

LICENSING ACT SUB-COMMITTEE AGENDA



Friday 13th January 2006

At 10am

in Committee Room B

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Lilley, Richardson and Worthy

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. ITEMS FOR DECISION**
 - 3.1 2 Victoria Road (*Head of Public Protection and Housing*)

Licensing Act 2003

Procedure for Hearings

Prior to the commencement of the meeting, a representative of the Democratic Services Section shall establish the identity of those present, who they represent and who intends, or wishes to speak.

1. The Chair's opening comments, including introduction of Members of sub-committee and officers present. Explanation of the decision to be considered.
2. Head of Public Protection and Housing outlines the application, any relevant representations and relevancy to Licensing Policy and statutory guidance.
3. Members ask any questions of the Head of Public Protection and Housing.
4. Applicants present their case (either personally or via legal representation) and introduces witnesses where appropriate.
5. Questions by Members to applicant and/or applicant's witness.
6. Representations by responsible bodies and/or interested parties and witnesses introduced where appropriate.
7. Questions by Members to responsible bodies/interested parties and/or their witnesses.
8. Parties may question and clarify issues raised with the consent of the Chair.
9. If required, responsible bodies/interested parties to be given opportunity to sum up.
10. If required, the applicant to be given opportunity to sum up.
11. Members to have the opportunity to clarify any points raised. The Chair shall ask whether all parties are satisfied they have said all they wish to.
12. Members to go into closed session to deliberate.
13. Chair informs parties of their decision, with reasons.

Report of: Head of Public Protection & Housing

Subject: APPLICATION FOR A NEW PREMISES LICENCE
FOR 2 VICTORIA ROAD

1. PURPOSE OF REPORT

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

2. BACKGROUND

- 2.1 Applicant: 1st Leisure Limited

Premises: 2 Victoria Road
Hartlepool
TS24 7SD

- 2.2 As these premises did not hold a full Justices Licence on the First Appointed Day, there was no opportunity for a licence to be converted during the transitional period. As such, this application is for a new Premises Licence.

3. SUMMARY OF THE APPLICATION

- 3.1 The applicant has applied for the following:

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

A copy of the application is attached as Appendix I.

3.2 The application has been advertised in the prescribed manner and three relevant representations have been received. One from Environmental Health and two from Interested Parties who reside in the immediate vicinity (see Appendices II - IV).

3.3 The nature of the objections received can be summarised as follows:

- There are already a large number of licensed premises in the immediate area.
- There is the potential for disturbance from taxis using residential streets in order to access the premises to pick up fares
- An extension of hours would cause nuisance, be detrimental to the residents of the area and adversely affect their quality of life
- Disturbance in and around the area such as shouting, swearing, urinating, banging car doors, vomiting and vandalism

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

4. **ISSUES**

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

4.2 Members are advised that the applicant's premises are situated within Hartlepool's 'Special Policy' area.

4.3 The Special Policy forms part of Hartlepool's Licensing Policy and states that, because of the number of licensed premises in the specified area, there is a potential impact on the promotion of the four licensing objectives.

4.4 The existence of a Special Policy creates a rebuttable presumption that applications for new premises licences, or material variations, will normally be refused, unless it can be demonstrated that the operation of the premises will not add to the cumulative impact being experienced.

4.5 Having regard to the representations received, Members may take any of the following steps for the promotion of the licensing objectives:

- i) Grant the application without amendment
- ii) Grant the application in part and/or with conditions or amended conditions
- iii) Refuse the application

4.6 The licensing objectives are:

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

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

5. RECOMMENDATIONS

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

Appendix I

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/W 1st Leisure Ltd
e

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 2 Victoria Road Hartlepool	
Post town	Hartlepool
Post code	TS24 7SD TS14 0LB

Telephone number at premises (if any)	None at present
Non-domestic rateable value of premises	£25000

Part 2 - Applicant Details

ceased - empty
NO rateable value
(18500 2003.)

Please state whether you are applying for a premises licence as

Please tick yes

- | | |
|---|---|
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐
- I am making the application pursuant to a
 - o statutory function or ☐
 - o a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					

Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

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

Part 3 Operating Schedule

Day
Month
Year

When do you want the premises licence to start?

