.gov.uk  
To: petehyde@hotmail.com  
Date: Wed, 6 May 2009 11:29:13 +0100  
Subject: Application for Licence - 131 Elwick Road

Dear Mr Hyde

Firstly, apologies if you have already been sent a similar e-mail.

I acknowledge receipt of your e-mail received at this office on 24<sup>th</sup> April objecting to the licence application for 131 Elwick Road, Hartlepool.

As your objection arrived 5 days before the application was formally submitted I must ask you to re-submit your objection.

I appreciate this may seem unnecessary but it will remove any opportunity for the applicant to have your objection disregarded due to procedural irregularity. It is also important for you to be aware that objections must relate to one or more of the Licensing Act's 'licensing objectives'. These are: -

1. Prevention of crime and disorder
2. Prevention of public nuisance
3. Public Safety
4. Protection of Children from Harm

Whilst I cannot guide you in your objection you may wish to consider how you feel the granting of the licence will detrimentally impact on one or more of these objectives. Objections that do not relate to the objectives will

28/05/2009

# Councillor Jonathan Brash

16 Eamont Gardens : HARTLEPOOL : TS26 9JD

Tel: 07973 619 054

Email: [jonathan.brash@hartlepool.gov.uk](mailto:jonathan.brash@hartlepool.gov.uk)

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The Licensing Team  
Civic Centre  
Hartlepool  
TS24 8AY

21<sup>st</sup> May 2009

To Whom It May Concern:

## **RE: LICENCE APPLICATION 131 ELWICK ROAD**

I am writing on behalf of a number of Burn Valley residents who made representations to me objecting to the application for the sale of alcohol between the hours of 06:00 until 23:00, Monday to Sunday at the above premise.

It is clear that many residents have real concerns and anxieties about this application and its potential to exacerbate the problems of anti-social behaviour in the area. Indeed in conversation with a local PCSO, whose job it is to patrol the streets and deal with ASB problems, he is absolutely clear that the very last thing the area needs is another off-license.

It is worth noting that these objections are not a commentary on the owner, manager or any other staff who work at these premises. Sadly, however, problems associated with shops selling alcohol appear unavoidable despite the very best efforts of those in charge.

Alcohol remains one of the most serious issues being faced by our town and the hugely damaging effects of it are felt by residents in both Burn Valley and right across the town. Violence, criminal damage, anti-social behaviour, litter, theft – all are exacerbated by alcohol in our communities and to be blunt residents are scared about the possible ramifications of this application being granted.

It is clear that the area does not “need” another off-license and given that local Councillors, local police officers and most importantly local residents are against this application I would respectfully request that the sub-committee refuse this application.

Yours Sincerely,



Jonathan Brash  
Councillor for Burn Valley

<b>Working for Burn Valley</b>
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Mr Allan Barclay MCMI  
Chairman of the Burn Valley North Residents' Association  
31 Leyburn Street  
Hartlepool  
TS26 9AJ

The Licensing Team  
Civic Centre  
Hartlepool  
TS24 8AY



26<sup>th</sup> May 2009

To Whom It May Concern:

**RE: LICENCE APPLICATION 131 ELWICK ROAD**

As Chair of the Burn Valley North Residents' Association I am writing on behalf association members to object to the above application for an alcohol license.

Residents, Councillors and our local police team have all expressed great anxiety over this application as it is our view that should the licence be granted then it would exacerbate anti-social behaviour problems already seen in the area. Much as was the case in Cornwall Street on the other side of the ward such premises have the inevitable consequence of causing huge upset and unpleasantness to ordinary, law abiding residents. In short, it is neither right nor fair to grant this application.

This must be seen as a light against the owners of the premises in question as I am quite sure they are both responsible and conscientious to local residents, but sadly the link with even the best run off-licenses and anti-social behaviour and crime is simply undeniable.

We certainly do not need another off-license in the area and with local Councillors (Brash and Hall), local police officers and local residents against this application I would ask that on behalf of the Burn Valley North Residents' Association that this application be rejected.

