

LICENSING ACT SUB-COMMITTEE AGENDA



Monday 6th February 2006

At 2.00 pm

in Committee Room B

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Cambridge, Cook and Rayner

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **ITEMS FOR DECISION**
 - 3.1 Brus Arms (*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. Applicant presents their case (either personally or via legal representation) and introduces witnesses where appropriate.
5. Questions by Members to applicant and/or applicant's witnesses.
6. Representations by responsible bodies and/or interested parties and witnesses introduced where appropriate.
7. Questions by Members to responsible bodies/interested parties and/or their witnesses
8. Parties may question and clarify issues raised with the consent of the Chair.
9. If required, responsible bodies/interested parties be given opportunity to sum up
10. If required, the applicant to be given opportunity to sum up.
11. Members to have the opportunity to clarify any points raised. The Chair shall ask whether all parties are satisfied they have said all they wish to.
12. Members to go into closed session to deliberate
13. Chair informs parties of their decision, with reasons.

Report of: Head of Public Protection and Housing

Subject: APPLICATION FOR THE VARIATION OF A
PREMISES LICENCE FOR THE BRUS ARMS
PUBLIC HOUSE

1. PURPOSE OF REPORT

- 1.1 To consider an application for the variation of a Premises Licence in respect of the Brus Arms, 311 West View Road, Hartlepool.

2. BACKGROUND

- 2.1 Applicant: Admiral Taverns (Cygnet) Ltd
Premises: Brus Arms
311 West View Road
Hartlepool
TS24 9LH

- 2.2 This application is for the variation of a Premises Licence that was issued in respect of these premises on 10th August 2005.

- 2.3 The current licence authorises the following activities: -

Sale of Alcohol

Monday – Saturday	11:00 – 23:00
Sunday	12:00 – 22:30
Christmas Day	12:00 – 15:00 and 19:00 – 22:30
Good Friday	12:00 – 22:30

- 2.4 A copy of the current licence is attached as Appendix I.

3. SUMMARY OF APPLICATION

- 3.1 The applicant has applied for the variation of the Premises Licence in the following terms: -

1. Films	Sun – Thu	1000 – 0000
	Fri – Sat	1000 – 0100
2. Indoor Sporting Events	Sun – Thu	1000 – 0000
	Fri – Sat	1000 – 0100
3. Live Music	Sun – Thu	1900 – 2300
	Fri – Sat	1900 – 0000

4. Recorded Music	Sun – Thu	1900 – 2300
	Fri – Sat	1900 – 0000
5. Performance of Dance	Sun – Thu	1900 – 2300
	Fri – Sat	1900 – 0000
6. Anything similar to 4 or 5 above	Sun – Fri	1900 – 2300
	Saturday	1900 – 0000
7. Facilities for Making Music	Sun – Thu	1900 – 2300
	Fri – Sat	1900 – 0000
8. Facilities for Dancing	Sun – Thu	1900 – 2300
	Fri – Sat	1900 – 0000
9. Late Night Refreshment	Sun – Thu	2300 – 0000
	Fri – Sat	2300 – 0100
10. Supply of Alcohol	Sun – Thu	1000 – 0000
	Fri – Sat	1000 – 0100

- 3.2 In addition to the above, the applicant has also applied for an additional hour in respect of all of the above activities on the following occasions: -

New Years Day, Valentines Day, Thursday before Good Friday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, Sunday and Monday of all Bank Holiday weekends, St Patricks Day, St Georges Day, St Davids Day, St Andrews Day, 23rd – 30th December (inclusive), New Years Eve (current 36 hour extension).

- 3.3 A copy of the application is attached as Appendix II.
- 3.4 The application has been advertised in the prescribed manner and two relevant representations have been received from **Health and Safety** (Appendix III) and **Cleveland Police** (Appendix IV).
- 3.5 The representation from Health and Safety concerns a number of conditions that they believe should be added to the licence, if granted. Cleveland Police have objected to the proposed one hour extension between 23rd and 30th December and have also requested a number of conditions to be added.

