

LICENSING ACT SUB-COMMITTEE AGENDA



Friday 14th July 2006

at 10.00 am

in Committee Room B

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors R Cook, Griffin and Dr Morris

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. ITEMS FOR DECISION**
 - 3.1 Review of Premises Licence – Kullar News, 122 West View Road, Hartlepool
– *Head of Public Protection and Housing*

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: Head of Public Protection and Housing

Subject: REVIEW OF PREMISES LICENCE – KULLAR
NEWS, 122 WEST VIEW ROAD, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To provide Members with additional information concerning an application for the Review of a Premises Licence in respect of Kullar News, 122 West View Road, Hartlepool.

2. BACKGROUND

- 2.1 On 14th June 2006 a hearing to consider an application for review of the above premises was opened and adjourned following the disclosure of additional information from Cleveland Police and the licence holder. This information is attached as Appendices I and II.

3. CONSIDERATION OF ISSUES

- 3.1 An application for review of a licence is made under Section 51 of the Licensing Act 2003.
- 3.2 The application must also relate to at least one of the Act's 'licensing objectives'. These are: -
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm
- 3.3 Following consideration of the application, relevant representations and any comments of the licence holder, Members may take such steps as they consider necessary for the promotion of the licensing objectives.
- 3.4 The steps are: -
- To take no action;
 - To modify the conditions on the licence (this may include altering or omitting an existing condition or adding a new condition);
 - To exclude a licensable activity from the scope of the licence;
 - To remove the Designated Premises Supervisor;

- To suspend the licence for a period not exceeding three months;
- To revoke the licence.

4. RECOMMENDATIONS

- 4.1 That Members consider the representations made by the applicant, responsible authorities and licence holder and determine what action, if any, should be taken.

GREEN, Anthony (P0442)

From: GREY, Lee (C7598)
Sent: 20 June 2006 13:25
To: GREY, Lee (C7598)
Cc: GREEN, Anthony (P0442)
Subject: RE: KULLARS STORE, WEST VIEW ROAD.

it has been stated as below that the shopkeepers children know a lot of the local youths and a youth test purchaser would stand out to them if they were unknown and not local therefore alcohol sale could be refused. i have heard this information myself from members of public.

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

From: GREY, Lee (C7598)
Sent: 19 June 2006 15:31
To: GREEN, Anthony (P0442)
Cc: GREY, Lee (C7598)
Subject: KULLARS STORE, WEST VIEW ROAD.

today i spoke to pcso 7749 smith of cleveland police in regard to kullars store, west view road. she informed me, that during a heronspool close residents association meeting held in april 2006 some residents raised concerns regarding local youths drinking alcohol in and around heortnesse road, old cemetary road. spion kop headland these residents stated that alcohol drinks were being purchased from kullars store on west view road by school age youths, it was pointed out when talks were commenced on how to stop this problem that test purchasers would be likely to fail as the shopkeepers knew who the local youths were and would only sell to them. also it was stated that kids in the shop knew the local school children and if anyone underage and unknown to them tried to purchase alcohol from the store they would be refused sale. it was also mentioned that many more youths congregated at the rear of the store and the youths that could get served would buy for them. the residents stated that they see youths they know to be 16 year olds coming out of the shop with carrier bags full then going to the back of the shop and distributing bottles of lambrini type perry and white cider to younger kids. also distributed was cans of fosters lager.

Kids have to be known!

Prevention Crime
- - - Public Nuisance
- - - Children from Harm



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Cleveland Police NAMES V1.19 --

28/03/2006 INTELLIGENCE REPORT TEXT 8 of 38

A11 ISR/216886/06

27/03/06 AT 1940HRS ON OLD CEM RD HI VIS FOOT PATROL CAME ACROSS A GROUP
OF YOUTHS IN THE FAR SHED ON THE RIGHT HAND SIDE OF THE OLD BRITMAG SHEDS
MOST OF THE YOUTHS STARBURST ON MY ARRIVAL TWO FEMALES WERE LEFT IN THE
SHED - [REDACTED] WAS BEING HELD BY [REDACTED]
[REDACTED] WAS SO DRUNK SHE COULD NOT WALK OR TALK
AND HAD HER EYES CLOSED .AMBULANCE REQUESTED AND JAMIE LAID ON HER SIDE
IN RECOVERY POSITION AT WHICH POINT SHE STARTED VOMITING , TWO OTHER
FEMALES CAME OVER TO THE SHED AT [REDACTED] &
[REDACTED] AND TOLD ME THEY HAD COME OVER
TO SEE IF JAMIE WAS OK AS SHE HAD BEEN SEEN DRINKING TWO LITRES OF

