

LICENSING ACT SUB-COMMITTEE AGENDA



Thursday 10th June 2010

at 2.00 pm

in the Council Chamber,
Civic Centre, Hartlepool

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Griffin, Laffey and Morris

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **ITEMS FOR DECISION**
 - 3.1 Application for Variation of Premises Licence – 131/133 Elwick Road, Hartlepool – *Assistant Director, Community Safety and Prevention*

LICENSING ACT 2003

Procedure for Review 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 for Review 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. Licence/Club Certificate holder presents their case (either personally or via legal representation) and introduces witnesses where appropriate.
9. Parties may question and clarify issues raised with the consent of the Chair.
10. If required, applicant/responsible bodies/interested parties to be given opportunity to sum up.
11. If required, the Licence /Club Certificate holder to be given opportunity to sum up.
12. 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.
13. Members to go into closed session to deliberate.
14. Chair informs parties of their decision, with reasons.

Report of: Assistant Director, Community Safety & Protection

Subject: APPLICATION FOR VARIATION OF PREMISES
LICENCE - 131/133 ELWICK ROAD, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for the variation of a premises licence in respect of 131/133 Elwick Road, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Applicant: Mr Paul David Grange

Premises: 131/133 Elwick Road
Hartlepool
TS26 9BQ

- 2.2 The applicant has applied for the following:

Supply of alcohol Monday – Sunday 0600 – 2300

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

3. BACKGROUND

- 3.1 The application is for the variation of an existing premises licence in respect of 131 Elwick Road. The applicant intends to extend the premises so as to include 133 Elwick Road and, as a result, the licence must be amended.

- 3.2 The licence for 131 Elwick Road currently authorises the supply of alcohol between 0600 and 2300 hours seven days per week.

- 3.3 The current licence was granted by a licensing sub-committee on 23rd July 2009 following the consideration of eleven objections from Interested Parties.

- 3.4 The current application has been advertised in the prescribed manner and representations have been received from **eighty four** Interested Parties. The representations have been made on a pro forma letter, a copy of which is attached as **Appendix 2**.

- 3.5 The nature of the representations can be summarised as follows:

- There will be an increase in crime and disorder if the premises licence is granted.
- The premises are close to a local school.
- Granting the licence would increase the fear of crime in the area.

4. ISSUES

- 4.1 As relevant representations have been received within the prescribed time period, a hearing must be held for Members to consider those representations (unless all parties agree a hearing is unnecessary).
- 4.2 A map, highlighting the location of the premises, is attached as **Appendix 3**.
- 4.3 The application being considered is for the extension of an existing licence for 131 Elwick Road to incorporate the neighbouring premises - 133 Elwick Road. Members may wish to consider whether the application raises any new issues that were not considered by the licensing sub-committee when the licence for 131 Elwick Road was granted on 23rd July 2009.
- 4.4 The licensing sub-committee's determination is attached as **Appendix 4** along with a copy of the original report at **Appendix 5**.
- 4.5 It is understood that 131 Elwick Road has not been used to sell alcohol since the licence was granted in July 2009.
- 4.6 Having regard to the representations received, Members may take any of the following steps for the promotion of the licensing objectives:
- i) Grant the application without amendment
 - ii) Grant the application in part and/or with conditions or amended conditions
 - iii) Refuse the application
- 4.7 The licensing objectives are:
- i) The prevention of crime and disorder
 - ii) Public safety
 - iii) The prevention of public nuisance, and
 - iv) The protection of children from harm
- 4.8 Members are reminded that they must only consider those aspects of the licence application that are relevant to the representations received.

5. RECOMMENDATIONS

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



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



APPLICATION TO VARY A PREMISES LICENCE UNDER THE LICENSING ACT 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We Paul David Grange apply for as 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 368

Part 1 - Premises details

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

131/133 Ewrick Road, Hartlepool

Post Town Hartlepool

Post Code TS26 9BA

Telephone number at premises (if any)

01429 272958

Non-domestic rateable value of premises

£ To be assessed

currently £3750

Part - 2 Applicant details

Daytime contact telephone number

07736 497135

E-Mail address (optional)

Paul.Grange@Yansoo.co.uk

Currant postal address if different from premises address

Post Town

Postcode

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)

SALES AREA EXTENDED INTO ADJACENT
SHOP AS PER DRAWING.