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 No complaints have been received by the Public Protection and Housing Division regarding noise emanating from the premises.
- 4.3 The licensing objectives are: -
- a) the prevention of crime and disorder;
 - b) public safety;
 - c) the prevention of public nuisance; and
 - d) the protection of children from harm

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

- 1) Grant the application without amendment
- 2) Grant the application with conditions, or amended conditions
- 3) Reject the application in full, or in part

4.5 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 whether the licence variation should be granted and, if appropriate, what conditions, if any, should be attached.

Appendix I

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



THE LICENSING ACT 2003
PREMISES LICENCE (PART A)

Premises licence number

HART/PS/199

Part 1 - Premises details**Postal address of premises or, if none, ordnance survey map reference, or description**

Brus Arms
 311 West View Road

Post Town

Hartlepool

Post code

TS24 9LH

Telephone number**Where the licence is time limited the dates**

N/A

Licensable activities authorised by the licence

Sale of Alcohol - On and Off supplies

The time the licence authorises the carrying out of licensable activitiesSale of Alcohol

Monday – Saturday 11:00 – 23:00
 Sunday 12:00 – 22:30

Christmas Day 12:00 – 15:00
 and 19:00 – 22:30
 Good Friday 12:00 – 22:30

The opening hours of the premises

At the discretion of the licensee

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

On and Off supplies

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

Admiral Taverns (Cygnet) Limited
150 Aldergate Street
London
EC1A 4EJ

Tel: 01462 429702

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

05438628

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

Keith Edward Mellor
10 Essex Road
Brinnington
Stockport SK5 8EA

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

PL 3338
Stockport Borough Council

Date licence granted: 10th August 2005

ANNEX 1 – Mandatory Conditions

No supply of alcohol may be made under the premises licence-

- a) at a time when there is no designated premises supervisor in respect of the premises licence,
or
- b) at a time when the designated premises supervisor does not hold a personal licence or his
personal licence is suspended

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

ANNEX 2 – Conditions consistent with the Operating Schedule

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

In this condition, permitted hours includes:

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

Permitted hours under this licence do not prohibit:

- (a) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
 - (b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - (c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - (d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 - (e) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - (f) The sale of alcohol to a trader or club for the purposes of the trade or club;
 - (g) The sale or supply of alcohol, to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's navel, military or air forces;
 - (h) The taking of alcohol from the premises by a person residing there; or
 - (i) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - (j) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (i) He is the child of the holder of the premises licence
 - (ii) He resides in the premises, but is not employed there
 - (iii) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from where there is no other convenient means of access or egress.
 - (iv) The bar is in the railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

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

3. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the Children and Young Persons Act 1933.

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

None

ANNEX 4 - Plans

See attached

Appendix II

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

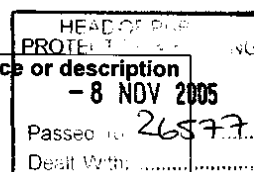
I/We Admiral Taverns (Cygnet) Ltd
 (insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
 Hart/PS/199

Part 1 – Premises Details

Postal address of premises or, if none, ordinance survey map reference or description
 Brus Arms
 311 West View Road
 Hartlepool
 TS24 9LH



Post Town	Hartlepool	Post Code	TS24 9LH
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Telephone number of premises (if any)

Non-domestic rateable value of premises

£3,400

✓ 2k

Part 2 – Applicant Details

Daytime contact telephone number	01462 429702
Email address (optional)	
Current postal address if different from premises address	Admiral Taverns (Cygnet) Ltd 150 Aldersgate St London EC1A 4EJ
Post Town	London
Post Code	EC1A 4EJ

Brus Arms, Hartlepool

Hartlepool Borough Council
 The Licensing Team
 Public Protection & Housing
 Level 3, Civic Centre
 Victoria Road
 Hartlepool
 TS 24 8AY

Part 3 - Variation

Please tick yes

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

☒

If not do you want the variation to take effect from

Day	Month	Year

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

1. To permit regulated entertainment comprising of:
 - live (acoustic/amplified) music, and amplified voice
 - recorded music, including jukebox and karaoke
 - compere for functions, quizzes etc with amplified voice
 - pub games in front of an audience
 - video entertainment on TV screens and amusement machines
 - facilities for music and dancing
2. To permit sale of alcohol as per section M
3. To offer permitted regulated entertainments as per sections A-K
4. To remain open for 30 minutes after the end of permitted hours for the supply of alcohol, as a 'wind-down' period
5. Remove all embedded restrictions inherent in the Licensing Act 1964, and the Cinematograph (Safety) Regulations 1955
6. Provide refreshment after 23.00 hours
7. Provision of performance of dance for customers (when recorded/live music is performed)
8. 00.00 = midnight

