LICENSING ACT SUB-COMMITTEE AGENDA



Wednesday 15 September 2010

at 2.00 pm

in Committee Room C, Civic Centre, Hartlepool

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Aiken, Lawton and Morris

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. ITEMS FOR DECISION

3.1 Application for a Premises Licence – Sainsbury's, 132 Station Lane, Hartlepool – Assistant Director, Community Safety and Protection

Licensing Act 2003

Procedure for Hearings

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

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

Report of: Assistant Director, Community Safety & Protection

Subject: APPLICATION FOR A PREMISES LICENCE – SAINSBURYS, 132 STATION LANE, HARTLEPOOL

1. PURPOSE OF REPORT

1.1 To consider an application for a premises licence in respect of 132 Station Lane, Hartlepool.

2. SUMMARY OF APPLICATION

2.1 Applicant: Sainsbury's Supermarkets Limited

Premises: 132 Station Lane Hartlepool TS25 1DW

2.2 The applicant has applied for the following activities: -

Supply of Alcohol	Monday to Sunday (inclusive)	0600 - 2400
Late Night Refreshment	Monday to Sunday (inclusive)	2300 - 2400

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

3. BACKGROUND

- 3.1 The application has been advertised in the prescribed manner and one representation has been received from an Interested Party (attached as **Appendix 2**).
- 3.2 The representation states that granting the application would have a very detrimental effect on the locality and, specifically, the possibility of vandalism at the nearby railway station.
- 3.3 The representation also refers to the fact that there are already outlets in existence in the nearby Elizabeth Way shops but Members are reminded that 'need' is not a relevant factor when considering the merits of an application.

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 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 with conditions, or amended conditions
 - iii) Reject those parts of the application that are relevant to the representations received
- 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

5. **RECOMMENDATIONS**

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

Part 1 - Premises details Postal address of premises or, if nor Sainsbury's Supermarket	ne, ordnance survey map reference or description	
132 Station Lane		
Post town	Post code	
Hartlepool	TS25 1DW	
Telephone number at premises (if an	v)	

Telephone number at premises (if any)

Non-domestic rateable value of premises

-				
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Part 2 - Applicant details

Please state whether you are applying for a premises licence as

a)	an individual	or	individuals*	
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please complete section	(A)

Please tick ✓ yes

b) a person other than an individual*

- i. as a limited company
- ii. as a partnership
- iii. as an unincorporated association or
- iv. other (for example a statutory corporation)
- c) a recognised club
- d) a charity

 please complete section (B)

 please complete section (B)

 please complete section (B)

please complete section (B)

please complete section (B)

please complete section (B)

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e)	the	proprieto	r of an edu	icational establishment		please con	plete section (B)
f)	a he	ealth servi	ce body		Ľ	please con	plete section (B)
g)	Star		-	ed under Part 2 of the C in respect of an indepe	22	please con	nplete section (B)
h)	the Wal		cer of poli	ce of a police force in Er	ngland and] please con	nplete section (B)
* If	you a	re applyir	ng as a per	son described in (a) or (l	b) please conf	irm:	
				proposing to carry on a able activities; or	business whic	h involves the u	Please tick ✓ yes se of the
	•	I am mal	king the ap	plication pursuant to a			
		0	Statutor	r function or			
		0	A functio	on discharged by virtue o	of Her Majesty	's prerogative	

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Surname First names Please tick Yes I am 18 years old or over Image: Signature of the second sec	Mr Mrs Miss	Ms Other title (for example, Rev)
I am 18 years old or over	Surname	First names
I am 18 years old or over		
address if different from premises address Post town Post code Daytime contact telephone number E-mail address (optional)	I am 18 years old or over	
Daytime contact telephone number E-mail address (optional)	address if different from	
E-mail address (optional)	Post town	Post code
(optional)	Daytime contact telephone number	
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SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss	Ms Other title (for example, Rev)
Surname	First names
I am 18 years old or over	Please tick ✓ yes
Current postal address if different from premises address	
Post town	Post code
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	Sainsbury's Supermarke	ets Limited
Address	s 33 Holborn London EC1N 2HT	
Registe	red number (where applicable) 03261722	
Descrip Comp		partnership, company, unincorporated association etc)
Teleph	one number (if any) 020 769	95 6000
E-mail	address (optional) N/A	REGENEDATIO
		REGENERATION & NEIGHBOURHOODS DEPARTMENT 27 JUL 2010
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Part 3 Operating Schedule