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

n/a

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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- 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)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

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

F

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

G

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

H

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

I

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

J

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

K

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

L

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

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) <i>- No Change from Existing Licence.</i>					
Mon	06.00	23.00						
Tue	06.00	23.00						
Wed	06.00	23.00						
Thur	06.00	23.00				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) <i>N/A</i>		
Fri	06.00	23.00						
Sat	06.00	23.00						
Sun	06.00	23.00						

N

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

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			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)
Sat			
Sun			

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

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

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

Currently Still Held By HSC.

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

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

b) The prevention of crime and disorder

Revolation of CCTV cameras.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

*NEW DEFINED SALES AREA FOR
ALCOHOL.*


Please tick yes

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

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	9/4/10
Capacity	owner

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)

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

The Licensing Team
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Dear Sir/Madam,

I would like to object to the application for a license for the sale of alcohol pertaining to 133 Elwick Road, Hartlepool, specifically the proposed opening times of 6am – 11pm, which in my view are far to lax.

The reasons for my objection are in line with the council's own licensing objectives, which are 1. Prevention of crime and disorder; 2. Prevention of public nuisance; 3. Public safety; and 4. Protection of children from harm.

This area of the town has suffered from alcohol related problems for some time, so much so that the council's own licensing committee recently extended the Designated Public Place Orders, banning the consumption of alcohol in public, into the streets off Elwick Road. This was supported by our local neighbourhood police team and is a clear indication of an existing problem.

Furthermore the well documented problems of nearby Baden Street have been linked to alcohol related crime, disorder and nuisance. Recent efforts have seen this area begin to slowly improve and granting this license, with such broad hours of sale could jeopardise that progress.

The premises are in close proximity to Eldon Grove School and also on a bus stop from which many young people are picked up and taken to school. The result of this is that first thing in the morning many children are in the area and using the shops up and till 9am. I feel it therefore not right to expose these young people to an alcohol culture and would therefore see it as eminently sensible to restrict the hours so that sales of alcohol cannot start until 10am.

Balance north-east (an alcohol charity) recently found that people in Hartlepool have a statistically higher fear of alcohol related violence than the rest of the north-east. Allowing more cheap alcohol to be freely available, especially late at night, in a community already suffering such problems can only threaten public safety and contribute to increased alcohol related crime, disorder and nuisance.

A recent study by the council's scrutiny process found that one of the major problems in terms of alcohol related crime was the ability of people to access cheap booze from off-licences allowing them to drink more before going out. Therefore I believe that restricting the hours so that no alcohol is sold after 10pm would help combat such problems.

Finally, Hartlepool recently received a "red-flag" following the Comprehensive Area Assessment relating to the treatment of alcohol related problems. How does making more cheap alcohol available in an area where it is already prevalent help solve that problem? It actually makes it worse.