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Query by example

Cleveland Police NAMES V1.19 --

17/03/2006 INTELLIGENCE REPORT TEXT 13 of 38

A11 ISR/214469/06

ON 17/03/2006 AT 2030HRS I WAS TAKING DETAILS OF YOUTHS FOR UNDERAGE DRINKING AT THE ABOVE LOCATION. IN THE TIME IT TOOK TO TAKE 6 SETS OF DETAILS, A LARGE GROUP OF APPROXIMATELY 30 YOUTHS HAD GATHERED JUST OUTSIDE OF THE SITE ON OLD CEMETERY ROAD, SOME OF WHOM WERE IN POSSESSION OF ALCOHOL. ON SIGHTING MY PRESENCE, THE GROUP IMMEDIATELY DISPERSED. FUTURE ATTENTION REQUIRED WHERE POSSIBLE.

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From: Lindsey.Sharp@hartlepool.gov.uk [mailto:Lindsey.Sharp@hartlepool.gov.uk]
Sent: 20 June 2006 13:18
To: GREEN, Anthony (P0442)
Subject: Re: Kullars

*

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Sgt Green,

I attended a multi agency meeting on the Central Estate in February 2006 relating to problems and incidents in the area of Spine Kop. One item on the agenda was 'antisocial behaviour'. Several residents, who are actively involved in their neighbourhood, and were at the meeting but wish to remain anonymous for fear of reprisal, stated that the shop on the corner of Heortness Road and West View Road - Kullars, was selling alcohol to minors. It was suggested at the meeting that a possible test purchase operation was initiated, but the residents said that the workers in the shop would only sell to youngsters they knew and so an operation of this kind would not be successful.

Lindsey Sharp

Lindsey Sharp
Community Safety Assistant
West View Police Office
Hartlepool Borough Council
www.hartlepool.gov.uk www.saferhartlepool.co.uk
Tel: 01429 232509

HALLIDAY, David (P0778)

From: GREEN, Anthony (P0442) **Sent:** Mon 19/06/2006 09:48
To: HALLIDAY, David (P0778)
Cc:
Subject: FW: Kullars News
Attachments:

Dave

Add this one please to the Kullar News pile.

TG

From: GREY, Lee (C7598)
Sent: 18 June 2006 15:52
To: GREEN, Anthony (P0442)
Cc: GREY, Lee (C7598)
Subject: RE: Kullars News

tony, unfortunately i have not been able to get in touch with the lio office to find out about the 12 months il,s and cannot off hand remember when and what was put in. The majority of local residents i speak to and [redacted] Kullars shop is the main supplier of alcohol to under 18s although some people believe [redacted] there seems to be nothing evidential from these residents other than the design of carrier bag being specified in many cases. from my experience during my day to day patrols [redacted] around the [redacted] on Friday nights (without alcohol) [redacted] are seen walk [redacted] [redacted] shop has had the test purchase operation and been stopped from [redacted] the hang around the [redacted] have been informed by work colleagues who know the local youths from this area have seen these youths recently travelling away from my area and over to king oswy and clavering [seen regularly hanging around the king oswy shops asking members of public to buy alcohol for them] it seems there is now no alcohol available for them in my area. please contact me if you need to discuss anything further tony, thanks pcs0 7598 grey.

-----Original Message-----
From: BELL, Helen (P1168)
Sent: 16 June 2006 18:09
To: MARLEY, Valerie (P0948); GREY, Lee (C7598)
Subject: FW: Kullars News

Val/Lee,

Over the weekend will you have look at the history of Kullars. Tony Green needs as much information as possible - by Monday at the latest.

GREEN, Anthony (P0442)

From: BELL, Helen (P1168)
Sent: 19 June 2006 15:48
To: GREEN, Anthony (P0442)
Subject: RE: Kullars News

Tony

The issue of Kullars News selling alcohol to kids/selling to adults for kids is a huge problem for northside NPT. Since taking up this post in January 2006 I have personally received a large number of complaints from local people. I have attended a number of meetings at 2 Otterpool Close (Tenancy Management Office) where residents from the Central Estate have complained about the effects on the local community. It has been apparent to residents that kids are getting alcohol from this establishment -either buying it for themselves or getting adults to buy for them. They drink it - cause a great deal of ASB and leave bottles etc in the residential streets. On occasions there has been incidents of egg throwing at local residents properties

This issue is also linked to the problems we are having with the Spion Kop/Britmag area - which you know has been a POP for sometime. The youths are using the site to drink the alcohol which is not only a problem for officers trying to deal but also a huge safety issue for them. Only a few months ago - PCSO's were patrolling the Spion Kop area and came across an unconscious 15 yr old female - who has clearly been drinking. A gang of youths made off and an ambulance was called. This female lived in the Whin Meadows area and had probably made her way to this area for drink from this shop.