	Day	Month	ı	Year			99
When do you want the premises licence to		5 0	8	2	0	1	0
start?	·					Martina - 10 met	
	Day	Month	1	Year			
If you wish the licence to be valid only for a		Monu		real		T	
limited period, when do you want it to end?			I		L		
the period, then do you mane it to choi							
14 5 000							
If 5,000 or more people are expected to attend please state the number expected to attend.	the premis	ses at any o	ne time	,			
prease state the number expected to attend.							
		-					
Please give a general description of the premis	oc (nlesse r	ead guidan	re note	1)			
Please give a general description of the premis	ies (please i	eau guidain	Le note	1)			
Supermarket which is to sell a broad range of g	groceries, ho	ousehold pr	oducts	and alo	cohol.	Situat	ed at
132 Station Lane, Hartlepool, TS25 1DW.		•					
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What licensable activities do you intend to carry on from the premises? (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provisio	n 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)	
<u>Provisio</u>	n of entertainment facilities for	
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)	
Provisio	n of late night refreshment (if ticking yes, fill in box L)	
Supply of	of alcohol (if ticking yes, fill in box M)	

In all cases complete boxes N, O and P

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Plays Standard days and timings		timings	Will the performance of a play take place indoors or outdoors or both - please tick ✓	Indoors	
(please read guidance note 6)			(please read guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read g	guidance note 3))
Tues			-		
Wed			State any seasonal variations for performing guidance note 4)	plays (please re	ad
Thur			-		
Fri	-		Non-standard timings. Where you intend to a	use the premise	s for
			the performance of plays at different times t column on the left, please list (please read gu	o those listed in	
Sat			-		
Sun			-		

B				1	
Films	Standard days and timings (please read guidance note		Will the exhibition of films take place indoors or outdoors or both - please tick ✓	Indoors	
			(please read guidance note 2)	Outdoors	
(please 6)			(preuse reus galourice note 2)	outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read g	guidance note 3))
Tues			-		
Wed			State any seasonal variations for the exhibition guidance note 4)	on of films (plea	ase read
Thur			-		
Fri			Non-standard timings. Where you intend to u the exhibition of films at different times to th column on the left, please list (please read gu	hose listed in th	
Sat			-		
Sun	-		REGENEO		
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Indoor sporting events Standard days and timings (please read guidance note 6)		timings	Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			
Tues			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			-
Thur			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			-
Sat			-
Sun			-

	g or wres		Will the boxing or wrestling entertainment take place indoors or outdoors or both -	Indoors	
entertainments Standard days and timings (please read guidance note 5)		timings	please tick ✓ (please read guidance note 2)	Outdoors	
Day	Start	Finish	1	Both	ĺП
Mon			Please give further details here (please read g	guidance note 3)	
Tues			-		
Wed			State any seasonal variations for boxing or we (please read guidance note 4)	restling enterta	inment
Thur			-		
Fri			Non-standard timings. Where you intend to u boxing or wrestling entertainment at differen in the column on the left, please list (please	nt times to those	e listed
Sat			-		
Sun			Provide the second	TION & MENGI S DEPARTMENT AUC. 2010	
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Live music Standard days and timings (please read guidance note 6)		timings	Will the performance of live music take place indoors or outdoors or both - please	Indoors	
		nce note	<u>tick \checkmark</u> (please read guidance note 2)	Outdoors	
Day	Start	Finish]	Both	
Mon			Please give further details here (please read	guidance note 3)	
Tues			-		
Wed			State any seasonal variations for the perform (please read guidance note 4)	ance of live mu	sic
Thur			-		
Fri			Non standard timings. Where you intend to the performance of live music at different ti the column on the left, please list (please rea	mes to those list	ed in
Sat			-		
Sun					