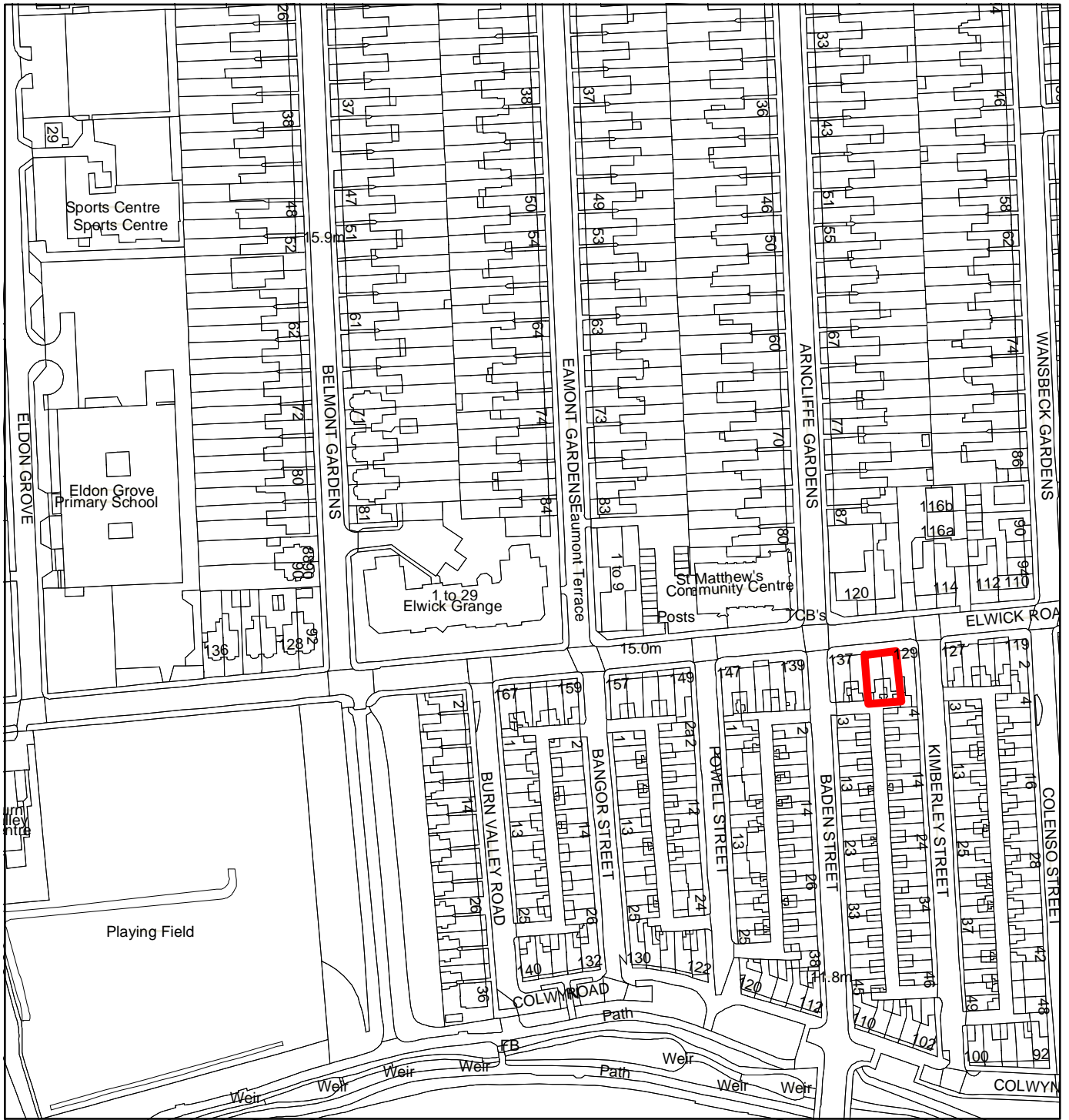
As a local resident I urge the licensing sub-committee to impose more restrictive times onto this application, in line with its own objectives, so that it will only be permitted to sell alcohol between the hours of 10am and 10pm.

Yours Faithfully,





131-135 ELWICK ROAD



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<h1>HARTLEPOOL</h1> <h2>BOROUGH COUNCIL</h2>	DRAWN GS	DATE 24/05/10
	SCALE 1:2000	
Department of Regeneration and Planning Bryan Hanson House. Hanson Square. Hartlepool TS24 7BT	DRG.NO LIC01	REV