Yours Faithfully,

A handwritten signature in dark ink, appearing to read "Allan Barclay".

Allan Barclay  
Chairman of the Burn Valley North Residents' Association



MRS A SAUNDERS  
4 GRASMERE STREET  
HARTLEPOOL  
TS26 9AT  
1/6/09.

Your Ref HART/PS/368

F.A.O The Licensing Team

Dear Sir / Madam

I acknowledge receipt of your letter dated 27/5/09 re Application for a Licence by 131 Elwick Road Hartlepool. As there are already 4 licensed premises in the area eg - off licence next door to the above premises, Gullens York Rd, Burn Valley Wine Stores & the Co-op in Elwick Road, I strongly object to the Newagents at 131 Elwick Road applying for a drinks licence.

There is already a huge problem with alcohol related incidents in the area, eg - Drinking in the Burn Valley Gardens,

& I feel this contributes to a large part of the crime which residents put up with in the neighbourhood such as an increase in vehicles having their wing mirrors broken off, domestic violence issues, fights breaking out. As Secretary of the Burn Valley North Residents Association, I'm sure I speak not only for myself, but on behalf of many residents who are sick & tired of Anti-Social Behaviour, a lot of which is due to teenagers & other youths being under the influence of alcohol.

A fifth premises selling alcohol in the area would most definitely add to a large increase in crime & disorder. Our Residents Association is working closely with local Councillors & Police to "clean up" the area & make it a safer place for residents & their families.

Parents want to make sure their children are safe playing in the Burn Valley Gardens, not having to walk past gangs sitting drinking alcohol & a further shop selling alcohol would definitely cause a massive problem.

I do hope you take these views into consideration when you make your final decision.

Yours faithfully

Anne Saunders

JOINT SECRETARY - BURN VALLEY NORTH  
RESIDENTS ASSOCIATION



RE LICENCING OF  
131 ELWICK ROAD  
HARTLEPOOL



92 WARSBECK LANE  
HARTLEPOOL

31.5.09

Dear Sir,

it seems we now have a proposal for yet another off licence in our area. Is this town incapable of attracting anything other than these & foreign take-aways. Within about 300-400 yards there are already four of these, including the one next door to the proposed (and they have had their problems) & the Co-op.

How many more problems are to be forced upon this area? The Burn Valley is in close proximity - (I note the signs about drinking there have disappeared, not that they were ever enforced, to our knowledge) Every morning we walk through there avoiding - & sometimes removing - broken glass not to mention empty beer cans & takeaway cartons. Added to this, certain streets are becoming more like slums with all of the above on the pavements.

As for opening from 6am - 11pm, it beggars belief. We already have an over-stretched police force almost entrenched around here. It's time someone down there got their act together to try & make this a decent town for decent people.

yours in despair  
NOEL A. H. JONES. *Neighbourhood Services*



4 CORBEN ST.

HARTWELL

30.5.09.

Thank you for your reply to my objection to a drink licence for 131 Ethwick Rd, may I point out my reasons

Prevention of crime

" of Public nuisance

Protection of harm to children

Public safety.

Plus there is a growing problem in this country to alcoholism and opening another shop will do nothing to ease this.

Yours sincerely  
J. M. Holland. (Mrs)



Cath Robinson  
76 Arncliffe Gardens  
Hartlepool  
TS26 9JF  
01429 288126  
02-06-09

Dear Sir,

My objection to the licence application made by the News Agents at 131 Elwick Road is for the reasons that there are already three licensed premises within a few hundred metres of this applicant. Gillins on Stockton Road, The Co- Op on Elwick Road, and the Local Off Licence which is directly next door to the News Agent.

I do feel that another licensed premises will only help to increase any crime and disorder and public nuisance that takes place in the Burn Valley area. And for reasons of public safety I object to this application. With this we must help keep children from harm.