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	Recorded music		Will the playing of recorded music take place indoors or outdoors or both - please	Indoors	
Standard days and timings (please read guidance note 6)			<u>tick</u> \checkmark (please read guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read g	guidance note 3)	
Tues			-		
Wed			State any seasonal variations for the playing (please read guidance note 4)	of recorded mu	sic
Thur			-		
Fri			Non-standard timings. Where you intend to the playing of recorded music entertainment those listed in the column on the left, please	at different tin	
Sat			(please read guidance note 5)		
Sun			-		

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick ✓	Indoors	
		ance note	(please read guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read g	guidance note 3)	
Tues					
Wed			State any seasonal variations for the perform	ance of dance	
			(please read guidance note 4)		
Thur			-		
Fri			Non-standard timings. Where you intend to the performance of dance entertainment at those listed in the column on the left, please	different times to	
Sat			(please read guidance note 5)		
Sun					

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A	Disease size a description of the type of entertainment you will be
Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)	Please give a description of the type of entertainment you will be providing
Day Start Finish	Will this entertainment take place indoors or outdoors or both - please tick ✓ (please read
Mon	guidance note 2) Outdoors Both Both
Tues	Please give further details here (please read guidance note 3)
Wed	
Thur	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri	
Sat	Non-standard timings. Where you intend to use the premises for the entertainment or similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list
Sun	(please read guidance note 5) REGENERATION & NEIGHBOURH DEPARTMENT 2 7 JUL 2010 9

Provision of facilities for making music Standard days and timings			Please give a description of the type of entertainment you will be providing			
(please read guidance note 6)			Will the facilities for making music be indoors or outdoors or both - please tick ✓	Indoors		
			(please read guidance note 2)	Outdoors		
Day	Start	Finish	-	Both		
Mon			Please give further details here (please read	 guidance note 3)		
Tues			-			
Wed			State any seasonal variations for the provisio making music (please read guidance note 4)	n of facilities fo	ŗ	
Thur			-			
Fri			Non-standard timings. Where you intend to use the premises for the entertainment or similar description to that falling within (e) (f) or (g) at different times to those listed in the column on the			
Sat			<u>left, please list</u> (please read guidance note 5)			

for dar			$\frac{\text{Will the facilities for dancing be indoors or }}{\frac{\text{outdoors or both - please tick }}{\text{guidance note 2}}}$ (see	
Standard days and timings (please read guidance note 6)				Outdoors
Day	Start	Finish		Both
Mon			Please give a description of the facilities for providing	dancing you will be
Tues			-	*
Wed			State any seasonal variations for providing da	ancing facilities
			_ (please read guidance note 4)	
Thur			-	
Fri			Non standard timings. Where you intend to u the provision of facilites for dancing entertai	
			times to those listed in the column on the left	
Sat			(please read guidance note 5)	REGENERATION & AUGUS
Sun				REGENERATION & NEIGHBOURHOOL DEPARTMEN, 2.7 JUL 2010

entert simila that fa Standar	ainment r descrip alling wit	tion to hin I or J	Please give a description of the type of enter be providing	ertainment you	<u>ı will</u>
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please	Indoors	
Mon			read guidance note 2)	Outdoors	
		-		Both	
Tues Wed			Please give further details here (please read		
Thur			State any seasonal variations for the provisi entertainment of a similar description to the (please read guidance note 4)		
Fri			-		
Sat			Non standard timings. Where you intend to the provision of facilities for entertainment description to that falling within I or J at di listed in the column on the left, please list	of a similar	
Sun			(please read guidance note 5)		