Thursday, 23 July 2009

Members of the Panel:	Councillors Atkinson, R Cook, Rogan
Application Premises:	131 Elwick Road
Officers present:	Tony Macnab, Solicitor Sylvia Pinkney, Consumer Services Manager Jo Wilson, Democratic Services Officer
Applicant:	Paul Grange
Interested Parties	Councillor Jonathan Brash, Ward Councillor (Representative) Allan Barclay Mrs Espley Peter Hyde Mrs McLelland Mrs Usher
Decision:	
<p>The Licensing Authority hereby approves the application for a new premises licence for the sale of alcohol.</p> <p>The Licensing Authority was not satisfied that the interested parties' representative, together with the interested parties present and the interested parties' written representations, disclosed strong enough reasons and evidence to demonstrate that the application would not promote the licensing objectives.</p> <p>In respect of the contention that the licensing objectives relating to the prevention of crime and disorder and the prevention of public nuisance would be undermined, it was noted that there had been no evidence presented on behalf of the police to demonstrate this.</p>	

CHAIR

Report of: Head of Procurement, Property & Public Protection

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

1. PURPOSE OF REPORT

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

2. SUMMARY OF APPLICATION

2.1 Applicant: Mr Paul Grange

Premises: 131 Elwick Road
Hartlepool
TS26 9BQ

2.2 The applicant has applied for the following:

Supply of alcohol Monday – Sunday 0600 – 2300

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

3. BACKGROUND

3.1 The application has been advertised in the prescribed manner and representations have been received from **eleven** Interested Parties (see **Appendices B - L**). One of these representations is from a local Ward Councillor and another from the Chairman of the local Resident's Association. In addition a petition has been received (**Appendix M**) containing 61 signatures – some of whom had also provided individual representations.

3.2 The nature of the representations received can be summarised as follows:

- There will be an increase in crime and disorder if the premises licence was granted.
- Littering and loitering in the area will increase.
- Another off-licence in the area will increase anti-social behaviour.

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

4. ISSUES

- 4.1 As relevant representations have been received within the prescribed time period, a hearing must be held for Members to consider those representations (unless all parties agree a hearing is unnecessary).
- 4.2 A map of the area is attached as **Appendix N** to allow Members to understand the proximity of the applicant's premises to other licensed premises referred to in some of the representations.
- 4.3 The Licensing Act 2003 states that representations against licence applications must refer to at least one of the Act's 'licensing objectives'. The petition attached as Appendix M is headed 'Objection to Drinks Licence' but does not refer to any licensing objectives. As such Members must determine whether the petition should be considered as a relevant representation.
- 4.4 A number of representations refer to the lack of 'need' for another off-licence in the area. Statutory Guidance that accompanies the Licensing Act states that "Need' concerns the commercial demand for another [premises]. This is not a matter for a licensing committee in discharging its functions'.
- 4.5 The applicant has agreed to a number of conditions that will be attached to the licence, should it be granted. These include the installation of a CCTV system, a 'Challenge 21' approach to under age sales (whereby anyone under the age of 21 would be required to produce proof of age) staff training and the monitoring of sales.
- 4.6 Having regard to the representations received, Members may take any of the following steps for the promotion of the licensing objectives:
- i) Grant the application without amendment
 - ii) Grant the application in part and/or with conditions or amended conditions
 - iii) Refuse the application
- 4.7 The licensing objectives are:
- i) The prevention of crime and disorder
 - ii) Public safety
 - iii) The prevention of public nuisance, and
 - iv) The protection of children from harm

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

5. RECOMMENDATIONS

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



**APPLICATION FOR A PREMISES LICENCE TO BE GRANTED
UNDER THE LICENSING ACT 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

Paul Grange

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

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
<i>131 Elwick Road HARTLEPOOL</i>	
Post Town	Post Code
<i>HARTLEPOOL.</i>	<i>TS26 9BQ.</i>

Telephone number at premises (if any)

01429 - 272958.

Non-domestic rateable value of premises

£ 3200 *✓*

Part 2 - Applicant Details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity 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
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	0	0
0	5	0
9		

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

Day	Month	Year

Please give a general description of the premises (please read guidance note1)

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

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

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

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

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

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

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

In all cases complete boxes N, O and P

A

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

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

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

F

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

G

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

J

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

K

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



L

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

M

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

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

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

N

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

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

29.4.09

Mr Arange confirmed hours same as 'M' ¹⁹

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

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

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

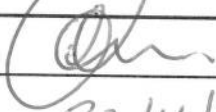
e) The protection of children from harm

- I have made or enclosed payment of the fee Please tick yes
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	22/4/09.
Capacity	OWNER.