24th November 2005

Month Day
Year

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

<p>Please give a general description of the premises (please read guidance note1)</p> <p>- Ground floor bar</p> <p>- First floor functions room available for private bookings.</p> <p>- depending upon need the first floor might occasionally be open to the general public at e.g. Bank Holiday weekends, Christmas/New Year but previous bookings would take precedence and at least 24 hours notice of intention to use First Floor would need to be arranged by management.</p> <p>The premises currently have the benefit of a Provisional Justices' Licence and are under construction.</p>

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

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

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

Provision of regulated entertainment

Please tick yes

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

- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) ☒

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I) ☒
j) dancing (if ticking yes, fill in box J) ☒
k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) ☒

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

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

In all cases complete boxes N, O and P

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) As premises are still under construction details cannot yet be finalised but it is anticipated that there will be occasional rather than continuous displays of films		
Mon	1000	0400			
Tue	1000	0400	State any seasonal variations for the exhibition of films (please read guidance note 4) Unable to state at present		
Wed	1000	0400			
Thur	1000	0400	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) Unable to state at present		
Fri	1000	0400			
Sat	1000	0400			
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) We anticipate that on completion the premises will be used for pool and darts competitions.
Day	Start	Finish	
Mon	1000	0400	
Tue	1000	0400	State any seasonal variations for indoor sporting events (please read guidance note 4) Unable to state at present
Wed	1000	0400	
Thur	1000	0400	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) Unable to state at present
Fri	1000	0400	
Sat	1000	0400	
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			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 (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Small groups on ground and first floors. Moderately amplified		
Mon	1000	0400			
Tue	1000	0400			
Wed	1000	0400	State any seasonal variations for the performance of live music (please read guidance note 4) Unable to state at present		
Thur	1000	0400			
Fri	1000	0400			
Sat	1000	0400	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) None proposed		
Sun	1000	0400			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) To be played on both ground and first floors. Moderately amplified			
Mon	1000	0400				
Tue	1000	0400				
Wed	1000	0400	State any seasonal variations for the playing of recorded music (please read guidance note 4) None proposed			
Thur	1000	0400				
Fri	1000	0400				
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) None proposed			
Sat	1000	0400				
Sun	1000	0400				

G

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

H

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

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing			
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)			
					Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both		<input type="checkbox"/>	
Mon	1000	0400	Please give further details here (please read guidance note 3) Space to be allocated on ground and first floor (as booked) for small groups. Moderately amplified.			
Tue	1000	0400				
Wed	1000	0400	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) None proposed			
Thur	1000	0400				
Fri	1000	0400	Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5) None proposed			
Sat	1000	0400				
Sun	1000	0400				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing An area will be set aside on ground floor and, if required when booked, on first floor			
Day	Start	Finish	Please give further details here (please read guidance note 3) None			
Mon	1000	0400				
Tue	1000	0400				
Wed	1000	0400	State any seasonal variations for providing dancing facilities (please read guidance note 4) None proposed			
Thur	1000	0400				
Fri	1000	0400	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) None proposed			
Sat	1000	0400				
Sun	1000	0400				

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u> Karaoke	
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
Mon	1000	0400		Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue	1000	0400	<u>Please give further details here</u> (please read guidance note 3) As the premises are still under construction we are not yet able to give any further details.	
Wed	1000	0400		
Thur	1000	0400	<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4) None proposed	
Fri	1000	0400		
Sat	1000	0400	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5) None proposed	
Sun	1000	0400		

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) As the premises are still under construction it is not yet possible to give any further details		
Mon	1000	0200			
Tue	1000	0200	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) None proposed		
Wed	1000	0200			
Thur	1000	0200	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) None proposed		
Fri	1000	0200			
Sat	1000	0200			
Sun	1000	0200			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish			
Mon	1000	0400	State any seasonal variations for the supply of alcohol (please read guidance note 4) None proposed		
Tue	1000	0400			
Wed	1000	0400			
Thur	1000	0400	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) None proposed		
Fri	1000	0400			
Sat	1000	0400			
Sun	1000	0400			

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

Name Craig Wilkinson	
Address 11 Endeavour Close Hartlepool TS25 1EY	
Postcode	TS25 1EY
Personal Licence number (if known)	
Issuing licensing authority (if known) Hartlepool Borough Council	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None proposed either as to live entertainers or adult films.

