LICENSING ACT SUB-COMMITTEE AGENDA



Friday, 8 April 2011 at 10.00 a.m.

in Committee Room B, Civic Centre, Hartlepool

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Hall (Chair), Barclay and Sutheran.

- 1. APOLOGIES FOR ABSENCE
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS
- 3. ITEMS FOR DECISION
 - 3.1 Application For A New Premises Licence 234 Ow ton Manor Lane, Hartlepool – Assistant Director (Regeneration and Planning)

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

Report of: Assistant Director, Regeneration & Planning

Subject: APPLICATION FOR A NEW PREMISES LICENCE -

234 OWTON MANOR LANE, HARTLEPOOL

1. PURPOSE OF REPORT

1.1 To consider an application for a new Premises Licence in respect of 234 Owton Manor Lane, Hartlepool.

2. SUMMARY OF APPLICATION

2.1 Applicant: Mrs Dorothy Ann Atkinson

Premises: 234 Owton Manor Lane

Hartlepool TS25 3QD

- 2.2 The application is for the following activities:
 - 1. Supply of Alcohol (Off Sales) Monday Sunday 11:00 to 22:00

A copy of the application is attached as Appendix 1.

3. BACKGROUND

- 3.1 The application has been advertised in the prescribed manner and two representations have been received from Interested Parties, copies of which are attached as Appendices 2 and 3.
- 3.2 The representations received refer to crime and disorder, (anti-social behaviour), public nuisance (late night disturbance) and protection of children from harm.
- 3.3 Following receipt of the above representations, and in compliance with statutory requirements, a Notice of Hearing has been sent to the applicant and the Interested Parties.

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 The applicant has agreed to a number of conditions that will be attached to the licence, should it be granted. These include the provision of a CCTV system and the adoption of policies and procedures to prevent the sale of alcohol to children.
- 4.3 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
- 4.4 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 ham
- 4.5 Members are reminded that they must only consider those aspects of the licence application that are relevant to the representations received.

5. RECOMMENDATIONS

5.1 That members consider the representations made by the applicant and Interested Parties and determine 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 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.

you You	r answers are inside the boxes and written or typed in bla n may wish to keep a copy of the completed form for your	records	Jse additional sheets if necessary.
the	apply for as premises licence (insert name(s) of applicant) Licensing Act 2003 for the premises described in Paking this application to you as the relevant licensing a Licensing Act 2003	rt 1 belo	ow (the premises) and I/we are
	t 1 - Premises details	day	(4) (1)
	estal address of premises or, if none, ordnance surve	y map r	eference or description
	diff. Statement		
	Post Town HARTLAPOOL	てちる	Post Code ろ る ゆ つ
Te	elephone number at premises (if any)		01429 286066
No	on-domestic rateable value of premises		£ 3250 -
			£2750
Pa	rt 2 - Applicant Details		Marchine Report
Ple	ase state whether you are applying for a premises li	icence a	
a)	an individual or individuals *	Ø	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 comp	lete section (B)	
d)	a charity		please comp	lete section (B)	
∋)	the proprietor of an educational establishment		please comp	lete section (B)	
)	a health service body] please complete section (E		
3)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital		please comp	lete section (B)	
1)	the chief officer of police of a police force in England and Wales		please comp	lete section (B)	
· If y	you are applying as a person described in (a) or (b	o) please	confirm:	Please tick yes	
	the premises for licensable activities; or I am making the application pursuant to a statutory function or a function discharged by virtue of Her I	Maiestv's	s prerogative		
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SECOND INDIVIDUAL APPLICANT (if applicable)

Miss

Mr

Mrs

Surname			First names			
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Description	of applicant (fo	r example, partn	nership, comp	any, uninco	rporated	l association etc.)
Telephone	number (if any)					,
E-mail addr	ress (optional)					

Ms

Other Title (for example, Rev)

Part 3 Operating Schedule

Vhen do you want the premises	licence to start?	Day Month Year
		Binner (VI)
f you wish the licence to be valid ou want it to end?	I only for a limited period	d, when do Day Month Year
Please give a general description	on of the premises (plea:	se read guidance note1)
	320	
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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 Schedules 1 and 2 to the Licensing Act 2003)

Pro	vision of regulated entertainment	Plea	ase 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)			
Pro	vision 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)			
Pro	vision of late night refreshment (if ticking yes, fill in box L)			
Sur	oply of alcohol (if ticking yes, fill in box M)			
In a	III 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	
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Sun			· · · · · · · · · · · · · · · · · · ·

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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	
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Late night refreshment Standard days and timings (please read		and	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
	guidance note 6)		product flower road guidance note 2)	Outdoors	
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Fri			Non standard timings. Where you intend to under the provision of late night refreshment at those listed in the column on the left, please	different times	s, to
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Sun				na// na	

Supply of alcohol Standard days and		nd	Will the supply of alcohol be for consumption (Please tick box) (please read	On the premises	
timings (please read guidance note 6)			guidance note 7)	Off the premises	×
Day	Start	Finish	claim 2	Both	
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Thur	Man	10pm	Non standard timings. Where you intend to use for the supply of alcohol at different times to	those listed i	n the
Fri	Mam	10an	column on the left, please list (please read gu	idance note 5)	
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Sun	Mam	10 pm			

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

Name DOROTHY ANN	ATKINSON	
Address 32 MACRAE RD Hartlepool		
Postcode TS25 3RD	q	
Personal Licence number (if known)	Application	PENDING.
Issuing licensing authority (if known)	HARTLEPO	∞L

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)

Mone just the sale of Alcohol. Seared bottles of ting.