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	

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

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

Notes for Guidance

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

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

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

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

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

Dave Barnfather

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

Peter Hyde
118 Elwick Road
Hartlepool
Cleveland
TS26 9BH

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

27th May 2009

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

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

Dear Mr Harrison,

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

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

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

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

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

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

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

Yours Sincerely

Peter Hyde

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

Dear Mr Hyde

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

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

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

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

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

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

28/05/2009

Councillor Jonathan Brash

16 Eamont Gardens : HARTLEPOOL : TS26 9JD

Tel: 07973 619 054

Email: jonathan.brash@hartlepool.gov.uk

The Licensing Team
Civic Centre
Hartlepool
TS24 8AY

21st May 2009

To Whom It May Concern:

RE: LICENCE APPLICATION 131 ELWICK ROAD

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

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

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

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

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

Yours Sincerely,



Jonathan Brash
Councillor for Burn Valley

Working for Burn Valley

Mr Allan Barclay MCMI
Chairman of the Burn Valley North Residents' Association
31 Leyburn Street
Hartlepool
TS26 9AJ

The Licensing Team
Civic Centre
Hartlepool
TS24 8AY



26th May 2009

To Whom It May Concern:

RE: LICENCE APPLICATION 131 ELWICK ROAD

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

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

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

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

Yours Faithfully,

A handwritten signature in cursive script that reads "Allan Barclay".

Allan Barclay
Chairman of the Burn Valley North Residents' Association

MRS A SAUNDERS

4 GRASMERE STREET

HARTLEPOOL

TS26 9AT

1/6/09.

Your Ref HART/PS/368

F.A.O The Licensing Team

Dear Sir / Madam

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

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

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

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

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

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

Yours faithfully

Anne Saunders

JOINT SECRETARY - BURN VALLEY NORTH
RESIDENTS ASSOCIATION

RE LICENCING OF
131 EDWICIE ROAD
HARTLEPOOL



92 WARSBECK LANE
HARTLEPOOL

31.5.09

Dear Sir,

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

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

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

yours in despair
NO. 4 H. LONES. *Horace Jones*



4 CORBENSD ST.

HARWELL POOL

30.5.09.

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

Prevention of crime

" of Public nuisance

Protection of harm to children

Public safety.

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

Yours sincerely
J Michelland. (Mrs)

3.1 Appendix H

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



Dear Sir,

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

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

Cath Robinson

Cath Robinson



1 COLENZO STREET
HARTLEPOOL
TS26 9BD

DEAR MR BARNFATHER

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

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

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

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

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

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

YOURS FAITHFULLY

D. J. Welch.



1 COLENZO STREET
HARTLEPOOL
TS26 9BD

DEAR MR BARNFATHER

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

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

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

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

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

YOURS FAITHFULLY

B. Usher.

NEIGHBOURHOOD SERVICES DEPARTMENT
PUBLIC PROTECTION

Civic Centre
Hartlepool TS24 8AY

Tel: 01429 266522
Fax: 01429 523308

Our Ref: HART/PS/368

Your Ref:

Contact Officer: The Licensing Team
(01429) 523354



27 May 2009

E Williams
29 Ellison Street
Hartlepool
TS26 9AN

Dear Sir/Madam

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

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

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

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

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

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

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

Yours faithfully

Mr D Barnfather
Senior Licensing Enforcement Officer

i attended a local residents' am mg. last week
e was asked to sign down. There are two other
alcohol licenced premises in Elwick Rd. The approval
the new adjacent residents (to all proposed premises)
was that of any business which, A LICENCE (FREE PUBLIC
BEV) and CONSUME (IN THE BURN WILLY ON CHALCOTTA WINDY)
is a prime reason to object. BREWERY BEHAVIOUR
is paramount in many towns, easy access and cheap
to buy. UNSTABLE - SOMETIME FERAL BEHAVIOUR. WHO NOT
BE PRIMARILY PROUDENTIAL - IN ONE AREA THAT IS IN PIRE
NEED OF CHANGE. DRUGS ARE
TOXIC AND UNDEFINABLY
DRINK (IN THE HAND) OF
BORED YOUTH) IS LIKE PUTTING
A GUN CIGARETTE IN THE HAND
OF A 9 YEAR OLD!