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

Part 4 - Operating Schedule

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

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 checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of entertainment facilities for:

- | | |
|--|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) Entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)☒**Sale by retail of alcohol** (if ticking yes, fill in box M)☒

In all cases complete boxes N, O and P

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (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) Video entertainments on TV screens and amusement machines		
Mon	10.00	00.00			
Tue	10.00	00.00	State any seasonal variations for the exhibition of films (please read guidance note 4) None		
Wed	10.00	00.00			
Thur	10.00	00.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for the sale of alcohol are extended these hours are also extended.		
Fri	10.00	01.00			
Sat	10.00	01.00			
Sun	10.00	00.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) To permit pub games that attract an audience, whether by advertisement or spontaneously.
Day	Start	Finish	
Mon	10.00	00.00	State any seasonal variations for indoor sporting events (please read guidance note 4) None
Tue	10.00	00.00	
Wed	10.00	00.00	
Thur	10.00	00.00	
Fri	10.00	01.00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 5) When hours for the sale of alcohol are extended these hours are also extended.
Sat	10.00	01.00	
Sun	10.00	00.00	

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	19.00	23.00	Please give further details here (please read guidance note 3) Live (acoustic/amplified) music and amplified voice. All performances will be limited to end at least an hour before the supply of alcohol finish time to minimise nuisance.		
Tue	19.00	23.00			
Wed	19.00	23.00	State any seasonal variations for the performance of live music (please read guidance note 4) None		
Thur	19.00	23.00			
Fri	19.00	00.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 5) When hours for the sale of alcohol are extended these hours are also extended		
Sat	19.00	00.00			
Sun	19.00	23.00			

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) Recorded music including disco and karaoke with or without a DJ, will be limited to end at least an hour before the supply of alcohol finish time to minimise nuisance.		
Mon	19.00	23.00			
Tue	19.00	23.00	State any seasonal variations for the playing of recorded music (please read guidance note 4) None		
Wed	19.00	23.00			
Thur	19.00	23.00	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) When hours for the sale of alcohol are extended these hours are also extended		
Fri	19.00	00.00			
Sat	19.00	00.00			
Sun	19.00	23.00			

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Dancing throughout premises for pub customers during playing of recorded/live music – clearing sufficient space to dance. Dancing will be limited to end at least an hour before the supply of alcohol finish time to minimise nuisance.		
Mon	19.00	23.00			
Tue	19.00	23.00	State any seasonal variations for the performance of dance (please read guidance note 4) None		
Wed	19.00	23.00			
Thur	19.00	23.00	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) When hours for the sale of alcohol are extended these hours are also extended		
Fri	19.00	00.00			
Sat	19.00	00.00			
Sun	19.00	23.00			

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> Compere for quiz or similar events. Comedians and similar performances, in any case using voice amplification.	
			<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon	19.00	23.00	Outdoors	<input type="checkbox"/>
Tue	19.00	23.00	Both	<input type="checkbox"/>
Wed	19.00	23.00	<u>Please give further details here</u> (please read guidance note 3) Quizzes may finish as in section M	
Thur	19.00	23.00		
Fri	19.00	23.00	<u>State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) None	
Sat	19.00	00.00		
Sun	19.00	23.00	<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) When hours for the sale of alcohol are extended these hours are also extended	

Provision of facilities for making music Standard day and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing Piano and electricity	
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon	19.00	23.00	Outdoors	<input type="checkbox"/>
Tue	19.00	23.00	Both	<input type="checkbox"/>
Please give further details here (please read guidance note 3) To be used as and when required. However any performances will be limited to end at least an hour before the supply of alcohol finish time to minimise nuisance.				
Wed	19.00	23.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) None	
Thur	19.00	23.00		
Fri	19.00	00.00	Non standard timings. Where you intend to use the premises for the 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) When hours for the sale of alcohol are extended these hours are also extended	
Sat	19.00	00.00		
Sun	19.00	23.00		