Cath Robinson

*Cath Robinson*



1 COLENZO STREET  
HARTLEPOOL  
TS26 9BD

DEAR MR BARNFATHER

THANK YOU FOR YOUR LETTER REGARDING PREMISES APPLICATION FOR  
131 ELWICK ROAD TS26 9BQ.  
MY OBJECTIONS BEING –

**PREVENTION OF CRIME & DISORDER** THE AREA WE LIVE IN ALREADY  
HAS PROBLEMS CAUSED BY DRINK AND DRUGS, BURN VALLEY GARDENS  
GETTING VANDALISED, CARS GETTING DAMAGED, OBJECTS THROWN AT  
WINDOWS AT ANYTIME OF THE DAY.

**PREVENTION OF PUBLIC NUISANCE** CERTAIN STREETS IN THIS AREA HAVE  
A PROBLEM WITH PEOPLE DRINKING IN THE STREETS THROUGHOUT THE  
DAY AND IN THE BURN VALLEY, IT ALSO CAUSES PROBLEMS FOR THE  
SHOP KEEPERS. LATE NIGHT PARTIES GOING ON INTO THE EARLY HOURS  
CANS AND BROKEN BOTTLES LITTERING THE STREETS.

**PROTECTION OF CHILDREN FROM HARM** CHILDREN OF SCHOOL AGE  
ACQUIRE ALCOHOL FROM SOMEWHERE GATHER IN THE BURN VALLEY AND  
THE SURROUNDING AREA AND ARE LEFT TO THEIR OWN DEVICES.

**PUBLIC SAFETY** SOME PEOPLE GET VERY NOISEY AND ABUSIVE AFTER  
TO MUCH ALCOHOL WE ALREADY HAVE THAT PROBLEM IN OUR AREA  
JUST CHECK WITH THE POLICE. THEY ARE ALWAYS BEING CALLED TO  
THIS AREA TO SORT OUT DISTURBANCES USUALLY FUELED BY ALCOHOL.

I CANNOT WRITE EVERYTHING DOWN BUT WE DO HAVE LOTS OF  
PROBLEMS IN THIS AREA RELATING TO ALCOHOL, ANOTHER SHOP  
SELLING ALCOHOL IN THIS AREA IS JUST GOING TO ASK FOR MORE  
TROUBLE, WE ALREADY HAVE **FIVE OFF LICENCE OUTLETS** WITHIN A  
FIVE MINUTE WALK WE DON'T NEED ANOTHER ONE. WE DON'T WANT THE  
SAME SITUATION MY BROTHER WAS IN WHEN THEY OPENED AN OFF  
LICENCE IN CORNWALL STREET WHERE ALCOHOL WAS SOLD TO ALMOST  
ANYONE 18 HOURS A DAY THE ANTI-SOCIAL BEHAVIOUR WAS CONSTANT  
24/7.

YOURS FAITHFULLY

*D. J. Welch*



1 COLENZO STREET  
HARTLEPOOL  
TS26 9BD

DEAR MR BARNFATHER

THANK YOU FOR YOUR LETTER REGARDING PREMISES APPLICATION FOR 131 ELWICK ROAD TS26 9BQ. MY OBJECTIONS BEING – **PEVENTION OF CRIME & DISORDER** THE AREA WE LIVE IN ALREADY HAS PROBLEMS CAUSED BY DRINK AND DRUGS, BURN VALLEY GARDENS GETTING VANDALISED, CARS GETTING DAMAGED, OBJECTS THROWN AT WINDOWS AT ANYTIME OF THE DAY.

**PEVENTION OF PUBLIC NUISANCE** CERTAIN STREETS IN THIS AREA HAVE A PROBLEM WITH PEOPLE DRINKING IN THE STREETS THROUGHOUT THE DAY AND IN THE BURN VALLEY, IT ALSO CAUSES PROBLEMS FOR THE SHOP KEEPERS. LATE NIGHT PARTIES GOING ON INTO THE EARLY HOURS CANS AND BROKEN BOTTLES LITTERING THE STREETS.

**PROTECTION OF CHILDREN FROM HARM** CHILDREN OF SCHOOL AGE ACQUIRE ALCOHOL FROM SOMEWHERE GATHER IN THE BURN VALLEY AND THE SURROUNDING AREA AND ARE LEFT TO THERE OWN DEVICES.