There are ongoing meetings taking place to resolve the spion kop issues and at every meeting there is a mention of this shop selling to local youths.

Lyndsey Sharp has worked at West View Office for a number of years and has taken a large number of complaints in relation to this - I have asked her to email you today.

Hope that helps.

Helen

-----Original Message-----
From: GREEN, Anthony (P0442)
Sent: 16 June 2006 17:10
To: BELL, Helen (P1168)
Subject: Kullars News

Helen

Please try and provide as much as you can re IL's, emails, dates of residents meetings, anything and everything which you think is relevant, inc PCSO's.

Tony

19/06/2006

GREEN, Anthony (P0442)

From: Lindsey.Sharp@hartlepool.gov.uk
Sent: 19 June 2006 14:58
To: GREEN, Anthony (P0442)
Subject: Kullars shop

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Sgt Green,

Since working in the West View Police Office (for over 6 years) I have received numerous calls regarding the shop on West View Road and corner of Heortness Road- Kullars. Most of the calls have come from local residents concerned at children and youths purchasing alcohol from this location.

Several have stated they have seen youngsters coming out of the shop with bags and armfuls of alcohol. I have submitted many Intelligence logs over the years relating to this information.

For your information and attention.

Lindsey

Lindsey Sharp
Community Safety Assistant
West View Police Office
Hartlepool Borough Council
www.hartlepool.gov.uk www.saferhartlepool.co.uk
Tel: 01429 232509

19/06/2006

GREEN, Anthony (P0442)

From: MARLEY, Valerie (P0948)
Sent: 16 June 2006 13:59
To: GREEN, Anthony (P0442)
Subject: RE KULLARS NEWSAGENTS

SGT GREEN,

I HAVE BEEN A COMMUNITY POLICE OFFICER FOR THE CENTRAL ESTATE AND HEADLAND AREA FOR THE [REDACTED] YEARS. DURING THIS TIME I HAVE BEEN MADE AWARE BY VARIOUS SOURCES INCLUDING LOCAL YOUTHS RESIDENTS AND OTHER MEMBERS OF THE COMMUNITY THAT KULLARS ARE SERVED WITH ALCOHOL.

THERE HAS BEEN INFORMATION GIVEN TO ME THAT ON ONE OCCASSION A YOUTH ACTUALLY [REDACTED] WAS SERVED WITH ALCOHOL.

IT IS COMMON KNOWLEDGE IN THE AREA THAT KULLARS ARE THE MAIN SOURCES OF ALCOHOL FOR LOCAL YOUTHS FROM CENTRAL AND HEADLAND, AND IN FACT THEY HAVE BEEN TRAVELLING FROM ALL AREAS IN THE TOWN IN ORDER TO HAVE "PARTIES" IN THE NEARBY BRITMAG SHEDS. THIS HAS RESULTED IN INCREASES OF DRUNKEN BEHAVIOUR/DISORDER IN THIS AREA SO MUCH SO A [REDACTED] SOME MONTHS AGO, DUE TO THE GRAVE CONCERNS FROM RESIDENTS.

I HAVE OBSERVED MYSELF AT TIMES IN EXCESS [REDACTED]

ON THE OCCASSIONS ALCOHOL HAS BEEN CONFISCATED FROM YOUTHS IN AND AROUND THE AREA. [REDACTED] KULLARS.

I HAVE SEVERAL OFFLICENCE PREMISES ON MY AREA, BUT I DO STRONGLY BELIEVE [REDACTED] HAVE BEEN THE MAIN SOURCES OF ALCOHOL TO UNDER 18'S, AND IF ALLOWED TO CONTINUE WILL NO DOUBT CAUSE FURTHER DISORDER/DRUNKEN ROWDY BEHAVIOUR FOR LOCAL RESIDENTS TO ENDURE

FOR YOUR INFO

PC VAL MARLEY

*Collected by
Intelligence*

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Query by example

Cleveland Police NAMES V1.19 --

02/10/2005 INTELLIGENCE REPORT TEXT 54 of 82

B24 ISR/174563/05

VERY CONCERNED PARENT STATING THAT THE PAST 2 WEEKS HER YOUNG SON HAS
COME HOME DRUNK AND STATES THE ALCOHOL WAS BOUGHT AT KULLARS IN WEST
VIEW ROAD BY AN UNDERAGE YOUTH. DESPITE THE RECENT LICENSING OPERATION
IT WOULD APPEAR THAT THEY ARE STILL BLATANTLY SELLING TO UNDER 18S. IL
FOR INFO OF PC 368 HANSON.