J

Provision of facilities for dancing Standard 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"/>
Day	Start	Finish	<u>Please give a description of the facilities for dancing you will be providing</u> Dancing throughout premises for pub customers during playing of recorded/live music – clearing sufficient space for customers to dance. Dancing will be limited to end at least an hour before the supply of alcohol finish time to minimise nuisance.		
Mon	19.00	23.00	<u>Please give further details here</u> (please read guidance note 3)		
Tue	19.00	23.00			
Wed	19.00	23.00	<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) None		
Thur	19.00	23.00			
Fri	19.00	00.00	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list.</u> (please read guidance note 5) When hours for the sale of alcohol are extended these hours are also extended		
Sat	19.00	00.00			
Sun	19.00	23.00			

K

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish	Please give further details here (please read guidance note 3) Provision of hot drinks, hot food and snacks for pub customers.		
Mon	23.00	00.00			
Tue	23.00	00.00			
Wed	23.00	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) None		
Thur	23.00	00.00			
Fri	23.00	01.00	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) When hours for the sale of alcohol are extended these hours are also extended		
Sat	23.00	01.00			
Sun	23.00	00.00			

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	
				Off the premises	
Day	Start	Finish		Both	✓
Mon	10.00	00.00	State any seasonal variations for the supply of alcohol (please read guidance note 4) None		
Tue	10.00	00.00			
Wed	10.00	00.00			
Thur	10.00	00.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5) One extra hour after the finish times shown on the following days:- New Year's Day, Valentine's Day, Thursday before Good Friday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, Sunday and Monday of all Bank Holiday weekends St Patrick's Day, St George's Day, St David's Day, St Andrew's Day 23 rd – 30 th December (inclusive) New Year's Eve – 36 hours as existing.		
Fri	10.00	01.00			
Sat	10.00	01.00			
Sun	10.00	00.00			

N

<p>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)</p> <p>The restrictions set out in the Licensing Act 2003 will apply. AWP machines for the use of adults only.</p>

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
Day	Start	Finish	
Mon	10.00	00.30	
Tue	10.00	00.30	
Wed	10.00	00.30	
Thur	10.00	00.30	
Fri	10.00	01.30	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) 30 minutes after the sale of alcohol times for non-standard days listed in Section M
Sat	10.00	01.30	
Sun	10.00	00.30	

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

Remove all embedded restrictions inherent in the Licensing Act 1964 and the Cinematograph (Safety) regulations 1955.

Please tick yes

- I have enclosed the premises licence

☒

- I have enclosed the relevant part of the premises licence

☐

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

<p>Reasons why I have failed to enclose the premises licence or relevant part of premises licence</p> <p>L I C E N S E N O T Y E T R E C E I V E D</p>
--

P

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

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

The types of regulated entertainments proposed reinstate and then enhance the normal pub and family entertainments that were previously unregulated, with the benefit to enhance the local facilities for social entertainment and reduce the focus on alcohol.
No new steps have been identified in risk assessment in relation to the four licensing objectives except as detailed below.
I have considered the terms of your local licensing policy in preparing this application.

b) The prevention of crime and disorder

Providing a 30-minute extension of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly, with access to the pub's toilet facilities
Regular liaison with Police
Proof of Age verification scheme in operation
Zero tolerance policy on the use or supply of drugs

c) Public safety

The fire safety measures with which the premises are provided, will be maintained in good working order, and their adequacy will be determined on a regular basis, by carrying out of a fire risk assessment. As the safety of occupants is influenced by numbers of persons present, their disposition and the activities taking place, a safe occupancy level will be maintained.
No risks are identified that are not covered by other legislation
Annual Corgi testing of appliances and PAT testing as required
Fire exits to be kept clear

d) The prevention of public nuisance

All regulated entertainment will end at least an hour before the supply of alcohol.
Regular noise checks during regulated entertainment and appropriate action taken
Customer notices re leaving the premises quietly
Outside areas kept clean and tidy and bins emptied regularly
No drinks taken off-site apart from off-sales