**PUBLIC SAFETY** SOME PEOPLE GET VERY NOISEY AND ABUSIVE AFTER TOO MUCH ALCOHOL WE ALREADY HAVE THAT PROBLEM IN OUR AREA JUST CHECK WITH THE POLICE.

I CANNOT WRITE EVERYTHING DOWN BUT WE DO HAVE LOTS OF PROBLEMS IN THIS AREA RELATING TO ALCOHOL, ANOTHER SHOP SELLING ALCOHOL IN THIS AREA IS JUST GOING TO ASK FOR MORE TROUBLE, WE ALREADY HAVE **FIVE OFF LICENCE OUTLETS** WITHIN A FIVE MINUTE WALK WE DON'T NEED ANOTHER ONE.

YOURS FAITHFULLY

B. Usher.

**NEIGHBOURHOOD SERVICES DEPARTMENT**  
PUBLIC PROTECTION

Civic Centre  
Hartlepool TS24 8AY

Tel: 01429 266522

Fax: 01429 523308

Our Ref: HART/PS/368

Your Ref:

Contact Officer: The Licensing Team  
(01429) 523354



27 May 2009

E Williams  
29 Ellison Street  
Hartlepool  
TS26 9AN

Dear Sir/Madam

**LICENSING ACT 2003 – PREMISES APPLICATION**  
**131 ELWICK ROAD, HARTLEPOOL, TS26 9BQ**

I am in receipt of a petition, signed by yourself, objecting to a licence application made on behalf of the above named premises.

The Licensing Act 2003, under which any licence would be granted, requires anyone making a representation to give reasons why they object to a licence application and this must be in terms of one or more of the Act's 'licensing objectives' which are: -

- Prevention of crime and disorder
- Prevention of public nuisance
- Protection of children from harm
- Public safety

In order for me to be able to accept a representation from you I am required by law to insist that your objection details how you believe the granting of the application would undermine one or more of the objectives detailed above. If I do not receive anything from you before 3<sup>rd</sup> June 2009 I am afraid I will not be able to accept your original letter.

If you do not reside in the vicinity of the above premises you should be aware your objection may be invalid.

If you have any questions regarding this matter please do not hesitate to contact me.

Yours faithfully

**Mr D Barnfather**  
**Senior Licensing Enforcement Officer**

i attended a local residents' am mg. last week  
e was asked to sign down. There are two other  
alcohol licenced premises in Elwick Rd. the approval  
the more adjacent residents (to all proposed premises)  
was that of any business which is a licence (FREE PUBLIC  
Bar) and consents (in the form of a licence application)  
is a prime reason to object. BREWERY BEHAVIOUR  
is paramount in many towns, easy access and cheap  
to buy. IMPROVE - SOMETIME FERAL BEHAVIOUR. NOT  
BE PROMINENTLY PROMINENT - IN ONE AREA THAT IS IN RISK  
NEED OF CHANGE. DRUGS ARE  
TOXIC AND UNHEALTHY  
DRINK (IN THE HAND) OF  
BORN YOUTH IS LIKE PUTTING  
A GUN IN THE HAND  
OF A 9 YEAR OLD!

**NEIGHBOURHOOD SERVICES DEPARTMENT**  
PUBLIC PROTECTION

Civic Centre  
Hartlepool TS24 8AY

Tel: 01429 266522  
Fax: 01429 523308



Our Ref: HART/PS/368

Your Ref:

Contact Officer: The Licensing Team  
☎ (01429) 523354

27 May 2009

J Espley  
31 Colenso Street  
Hartlepool  
TS26 9BD



Dear Sir/Madam

**LICENSING ACT 2003 – PREMISES APPLICATION**  
**131 ELWICK ROAD, HARTLEPOOL, TS26 9BQ**

I am in receipt of a petition, signed by yourself, objecting to a licence application made on behalf of the above named premises.