Hours premises are open to the public Standard days and timings (please read guidance note 6)		olic ind read	State any seasonal variations (please read guidance note
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	8 am	10 pm	
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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)

Ask for photograpic Evidence If in Doubt Don't sen accomor to anyone who you think are purchasing to supply anyone acready under face. Do not supply anyone acready under the Influence of Deink. Keep A Book of Refusal of Sale. C C TV IN OPERATON ALWAYS. KEEP SHOP FLOOR CLEAR OF OBSTRUCTION and SPILLIAGES.

b) The prevention of crime and disorder

ANYONE WHO ATTERNOTS TO PUTCHASE ALCOHOL WHO LOOK UNDER THE AGE OF 21 ASK FOR PROOF OF AGE SUCH AS PAS VALID PASSPORT FULL PHOTO DRIVING LICENCE OR PHOTO ID CARD. IF IN DOWBT REFUSE SALE

c) Public safety

Always have cety camera operating At Au times, make sure au strooms ARE FREE OF HAZARD IE SLIPPY FLOORS, NO OBSTRUCTIONS

d) The prevention of public nuisance

to only sell Alcohol to responsable adults and do not serve anyone who is un cher the influence of Alcohol.

e) The protection of children from harm

If in cloubt of Persons AGE ALWAYS
ASK FOR ACCEPTABLE ID is full DRIVING
Licence with photo, Valid Passport, I'd cord
with Photograph. If known Adult is buying drink
for CHILDREN REFUSE TO SERVE.

			1.	Please tick	ves
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STANDARD SC FALSE STATEM	ALE, UNDER SE MENT IN OR IN C	I CONVICTION TO A ECTION 158 OF THE CONNECTION WITH	LICENSING ACT THIS APPLICATION	2003 TO MAKE A	
Part 4 - Signatu	res (please rea	ad guidance note 10)			
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Date	15 Feb	W .	A STATE OF VIEW	analianm .	
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For joint application authorised ageing please state in visual state in visual state.	nt. (please read	e of 2nd applicant or guidance note 12). I	2 nd applicant's so f signing on beha	licitor or other If of the applicant	t
Signature					
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Telephone num	ber (if anv)		1.00000		
		spond with you by	e-mail your e-mail	address (optiona	I)

Notes for Guidance

- 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.
- 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 summer months.
- 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
- 9. Please list here steps you will take to promote all four licensing objectives together.
- 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

3.1 Appendix 2

2 2 FEB 2011

19.2.11

Dear likering team.

sonna Hotham.

43 Kurbrace Road.

Hockleson Cleveland 1525 3NR.

In resease to the yellow notice

giving notice of 234 owten Monor lone seeking Remission to seu alcohol, I mish to express my upmost opposition.

There are already 3 licenced liquour

outlets on the precinct, more than enough, no need for more. I trough object egain another that

oftening late, telling alcohol.

The area of Moss has Remarky Seen alot of antisocial behaviour , can & strongly head that a discussion

to offer a fourth licence nould only enlance the Problem again.

which cut back left, right and centre who is Doing to force it. Topo isumovitor ingerade gentral a agric waste p Feel intimidated to buy for inderage worth carride.

I abolishely an totally against the whole idea,

and need be meling to it's in alreant and voice my objection belong the

may istrate because the inforcement poster don't leave near the oned,

so really be seeing the alternath, or even have to Pull which the Consequences.

Afternoon was now to make a living, but wire make more searly! The hell. Please ring or write to myself for more objection.

P. TO.

Atkinson catter for the youngstern, Letting Selling Sweets and knings to intise youngsters in.

was originally a bordware stone.

MR. HOTHAM

1750 NTGD MANDE LANE

HARTLEPOOL

7525 SOF

DEAL SIR.

ATKINSON HAVE APPLIED FOR A BEEL WEEDCE. I AM ACAIDST THE AS THERE ATHER SHAP SELLING NINES SPIRITS. BEER, I HAVE ACCROSS THE ROAD FROM THIS SHOP WE DON'T WANT ANOTHER ONE, THE KIDS BUY HAMBRISKO. WE ARE PESTORED WITH KIDS, DOING DROGS BOOZING. AND SEX. WE ARE SICK OF THIS, WE DON'T WANT ANOTHER SHOP.

SELLING BEER. I AM AGANTS THIS

MR W Hothan