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Query by example

Cleveland Police NAMES V1.19 --

03/11/2005 INTELLIGENCE REPORT TEXT 44 of 82

B21 ISR/182661/2005
KULLARS, WEST VIEW ROAD
WHILST ATTENDING A NORTH
NEIGHBOURHOOD FORUM ON 2/11/5, INFO RECIEVED THAT KULLARS GENERAL DEALERS
WERE STILL SELLING ALCOHOL TO YOUNG PEOPLE. INFO FOR LICENCING OFFICER PC
HANSON AND PC WATSON ASBO UNIT.

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Query by example

----- Cleveland Police NAMES V1.19 -----

13/02/2006 INTELLIGENCE REPORT TEXT 2 of 2

A11 ISR/206660/06

AROUND 6PM,FRI 10/02/06 A LARGE GROUP OF YOUTHS WERE
CONGREGATING OUTSIDE AND INSIDE OF KULLARS OFFLICENCE,AS IF READY FOR A
"PARTY". LATER THAT EVENING AROUND 20 TO 30 YOUTHS WERE DRINKING BEING
ABUSIVE SHIELDS TERRACE,CENTRAL FIELDS.THIS HAS OCCURRED OVER THE PAST
TWO FRIDAYS AND THE RESIDENTS ARE CONCERNED THIS WILL BECOME A REGULAR
MEETING PLACE FOR DRUNKEN YOUTHS. IL FOR EXTRA PATROLS.

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Cleveland Police NAMES V1.19 --

18/03/2006 INTELLIGENCE REPORT TEXT 14 of 38

A11 ISR/214465/06

AT 2030HRS ON 17/03/2006 WHILE PATROLLING OLD CEMETERY ROAD I APPROACHED
A GROUP OF YOUTHS. THE ABOVE NAMED MALE THEN MADE OFF FROM ME CARRYING A
LITRE BOTTLE OF WHITE STAR CIDER IN THE DIRECTION OF CENTRAL FIELD
TOWARDS THE CENTRAL ESTATE

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Cleveland Police NAMES V1.19 --

25/03/2006 INTELLIGENCE REPORT TEXT 1 of 3

B21 ISR/216175/06
 AROUND 5:30 PM FRIDAY 24/03/06 A MEMBER OF THE PUBLIC WAS
 MARKED OUTSIDE OF
 KULLARS STORE, WEST VIEW ROAD. HE STATED HE SAW 2 MALE
 YOUTHS AGED ABOUT 15
 YEARS GO INTO THE SHOP AND THEN COME OUT WITH CARRIER BAGS
 CONTAINING
 WINE. HE DID NOT ACTUALLY SEE THE TRANSACTION AND CANT
 VERIFY THE AGE OF
 THE MALES, BUT SAID THEY DID NOT LOOK 18. A GROUP OF THEM
 THEN MADE THEIR
 WAY UP HOERTNESS ROAD. THE MALE GAVE POLICE AT WEST VIEW
 HIS DETAILS AND
 SAID HE WOULD GIVE A STATEMENT IF NEEDED. IL FOR
 LICENSING/ASBO.

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One month before the court appearance!

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Cleveland Police NAMES V1.19 --

30/01/2006 INTELLIGENCE REPORT TEXT 4 of 10

A11 ISR/203759/2006
INFO RECEIVED THAT GANGS OF YOUTHS ARE GATHERING ON SHIELDS TERRACE AND
DRINKING CAUSING ANNOYANCE - IT IS STATED THEY ARE OBTAINING ALCOHOL
FROM THE SHOP ON THE CORDER OF HEORTNESSE ROAD, WEST VIEW ROAD. SOME
OF THE YOUTHS ARE THEN GOING UP INTO SHEDS ON THE OLD STEETLY SITE OFF
OLD CEMETERY ROAD. IT IS KNOWN THAT THIS AREA IS PARTICULARLY DANGEROUS
DUE TO EXPOSED PITS OLD STRUCTURES ETC. CARS ARE REPORTED RACING HERE
EARLY HOURS. NORTH CPT
FROM 1730 HOURS

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Query by example

----- Cleveland Police NAMES V1.19 --

05/03/2006 INTELLIGENCE REPORT TEXT 27 of 82

B21 ISR/211310/06

INFO THAT A YOUTH CALLED ██████████ IS BUYING ALCOHOL FOR OTHER YOUTHS IN THE
AREA FROM KULLARS ON WEST VIEW ROAD. INFORMANTS DAUGHTER 15 YRS, CAME HOME
DRUNK ONE NIGHT, HAVING HAD ALCOHOL BOUGHT FOR HER BY THIS MALE. FRIDAY
NIGHTS BETWEEN 5PM AND 8PM ARE THE PEAK TIMES. IL FOR INFO OF
LICENSING/ASB UNIT.