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) None proposed
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) None proposed
Mon	1000	0430	
Tue	1000	0430	
Wed	1000	0430	
Thur	1000	0430	
Fri	1000	0430	
Sat	1000	0430	
Sun	1000	0430	

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

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

See attached

b) The prevention of crime and disorder

See attached

c) Public safety

See attached

d) The prevention of public nuisance

See attached

e) The protection of children from harm

See attached

Please tick yes

- I have made or enclosed payment of the fee ☐
- I have enclosed the plan of the premises ☐
- I have sent copies of this application and the plan to responsible authorities and ☐

1st Leisure, 2 Victoria Road, Hartlepool

Additional steps taken to promote the four licensing objectives

Prevention of Crime and Disorder

1. Premises will be staffed by an adequate number of door staff/security supervisors who are SIA approved. They will monitor the behaviour of customers as they enter the premises, control the behaviour of queues as necessary and will exclude any known troublemakers, those banned by Pub Watch and those whose behaviour and/or clothing is inappropriate. They will monitor the queues with particular attention to noise reduction and prevention of drug dealing. No customers carrying alcoholic liquor in any container whether open or closed will be admitted.
2. Staff will continually monitor the premises internally and will remove any customers indulging in actual or potentially criminal and/or disorderly behaviour and ensure that the premises comply with the requirements/recommendations of the MUSIC document.
3. Staff with clickers will monitor the number of customers entering and leaving the premises and will ensure that the occupancy limit determined by the Fire Officer and/or Licensing Authority is not exceeded.
4. Metal detectors are in use at the entrances to the premises and customers are liable to search. Any refusing to be searched are not admitted. Same sex searches only will be carried out.
5. The premises will have a CCTV system that complies to a minimum approved standard set in partnership with Cleveland Police. The system will be maintained at regular service intervals and will always be in recording operation when the premises are open for business. Any recordings will be retained for a period of 28 days and will be made available to all responsible authorities upon request.
6. A drugs box or boxes are located in the premises in positions agreed with the Police/Licensing Authority.
7. Staff will monitor the dispersal of customers from the premises employing their skills and experience to defuse potentially disruptive situations. Staff will remain aware of the need to control noise/disorder within a reasonable distance from the premises in order to minimise the impact of their customers upon the neighbourhood and to deter disruptive and/or criminal behaviour.
8. All incidents of crime/disorder in or near to the premises are logged and records retained on the premises.

- 20A -

9. All staff are fully trained upon induction and at regular intervals thereafter as to the importance of not selling alcohol to the under 18's. Staff are further trained to insist upon proof of age in cases of doubt and are trained as to acceptable forms of proof of age, i.e. Passport, new style Driving Licence, Council issued card and are fully aware of the prevalence of bogus identify cards obtainable over the internet.
10. Notices are exhibited in the premises advising customers that in the event of concern regarding the operation of these premises or anyone in the premises (customers or staff) customers should ask any member of staff to put them in touch with the Designated Premises Supervisor or any Personal Licence Holder to record their concern.
11. No person shall be refused admission to the premises on the ground of sex (unless a single sex event is taking place) sexual orientation, disability, race, colour, religion or ethnic or national origin.

The management will comply with all legislation relating to race relations, equal opportunities and anti-discrimination. Admission may be refused to the under 18's at management's discretion.
12. In the absence of the Designated Premises Supervisor from the premises during operating hours there will always be at least one Personal Licence Holder on the premises who will also be aware of how to contact the DPS promptly.

Public Safety

13. The previous paragraph on Prevention of Crime and Disorder is repeated.
14. All glasses used will be toughened glass.
15. Glass collectors will be employed to collect glasses regularly throughout operating hours.
16. Customers will not be allowed to take drinks and/or bottles onto the dance floor, nor to smoke on the dance floor and this restriction is monitored by staff. Customers repeatedly in breach of this requirement are promptly removed from the premises.
17. Customers are not allowed to leave the premises with drinks in glasses, bottles or cans.
18. Notices will be exhibited in the premises warning customers not to leave their drinks unattended and any found by staff to be unattended will have a drugs warning label attached.