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- Prevention of crime and disorder ✓
- Prevention of public nuisance ✓
- Protection of children from harm ✓
- Public safety ✓

In order for me to be able to accept a representation from you I am required by law to insist that your objection details how you believe the granting of the application would undermine one or more of the objectives detailed above. If I do not receive anything from you before 3<sup>rd</sup> June 2009 I am afraid I will not be able to accept your original letter.

If you do not reside in the vicinity of the above premises you should be aware your objection may be invalid.

If you have any questions regarding this matter please do not hesitate to contact me.

Yours faithfully

**Mr D Barnfather**  
**Senior Licensing Enforcement Officer**



27<sup>th</sup> May 2009



To whom it may Concern,

RE: Application for an alcohol license - 131 Elwick Road

Please find enclosed a petition that was handed to me last night in objection to the above application.

Best Wishes



A handwritten signature in cursive script, appearing to read "Brash".

Jonathan Brash  
Councillor for Burn Valley



# OBJECTION TO DRINKS LICENCE FOR 131 ELWICK RD H/POOL.

G. McLELLAND	H COLENSO ST. H/POOL
W. McLELLAND	FLAT 2 EDMONT TERRACE
J. ESLEY	31 COLENSO ST H/POOL
L. WELSH	1 COLENSO ST H/POOL
B. USHER	1 COLENSO ST. H/POOL
J. ROBINSON	5 PAVEN ST H/POOL
L. RICHARDSON	120 COLWYN ROAD H/POOL
H. JACKSON	132 COLWYN Road. H/POOL.
E. McLELLAND	136 COLWYN RU
J. GENT	136 COLWYN Road
H. SMITH	138 COLWYN ROAD
	66 EDMONT ROAD
<del>W. McLELLAND</del>	COLLENSO ST
<del>W. McLELLAND</del>	118 ELWICK RD
<del>W. McLELLAND</del>	116 ELWICK Road
<del>W. McLELLAND</del>	127 ELWICK ROAD.
J. TOLIN	63, Welldeck Road.
O. AKME	123 ELWICK RD.
J. DAVENPORT	---
T. WARD	117, Elwick Rd
M. BENTLEY	5 COLENSO ST
M. NAYLOR	COLENSO ST.
J. NAYLOR	COLENSO ST
H. WATSON	

S. Dwyler	Colenso st.
L. Charters	Colenso ST
M. Stalley	Everette St.
C. Smith	ST Pauls. Ro.
M. MATHAY	Colenso ST
J. Tooty	Colenso ST
Harris	Colenso ST
J. Richardson	Colenso St.
L. Richardson	Colenso ST
BAGE	Colenso St
	"
Sandra Mems	Eamont Gdns.
Tony Mayhew	<del>Eamont Gdns.</del>
Sally Eelion	Eamont Garden
Arthur G. Swan	Eamont Garden
Caroline Griffiths-Jones	Eamont Gdns.
Ann Cox	Eamont Garden
Brash	16 Eamont Gardens
E. William	29 Eamont St.
A. Saunders	4 Grasmere Street
C. Taylor	145 Elwick Rd.
S. Taylor	"
J. Vayno	39 Wansbeck Gardens.
Cath Robinson	76 Anneliffe Gds
Margaret Jackson	132 Albany Road.
	31 LEYBURN.
Andy Bore	173 York Rd.

Gary Ball. 14 Grasmere Street,

92 Wansbeck Cyp.

ESL

1 HARBOR WK

as A. Farnham 3 Langfellow walk

M Simmonds

F JERICSON

F. Marston

A. Stewart

S. MANNERS

S. Hornsey

9 Granville Ave TS26 8ND

132 Colwyn. TS26 9RL

3 Bayard St. TS26 9BP

132 Colwyn Rd TS26 9BL

3 Teesdale Ave TS26 9QD

42 ENSIGN COURT H/POOL.

## Map of Elwick Road, Hartlepool, Cleveland, England, TS25



**Nearest transport link**

Railway: Hartlepool (0.68mi, 1.10km)

## Your notes

- ① - Applicant's premises (131 Elwick Rd)
- ② - Existing Off-licence (129 Elwick Rd)
- ③ - North Eastern Co-op
- ④ - Gillens Nisa store