

LICENSING ACT SUB-COMMITTEE AGENDA



Tuesday, 6 July 2010

at 2.00 pm

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

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Fleet, Griffin and Rogan

- 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 – 19 Church Street,
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 – 19 CHURCH STREET, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for the variation of a premises licence in respect of 19 Church Street, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Applicant: Mr Seied Siroos Ahmadi

Premises: 19 Church Street (Pizza Hart)
Hartlepool
TS24 7DH

- 2.2 The applicant has applied for an extension of hours for the following activities 'Late Night Refreshment' and 'Recorded Music' for the following times:

Sunday to Wednesday (inclusive)	1600 - 0100
Thursday to Saturday (inclusive)	1600 - 0445

The applicant has also requested an extension to stay open on Bank Holidays until 0445.

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 an Italian Hot Food Takeaway known as Pizza Hart on 19 Church Street.

- 3.2 The premises licence for 19 Church Street currently authorises:
'Late Night Refreshment' and 'Recorded Music' during the following times:

Sunday to Wednesday (inclusive)	1700 - 2400
Thursday to Saturday (inclusive)	1700 - 0230

- 3.3 The current premises licence was granted on 28th October 2005.

- 3.4 The current application has been advertised in the prescribed manner and a representation has been received from Cleveland Police a copy of which is attached as Appendix 2.
- 3.5 In summary Cleveland Police's representation states that if the variation of the premises licence was granted, both the crime and disorder and public safety objectives would be undermined in an area where alcohol related crime and disorder already exists.
- 3.6 Cleveland Police have also stated that it has been necessary to speak to the applicant, Mr Ahmadi, regarding the matter of Pizza Hart opening later than currently permitted on two separate occasions in May 2010. The Council's licensing department are currently investigating the matter.

4. ISSUES

- 4.1 As a relevant representation has 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 Having regard to the representation 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
- 4.3 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
- 4.4 Members are reminded that they must only consider those aspects of the licence application that are relevant to the representation received.

5. RECOMMENDATIONS

- 5.1 That members consider the representations made by the applicant and Cleveland Police 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.

SEIED SIROOS AHMADI
I/We **SEIED SIROOS AHMADI** apply for as premises licence holder, apply to vary a
(insert name(s) of applicant)
premises licence under section 34 of the Licensing Act 2003 for the premises described
in Part 1 below

Premises licence number

HART/PS/280

Part 1 - Premises details

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

19 CHURCH STREET, HARTLEPOOL, TS24 7DH

Post Town **HARTLEPOOL**

Post Code **TS24 7DH**

Telephone number at premises (if any)

01429 868484

Non-domestic rateable value of premises

£ **4950** ✓

Part - 2 Applicant details

Daytime contact telephone number

07915648463

E-Mail address
(optional)

assiroos53@yahoo.co.uk

Current postal
address if different
from premises
address

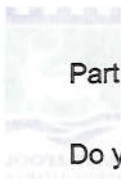
**8 Beamish Road
Billingham,**

Post Town

Billingham

Postcode

TS23 3DU



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

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

My premises is a small Italian food take away

The shop is in a Centre Commercial Street
with all shops, bars and restaurants.

I would like to extend the hours of
opening time.

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

☒

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"/>
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						
Tue						
Wed						
			State any seasonal variations for the exhibition of films (please read guidance note 4)			
Thur						
			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)			
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					
Tue					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur					
			<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)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music 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 the performance of live music</u> (please read guidance note 4)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat						
Sun						

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) The music is played for my customers while they are waiting to get their food.		
Mon	16:00	01:00			
Tue	16:00	01:00	State any seasonal variations for the playing of recorded music (please read guidance note 4). on Bank holidays will be open till 4.45/4.45 on some weeks.		
Wed	16:00	01:00			
Thur	16:00	04:45	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) N/A		
Fri	16:00	04:45			
Sat	16:00	04:45			
Sun	16:00	01:00			

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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the 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