- 20B -

19. We will comply with the drugs policy submitted as part of this application. A chill out area will be provided when premises are completed.
20. Suitably qualified first aiders will be on the premises throughout operating hours. The premises are equipped with First Aid boxes.
21. Foam parties will not be held and special effects, (i.e. pyrotechnics, smoke machines, lasers, strobe lighting) will not be used until full risk assessments of such functions or special effects have been submitted to and approved by the Licensing Authority.
22. The premises will comply with all statutory Health and Safety at Work and food hygiene and Fire Safety requirements especially in relation to upholstery, curtains and other hanging materials.
23. Free drinking water is available to customers at all bars throughout operating hours and notices to this effect are displayed at the bars.
24. A chill-out area will be designated when the premises have been completed.

Public Nuisance

25. The Designated Premises Supervisor and all staff are aware of the need to manage the premises so as to avoid creating an adverse impact in terms of noise, disorder and criminal activity upon the premises' business and residential neighbours.
26. Staff are trained as part of their induction to regard this as a priority and this concern is included in regular re-training.
27. The measures referred to in the two previous paragraphs on Crime and Disorder and Public Safety contribute to preventing the premises causing any public nuisance.
28. Audio equipment is set at a level as agreed with the Licensing Authority or found by experience to be acceptable in a particular location of the premises. Staff are forbidden to alter the agreed setting and a governing device is kept in a locked facility which only the Designated Premises Supervisor and Personal Licence Holders have access.
29. Staff regularly patrol the premises externally (including immediately adjoining streets) during the latter part of operating hours to check noise levels, to prevent noise escape from open doors and/or windows, to assess whether there is a noise and/or disorder problem and, if so, how to deal with it.
30. Fire exits are alarmed, the alarm being situated behind the main bar, to prevent their unauthorised opening thus allowing noise escape.

- 20C -

31. Doors and windows will be closed whilst regulated entertainment is taking place.
32. The premises are fitted with air conditioning throughout.
33. Extraction vents where fitted are supplied with external acoustic baffles.
34. Customers arrive on foot, by public transport, private car or taxi.
35. There are adequate car parks nearby. It is anticipated that customers will depart by private transport, taxi or on foot.
36. The premises will have a pay phone so that individual customers and/or staff on their behalf can order taxis in advance of leaving the premises thus reducing congestion at nearby taxi ranks and reducing the potential for public disorder as customers do not need to wait outside until their taxi has arrived.
37. Access to and egress from the premises is by means of doors of a type approved by the Fire Officer situated on Avenue Road which is a principal pedestrian route. Experience shows that dispersal of customers through these exits does not cause conflict with local residents.
38. The premises have adequate toilet facilities in accordance with current Building Regulations.
39. Premises are situated in a commercial area in an established circuit of premises operating licensable activities.

Dispersal

40. Notices will be exhibited in the premises urging customers to disperse in a quiet and orderly manner to avoid disturbing neighbours and requesting them to refrain from laughing, shouting, slamming car doors and sounding car horns as they leave.
41. Loudspeaker announcements will be made periodically during the latter part of opening hours reinforcing these points.
42. The volume of music will be reduced towards the end of the evening operating hours and quieter more soothing music is played during this period.
43. Waste disposal operations will be carried out during the daytime but there are no residential neighbours within the vicinity of the premises likely to be affected by waste disposal operations.
44. Promotional flyers, advertising leaflets and the like are collected at regular intervals during operating hours and deposited in our own waste bins. At the end of operating hours the same collection is made within a 20 metre radius of the premises including promotional material distributed away from the premises.

- 20D -

Children

45. Children will not be admitted to the premises after 2000 hours and in any event must be accompanied by an adult.

No entertainment of an adult nature is proposed either provided by live entertainment or by films of an adult nature but if, after the premises have commenced operating there is any change to this policy such entertainment will not be provided before 2000 hours and notices will be exhibited at appropriate parts of the premises excluding children.

MANAGEMENT DRUG POLICY

2 Victoria Road, Hartlepool

OUR AIM

- ❖ *To prevent drug abuse*
- ❖ *To prevent drugs being brought onto these premises and to keep them a drug free zone.*
- ❖ *To keep our premises safe for our customers*

OUR POLICY

We do not tolerate drugs in any quantity no matter how small and whether or not they are intended for personal use only.

We will do everything we can to keep drugs out of these premises and we will co-operate fully with the Police and the Local Authority at all times.

HOW DO WE ACHIEVE THIS AIM?