NEIGHBOURHOOD SERVICES DEPARTMENT
PUBLIC PROTECTION

Civic Centre
Hartlepool TS24 8AY

Tel: 01429 266522
Fax: 01429 523308



Our Ref: HART/PS/368
Your Ref:
Contact Officer: The Licensing Team
☎ (01429) 523354

27 May 2009

J Espley
31 Colenso Street
Hartlepool
TS26 9BD



Dear Sir/Madam

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

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

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Yours faithfully

Mr D Barnfather
Senior Licensing Enforcement Officer



27th May 2009



To whom it may concern,

RE: Application for an alcohol license - 131 Elwick Road

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

Best wishes



A handwritten signature in cursive script that reads "Brash".

Jonathan Brash
Councillor for Burn Valley

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

G. McKEHANE H COLENZO ST. H/POOL
W. McLELLAND, FLAT 2 BEAMONT TERRACE
J. ESPEY 31 COLENZO ST H/POOL
D. WELSH 1 COLENZO ST H/POOL
B. USHER 1 COLENZO ST. H/POOL
J. ROBINSON 5 PAWELL ST H/POOL
L. RICHARDSON 12.0 COLWYN ROAD H/POOL
H. JACKSON 132 COLWYN ROAD. H/POOL.
E. McLELLAN 136 COLWYN RD
J. GENT 136 COLWYN ROAD
H. SMITH 138 COLWYN ROAD
66 EDMONT ROAD
COLLENZO ST
118 ELWICK RD
116a ELWICK ROAD
127 ELWICK ROAD.
63, Welldeck Road.
123 ELWICK RD.

117, Elwick Rd
5 COLENZO ST
COLENZO ST.
COLENZO ST

S. Dwyler	Colenso st.
K. Charters	Colenso ST
M. Stalley	Esmerette St.
C. Smith	ST Pauls. Ro.
M. MORTIMER	Colenso ST
J. TOUAY	Colenso ST
Harris	Colenso ST
J. Richardson	Colenso St.
L. Richardson	Colenso ST
BAGE	Colenso St
	"
Sandra Mems	Eamont Gdns.
Tom Mays	Eamont Gdns.
Sally Ellison	Eamont Gardens
Arthur G. Swan	Eamont Gardens
Caroline Williams-Jones	Eamont Gardens
Ann Cox	Eamont Gardens
Brash	16 Eamont Gardens
E. William	29 Eamont Gdns.
A. Saunders	4 Grassmere Street
C. Taylor	145 ELWICK Rd.
S. Taylor	"
J. Vayro	39 Wansbeck Gardens
Cath Robinson	76 Anneliffe Gds
Margaret Jackson	132 Albany Road
	31 LEYBURN
Angy bere	173 YORK Rd.

Gary Bell	14 Grasmere Street,
James	92 WANSBECK CYP.
ESL	1 HARBOR WK
Mr. A. Farnham	3 Langfellow walk
M. Simions	9 Granville Ave TS26 8ND
F. JACKSON	132 COLWYN. TS26 9BL
F. Marston	3 Bayard St. TS26 9BP
A. Stewart	132 Colwyn Rd TS26 9BL
S. MANN	3 Teesdale Ave TS26 9QD
S. Hornsey	42 ENSIGN COURT H/POOL.



active hotels

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52,000 hotels worldwide

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



Nearest transport link

Your notes

Railway: Hartlepool (0.68mi, 1.10km)

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

active hotels

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52,000 hotels worldwide