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

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)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<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)	
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			<u>State any seasonal variations for providing dancing facilities</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 dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat						
Sun						

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	16:00	01:00	Please give further details here (please read guidance note 3) Food will be served at the counter for takeaway.	Both	<input type="checkbox"/>
Tue	16:00	01:00			
Wed	16:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) on Bank holidays will be open till 4.45am Sun to Wed		
Thur	16:00	04:45			
Fri	16:00	04:45	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) N/A		
Sat	16:00	04:45			
Sun	16:00	01:00			

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	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<u>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</u> (please read guidance note 5)		

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 style="text-align: center;">N/A</p>

0

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	16:00	01:00	ON BANK HOLIDAYS or special occasion sun-wed will be open till 4.45 AM.
Tue	16:00	01:00	
Wed	16:00	01:00	
Thur	16:00	04:45	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)
Fri	16:00	04:45	
Sat	16:00	04:45	
Sun	16:00	01:00	

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

N/A

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

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

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

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

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

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

I will make sure to maintain all rules and regulations set out in Licence ACT 2003.

b) The prevention of crime and disorder

I will stop groups from hanging around my shop.

c) Public safety

I will make sure every measures taken to adhere to all aspects of health and safety within the shop.

d) The prevention of public nuisance

I will regularly collect rubbish if left outside I'll put signs asking people to be quiet outside

e) The protection of children from harm

~~No~~ No dangerous equipments or objects will be in reach of children.

- 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	<i>Shut him</i>
Date	11-05-10
Capacity	MANAGER

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	N/A
Capacity	

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

N/A			
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

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 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**

Your Ref:
Our Ref: LICE/20/691/MN

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

27th May 2010

Dear Sirs

Re:- Pizza Hart – 19 Church Street, Hartlepool

Cleveland Police have received an application for a variation of the above premises licence which is a fast food take away establishment. Cleveland Police make representations in relation to the application to extend the opening hours for late night refreshments from 02.30 hours until 04.45 hours from Thursday to Sunday inclusive and all Bank Holidays.

Historically, an increase in hours has lead to an increase in alcohol related crime and disorder and the premises is situated in an area where alcohol related crime and disorder already exists. Although additional conditions may assist in preventing the licensing objectives being undermined, unfortunately, concerns would remain because it is the belief of Cleveland Police, that if the variation is granted, both the crime and disorder and public safety objectives would be undermined.

There is concern due to the fact that patrons vacating licensed public houses are often fuelled with alcohol which results in late night refreshment establishments becoming a flashpoint for crime and disorder and historically, allowing such persons to loiter unnecessarily in the vicinity has resulted in persons being injured.

Mr Ian Harrison
Licensing Department
Hartlepool Borough Council
DX 60669 Hartlepool

Although each case is judged on its merits, Cleveland Police have in the past had cause to have to request that a late night refreshment shop close due to concerns regarding public

safety. This resulted when late night revellers attended a venue in such numbers that public safety and fear of crime and disorder were imminent unless the venue closed. There is no reason to suggest that this venue will not suffer from the same problems. This incident resulted in a drain on police resources.

In addition to the above, it has been necessary for Cleveland Police to speak to Mr Seied Siroos Ahmadi due to the fact that he has remained open and continued with licensable activities, namely selling of food after the hours his premises licence permits.

Furthermore, at a time when the Responsible Authorities are attempting to reverse an already difficult situation in respect to public disorder in Hartlepool's Night Time Economy, the opening of yet another potential disorder confluence point can in no way ameliorate an already fraught situation.

Hartlepool Police will be operating a Taxi Marshalling system in Church Street soon. Patrons burdened with "fast food" may be denied access to cabs by their drivers and this too may act as a additional catalyst for disorder, particularly when revellers are queuing for scarce cabs.

In the event that this application is not withdrawn, a witness statement from PC Swales will be sent in the near future.

Yours faithfully

Marie Nevison

On behalf of Legal Services