DOOR STAFF - (if employed - none employed at present)

1. *We employ as door supervisors only those accredited by S.I.A.*

S.I.A. identification badges must be worn by all our Supervisors when ever on duty.
2. *As far as possible we will employ the same Door Staff on a regular basis week on week.*
3. *We will maintain a record of each Door Supervisor's:*
 - a) *Name*
 - b) *Address*
 - c) *Registration Number*
 - d) *Dates and times of commencement of periods of work*
 - e) *Involvement in any incident - brief details only.*

PERSONAL SEARCHES

- 4.1 *We will search individuals on entry to these premises either as matter of routine in the case of known drug users or those individuals of whom we are otherwise suspicious or on an ad hoc basis either upon entry or within these premises.*
- 4.2 *Staff of both sexes will be trained and available to carry out searches. No member of staff may search an individual of the opposite sex.*
- 4.3 *We need consent to search individuals and everyone will be told this before a search takes place. If consent is refused we will refuse admission. Warning notices to this effect are exhibited at our entrance.*
- 4.4 *We will also search on an ad hoc basis within the premises if we become suspicious of any individual. The same guidelines apply as to entry searches.*

IF WE FIND DRUGS AS A RESULT OF A SEARCH WE WILL: -

- 5.
 - a) *Seize the drugs.*
 - b) *Detain any person in whose possession the drugs are found whenever practicable and /or possible.*
 - c) *Contact the Police immediately. We will use 999 calls where there is concern for anyone's safety.*
 - d) *If anyone is detained they will be moved out of public view into a suitable side room whenever possible and kept there until the Police arrive.*
 - e) *Where we cannot detain an individual or cannot do so until Police arrive we will do our best to establish their identity.*
 - f) *We will adapt the same attitude on each occasion regardless of the type or quantity of drugs involved.*
- 6. *We will seize any drugs found inside or immediately outside the premises and advise the Police as soon as possible.*
- 7.
 - a) *All drugs seized or found together with any related items will be placed in a plastic bag and stored in our safe until collection by the Police. Needles and sharps will be stored separately.*

- b) *In circumstances where a person is detained all drugs etc, will be labelled and retained by us in our safe and handed to the Police on their arrival to facilitate their immediate availability as evidence. Drugs will be placed in and removed from the safe in the presence of the person detained.*
- 8. *The Drugs Deposit Box will be located in a position to be agreed with the Police.*
- 9. *We will maintain, in hard board books, a record of: -*
 - a) *All seizures, finds and collections of drugs.*
 - b) *Details of the member(s) of our staff involved and the Police officer(s) to whom the drugs are released.*
 - c) *Details of user or dealer involved (wherever possible)*
 - d) *Any other incidents.*
- 10. *This record will be available for inspection and copying by the Police and Local Authority Licensing staff.*
- 11. **ONGOING LIAISON WITH POLICE**

We will maintain close and regular contact with the Police District Drug Liaison officer and Local Authority Licensing officer.
- 12. **MEDICAL EMERGENCIES**
 - a) *If there is a drug related medical emergency or collapse on these premises we will do our best as a matter of urgency to identify the drug involved and tell medical/ambulance staff attending the emergency.*
 - b) *We will render immediate and appropriate first aid whilst awaiting the arrival of medical/ambulance staff.*
 - c) *We will retain any drugs/tablets/substances found on or near any persons suffering a medical emergency and hand these to the medical/ambulance staff on their arrival.*

13. **FIRST AIDERS (after 11pm licence only)**

We will always have at least one qualified first aider trained to deal with drug related incidents on duty. Members of staff are trained to respond immediately to requests for help from customers and to identify the first aider to them.

14. **CREATING AND MAINTAINING A SAFE ENVIRONMENT**

We want everyone visiting these premises to feel safe and to enjoy themselves without putting themselves or anyone else at risk.

14.1 **To achieve this we will: -**

- a) *Not exceed the permitted capacity of these premises. Any Door staff will have clickers.*
- b) *Establish and operate a system for constant monitoring of numbers in and out.*
- c) *As we approach our licensed capacity customers may have to queue - we will then operate "one in - one out" to ensure that all thoroughfares, landings, stairways and designated chill out areas do not become overcrowded.*
- d) *Regularly patrol the premises during opening hours.*
- e) *Operate a security CCTV system.*

14.2 **OVERHEATING**

We will prevent overheating in our premises by maintaining suitable ventilation/air-conditioning.

14.3 **CHILL OUT AREA**

We will provide an area with seating, which is cooler and quieter than the dancing areas and display notices showing the location of this area to be designated when the premises have been completed.