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply
No unusual risks of harm to children are identified
Proof of Age scheme in operation

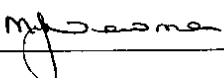
Please tick yes

- I have made or enclosed payment of the fee ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	17.10.2005
Capacity	LICENSING CONSULTANT (RLS)

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
RIDGEWAY LICENSING SERVICES HARWELL INNOVATION CENTRE 173 CURIE AVENUE HARWELL INTERNATIONAL BUSINESS CENTRE	
Post town	DIDCOT
Post code	OX11 0QG
Telephone number (if any)	01235 838535
If you would prefer us to correspond with you by email your email address (optional) rls@inns4.fsnet.co.uk	

Notes for guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

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 is 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 state 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 un-amplified.
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 III



Jane Kett/HBCDomino

30/11/2005 15:53

To licensing@hartlepool.gov.uk

cc

bcc

Subject Brus Arms, 311 West View Road, Hartlepool - Application to
Vary Premises Licence (Premises Licence No Hart/PS/199)

I wish to make a representation in respect of the above applicant's application for a licence under the
Licensing Act 2003.

Please see attachment.

Jane Kett
Principal EHO (Commercial Services)
Public Protection & Housing
Neighbourhood Services Department
Civic Centre
Hartlepool
TS24 8AY

01429 523320 (Tel)
01429 523308 (Fax)



jane.kett@hartlepool.gov.uk (e-mail) Representation - Brus Arms.doc

LICENSING ACT 2003

Re : BRUS ARMS, 311 WEST VIEW ROAD, HARTLEPOOL

I would recommend that the following conditions be attached to the licence if it were to be granted.

1. PEL Condition 34 (Special Effects)
2. PEL Condition 19 (RCD)
3. PEL Condition 15 (Relay re Fire Alarm)
4. PS Condition PS30 (First Aid Provision for Patrons)
5. Before any dancing takes place in the premises suitable facilities shall be provided for dancing and details of the same shall be agreed with the local authority.
6. A drugs policy shall be prepared and implemented.

Appendix IV



"HANSON, Paul"
<Paul.Hanson@cleveland.pnn.police.uk>

15/11/2005 16:05

To: <Licensing@hartlepool.gov.uk>
cc:
Subject: RE: Brus Arms - variation to application

Object to extra hour 23rd to 30th December inclusive and request standard conditions be attached to licence. Have asked legal services to write to the applicant.
PH.

-----Original Message-----

From: Jayne.Kreczak@hartlepool.gov.uk [mailto:Jayne.Kreczak@hartlepool.gov.uk] **On Behalf Of** Licensing@hartlepool.gov.uk

Sent: 10 November 2005 16:34

To: Adrian.Hurst@hartlepool.gov.uk; pbradley@clevelandfire.gov.uk; ajbell@clevelandfire.gov.uk; hpfs@clevelandfire.gov.uk; HANSON, Paul; ROSS, James; Jane.Kett@hartlepool.gov.uk; Michael.Welsh@hartlepool.gov.uk; Paul.Burgon@hartlepool.gov.uk; lookedafterchildren@hartlepool.gov.uk

Subject: Brus Arms - variation to application

*

The contents of this email are confidential and are intended for the use of the individual to whom they are addressed.

This header confirms that this email message has been successfully virus scanned.

Any problems, please contact infosys@hartlepool.gov.uk

LICENSING ACT 2003 - NOTIFICATION OF RECEIPT OF APPLICATION

IF YOU HAVE NOT RECEIVED SUCH A COPY YOU SHOULD NOTIFY THIS OFFICE AS SOON AS POSSIBLE.

On 8 November 2005
Hartlepool Borough Council received an application for a licence under the Licensing Act 2003
from: -

Name: Brus Arms

Address: 311 West View Road, Hartlepool, TS24 9LH

Closing date for Consultees: 7 December 2005

Your organisation has been designated or identified as a 'responsible authority' under the Licensing Act and as such the applicant must send you a complete copy of their application immediately.

You are advised that there is a statutory maximum of 20 working days from the receipt of the application for your organisation to make any comments concerning it.