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Late n			Will the provision of late night refreshment take place indoors or outdoors or both -	Indoors	
Standar	hment d days and read guida		please tick ✓ (please read guidance note 2)	Outdoors	
Day	Start	Finish	1	Both	\square
Mon	2300	2400	Please give further details here (please read g	uidance note 3)	
			The provision will take place inside the premise leave the premises with items purchased.	s but customers	s may
Tues	2300	2400	teave the premises with terms porchased.		
Wed	2300	2400	State any seasonal variations for the provision	n of late night	
			refreshment (please read guidance note 4)		
Thur	2300	2400	-		
Fri	2300	2400	Non standard timings. Where you intend to u		
			the provision of late night refreshment at diff listed in the column on the left, please list (p		
Sat	2300	2400	_ note 5)		
			- Dom	_	
Sun	2300	2400	The GEN	ERATION & AUC	
			/	DEPROTOE	HBOUR
				PERATION & MERC DEPARTMENT 7 JUL 2010	07
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M Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box \checkmark)	On the premises	
			(please read guidance note 7)	Off the premises	1
Day	Start	Finish		Both	
Mon	0600	2400	State any seasonal variations for th guidance note 4)	e supply of alcohol (plea	se read
Tues	0600	2400	-		
Wed	0600	2400	-		
Thur	0600	2400	Non-standard timings. Where you the supply of alcohol at different ti column on the left, please list (plea	imes to those listed in th	e
Fri	0600	2400	(proc		
Sat	0600	2400	-		
Sun	0600	2400	_		
			1		

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

Name Michelle Louise Zouch

Address 141B St Pancras Way, Camden

London

Post code NW1 0SY

Personal Licence number (if known) PERS-LIC\2119

Issuing licensing authority (if known) London Borough of Camden

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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)

The premises will sell other age restricted products.

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open t Standar	premise to the pu d days and read guida	blic timings	State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	0000	2400	-
Tues	0000	2400	-
Wed	0000	2400	-
			Non-standard timings. Where you intend the premises to be open
Thur	0000	2400	to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
			The applicant may elect not to open the store, or part(s) of the store
Fri	0000	2400	 24 hours every day but requires the flexibility to do so subject to statutory or operational restrictions.
Sat	0000	2400	
Sun	0000	2400	-

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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

- 1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
- 2. The system will incorporate a camera covering each of the entrance doors and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
- 3. The system will incorporate a recording facility and any recording shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
- 4. The system will display on any recording the correct time and date of the recording.
- 5. A system will be in place to maintain the quality of the recorded image.

c) Public safety

The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.

d) The prevention of public nuisance

Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

e) The protection of children from harm

The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

REGENERATION & NEIGHBOL 9H00DS DEPARIMENT 27 JUL 2010

CHECKLIST: -

Please	tick	1	yes
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- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I 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)

16

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	12
Date	26 July 2010
Capacity	Solicitors duly authorised on behalf of the Applicant
	ns signature of 2 nd applicant or 2 nd applicant's solicitor or other authorised guidance note 12). If signing on behalf of the applicant please state in what

Signature

	 •••••
Date	

Capacity

Contact name (where not previously give with this application (please read guidar Winckworth Sherwood LLP (Ref: EMF/26508/1308/RPB)	en) and postal address for correspondence associated nce note 13)
Minerva House	
5 Montague Close	
Post town	Post code
London	SE1 9BB
Telephone number (if any) 020 7593 5	155
If you would prefer us to correspond wit efinlay@wslaw.co.uk	th you by e-mail insert your E mail address (optional)
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- Describe the premises. For example the type of premises, its general situation and layout 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.
 Where taking place in a building or other structure please tick as appropriate. Indoors
- Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
- 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.
- 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.
- 9. Please list here steps you will take to 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.



27, Stanmore Grove Seaton Carew Hartlepool TS25 1DP



Tel 01429 296393

Thursday 5th August 2010

Re: Change of use of former Station Hotel...Station Lane Seaton Carew to Two Retail Units.

Dear Sir / Madam,

My wife and I object strongly to the proposed development on two accounts :

- (1) The sale of alcohol from 0600---2400 daily and
- (2) Provision of late night refreshment between 2300---2400

We both feel that the sale of alcohol coupled with the late night opening will have a very detrimental effect on the locality which is purely residential.

Also, the local railway station, which has just been superbly renovated at some cost and is just "over the road" from the proposed retail units may well suffer some vandalism.

There are outlets already in existence in Elizabeth Way shopping precinct for food and drinks....and also the sea front with shops, restaurants and hotels.

The previous owners of the Station Hotel were unable to make it pay, even though they provided fast foods and alcoholic drinks.

We trust common sense will prevail and that the licence for alcoholic drinks will be refused.

Yours sincerely

Shen Charles Milner

Mr.J.C.Milner