15. **FREE DRINKING WATER**

This will be provided on request at all times for customers and prominent notices displayed throughout the premises stating where it may be obtained.

16. **STAFF TRAINING**

a) **INDUCTION**

All staff including casual staff will receive thorough training to ensure they are familiar with this Policy and the information contained in the MUSIC document.

b) **TRAINING**

On going training of all staff will be provided at regular intervals to ensure: -

- (i) Compliance with our Policy.*
- (ii) Any operational problems and/or incident are discussed and solved.*
- (iii) Awareness of changing regulations and legislation.*

These premises currently hold a provisional Justices' On/Off Licence and a Provisional Public Entertainment Licence. Hours of business are currently restricted by an existing Planning Permission limiting operations to 2400 hours but an application for variation of the terminal hour is imminent. The premises will have a capacity of 480 persons operating on both ground and first floors. There will be bars situated on the ground and first floors for sale by retail of alcohol.

b) The prevention of crime and disorder

See attached

c) Public safety

See attached

d) The prevention of public nuisance

See attached

e) The protection of children from harm

See attached

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and



- others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable ☒
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	<i>Yonka D. Co.</i>
Date	<i>15.8.05</i>
Capacity	Applicant's Solicitor

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

Signature	
Date	
Capacity	Applicant's Solicitor

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

Mr Clive Harvard
Forth & Co
21 High Street
YARM

Post town	Stockton on Tees	Post code	TS15 9BW
Telephone number (if any)	01642 784000		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 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.

Appendix II

18 October 2005

2 Victoria Road, Hartlepool

These premises are situated within the special policy area and are also outside the area identified in the local plan for late night uses. The premises have a capacity in the region of 900 customers. Although situated on Victoria Road the premises are in close proximity to neighbouring residential areas.

The following late licences have already been granted in this area:

Bar Paris with a capacity of 1000 until 4:00am

Loons with a capacity of 240 until 4:00am

42nd Street with a capacity of 940 until 4:00am

The Wesley with a capacity of 1100 until 4:00am

This means there is already a potential for up to 3280 people dispersing onto the streets and through the residential areas at 4:00am. The cumulative impact of a up to a further 900 people dispersing through the streets at this time in the morning has the potential to cause substantial nuisance to residents at a time when they should be able to enjoy the benefit of a quiet environment, free from boisterous behaviour, raised voices, shouting and screaming, fighting in the streets etc.

There is also a potential disturbance from taxi's using neighbouring residential streets in order to access the premises to pick up fares.

I am therefore of the opinion that this premises should only be granted a conversion of their existing licence.

Adrian Hurst
(Principal EHO)

Appendix III

Wharton & Errol Street Area
Residents Association
P.O. Box 258
Hartlepool
TS24 8WX

Friday, 30 September 2005

**OBJECTION TO
Licence application
2 Victoria Road
Hartlepool**

We as a local residents association wish to object to the proposed licence of the premises above on the following grounds.

- It will also form a very late zone which can possibly increase the number of people in the area at an early hour thus possibly causing the mentioned problems
- Late night revellers leaving the premises causing a disturbance in and around the area shouting, swearing, urinating, banging car doors, vomiting, vandalism to homes and vehicles etc.
- This behaviour causes stress and lowers our quality of life because of disturbed sleep.
- We feel there is a policing problem as with other licensed premises.
- This bar being opened later will exasperate the problems we already are having by potentially increasing the number of people on the streets at closing time

David Berry (Chair)

pp. Wharton/Errol Street Area Residents Association.

public protection

Note

We are willing to withdraw objection provided the licenced premise is closed on or before midnight

Appendix IV

MR. C. BROADBENT
26 DENT STREET
HARTLEPOOL

CLEVELAND
TS26 8AY

26th September 2005

Dear Sir,

I wish to place on objection to '1st Leisure limited'
application to extend licensing hours.

Please find enclosed list of names of
residents signatures of whom I ^{am} ~~wish~~ to represent. This list
to be distributed to the licensing committee. The reasons
for the objection at the heading of the list.

Yours faithfully

C. Broadbent

WE THE UNDER SIGNED SUPPORT MR. BROWNE IN HIS OBJECTION TO LATE NIGHT LICENCES FOR, TIME AND TIDE, WESTERN SOCIAL CLUB, MILL HOUSE, 78 YORK ROAD, AND RIO'S BAR. WE SUFFER NOISE, DISTURBANCES, VANDALISM, AND HAVE NO PEACE IN SLEEPING AT NIGHT, ALSO WE GET VIOLENCE AND FOOD DISCARDED FROM LATE NIGHT REVELLERS.

B Simon	23 BARBARA COURT
Ronald & Dulce Dolampines	6 Dent street
L food	10 DENT STREET
J. G. G. G.	16 Dent
A. F. F. F. K. TINDALE	22 DENT ST
K. P.	36 DENT ST
M. P. P. P.	45 DENT ST
J. W.	43 DENT
E. W.	29 DENT ST.
J. Y.	23 Dent St
J. A. A. A.	21 DENT ST.
C. Broadhead	17 DENT ST
J. P. P. P.	13 Dent St
m Barnard	13 Dent St
D. P. P. P.	"
V. Noble	9, Dent St
S. B.	20 Derwent
A. K.	20 Derwent
N. O. O. O.	33 DENT
A. A. A. A.	8 ELLIOTT ST.
E. B.	31 Barbara Mann Court

Anthony Hudson	2A DERWENT ST
LYNN COULSON	10 ELLIOTT ST
MC McGibbon	40 ELLIOTT Street
A Mc Lennan	36 DERWENT ST
B. G. G.	21 DERWENT STREET
F. Green	19 Derwent street.
J. Rarbotham	17 HARLEY CLOSE
J. SEGMENTA	16 HARTLEY CLOSE
J. Q.	14 Hartley close
L. McKenna	11 DERWENT ST
J. RODNEEL	24 ELLIOTT ST
D. Murphy	32 ELLIOTT ST
V. Murphy	41 ELLIOTT ST
M. J. J.	51 BARBARA MANN COURT
Mrs West	49 BARBARA MANN COURT
ae ce Reed	45 BARBARA MANN COURT
Mrs S Crossman	31 Barbara Mann C. &

Whitman	21 ELIZABETH ST. HARTPOOL
M Broadbent	26 DENT ST
C Broadbent	26 Dent st
P Watson	23 LOWTHIAN ROAD
M Shires	21 Lowthian Road
W CHAPMAN	57 YORK RD
H CHAPMAN	57 YORK RD
Dor Crossman	31 BARBARA MANN CRT.
Tracy Goller	44. Dent street
MICHAEL LAKE	20 LOWTHIAN ROAD
C. Grobler	24 Lowthian Road.
L. Kedrona	50 Dent street
S By	54 DENT ST
A Kitching	58 Dent st
T. Vasey	69 " "
PSWALKER	77 DENT
ANGEL	87 Dent street

WE THEN UNDER SIGNED STAMP AT MR. PROBERT IN HIS REJECTION TO DATE NIGHT LICENCES FOR TIME AND TIDE, WESTEND SOCIAL CLUB, MILL HOUSE PUB, 73 YORK ROAD, AND RIGGS BAR. WE OFFER DRINK, DISTURBANCES, VANDALISM, AND HAVE TO LEAVE IN SLEEPING AT NIGHT, ALSO WE GET VIOLENCE AND BODILY DISCARDED FROM LATE NIGHT TRAVELLERS.

P DAURGE	21 JOCEY COURT
J SOMERVILLE	45 DERWENT ST
P MORRIS	43 DAMASCUS ST
J PECK	41 DERWENT ST
J MAUGHAN	39 DERWENT ST
G LAWELL	39 DERWENT ST
Ken Muggison	24 DENT ST.
KEVIN THORPE	22 DENT ST.
A. CHILTON	14 LOWTHIAN ROAD
D HOLLIDAY	4 LOWTHIAN RD
P. J. J.	2 LOWTHIAN ROAD
Gavin Warren	5 WHARTON STREET
P. DOHERTY	17 WHARTON ST
L. YOUNG	16 WHARTON ST
S. WILSON	8 WHARTON ST
A. BRECKES	2 WHARTON ST
S. LITTLE	6 WHARTON ST
J. GALLAGHER	8 ERROL STREET
K. DOHERTY	4 ERROL ST
P. THORPE	WELLSIDE RD
D. COOPER	WELLSIDE RD

HARTLEPOOL BOROUGH COUNCIL