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Query by example

Cleveland Police NAMES V1.19 --

18/02/2006 INTELLIGENCE REPORT TEXT 29 of 82

OFFICER- [REDACTED] WHO INFORMED ME THAT HE HAD CONCERNS
WITH THE KULLARS SHOP ON WEST VIEW RD SELLING ALCHOHOL TO MINORS,
LICENSING

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Query by example

----- Cleveland Police NAMES V1.19 -----

02/09/2005 INTELLIGENCE REPORT TEXT 5 of 6

A11 ISR/168263/05

WHILST OUT ON FOOT PATROL ON 02/09/2005 AT 1920HRS I
CAME ACROSS A GROUP OF YOUTHS SAT ON THE WALL AT THE END OF HEORTNESSE RD
THEY WERE UNDERAGE AND HAD ALCHOHOL I WAS IN THE PROCESS OF TAKING THE
BOTTLES OF LAMBRINI OFF THEM WHEN A YOUNG MALE APPROX 15/16YRS OF AGE
WEARING A GREY COLOURED SPORTS TOP AND DARK TRACKSUIT BOTTOMS CAME AROUND
THE CORNER FROM OLD CEMETERY RD AREA SHOUTING HE IS ONLY A WARDEN HE CANT
TAKE THAT OFF YOU AS I WAS TAKING A BOTTLE OFF ONE OF THE GROUP HE PUSHED
THROUGH THE GROUP AND SNATCHED THE BOTTLE OUT OF MY HAND I PULLED THE
BOTTLE BACK FROM HIS GRASP AT WHICH POINT HE BECAME ABUSIVE AND
AGGRESSIVE THEN MADE OFF WHEN I ATTEMPTED TO TAKE HIS DETAILS TOWARDS

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Cleveland Police NAMES V1.19 -

11/07/2005 INTELLIGENCE REPORT TEXT 3 of 3 |
A11 ISR/155753/2005
KULLARS, WEST VIEW ROAD
ON THE AFTERNOON OF SUN
[REDACTED] QUANTITY OF CHEAP WINE WAS SEIZED FROM A GROUP OF
[REDACTED]
[REDACTED] THE STATEMENT WAS PURCHASED AT
[REDACTED] ASKED
AN ADULT TO BUY IT FOR THEM. KULLARS WAS VISITED AND THEY
CLAIMED IT WAS
SOLD TO AN ADULT. THEY WERE ADVISED OF THE LAWS
REGARDING THE SALE OF
ALCOHOL AND REMINDED TO BE "VIGILANT" WHEN SELLING THE
CHEAP WINE. IL FOR
DLU.
PAUL HANSON, CENTRAL, SHELLY

F3-Exit	F9-Nominals List	F11-Vehicles List
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Re Kullar News. Details of our case.

Details

1. Our procedures have been reviewed and re-enforced since September to ensure that there cannot be a repetition of what we honestly believe was an unfortunate error of judgment, by Mrs Kullar, in her assessment of the age of the "covert testers" – or just possibly her level of attention at that particular time.
2. ID is now and will always be requested if there is even the very slightest doubt about the age of a customer. On the spot judgments will never again be made.
3. We are considering a policy that no alcohol will be served to under 21's at weekends to further protect our position and also to "maintain the tranquility" of the area. If the Committee considers that would be of help then we will do it. We may do it anyway. It IS allowed under the licensing Acts but is rarely used.
4. Both Mr and Mrs Kullar have undertaken the certification course and should have been, and were, totally aware of the requirements. We believe that they were normally vigilant, as required, but may have been lacking in judgment, or unusually lax, on this occasion. We accept that that was a serious error for which we can only apologize. IT WILL NOT happen again and did not normally happen. Vigilance will in future be very severe even if that results in alienation of legitimate customers. It has already!
5. We fully expected, and would fully support, further "covert testing" and have significant reason to believe that further "covert testers" were actually sent to the premises in April. If we are right then it will be totally clear that further transgressions have not occurred. The papers so far presented to this Committee though include absolutely no indication of whether or not further "covert testing" has taken place. We consider this may be an important omission which is simply not in the interests of justice – either way. We would therefore request that Trading Standards and Cleveland Police now confirm to the Committee whether or not such further tests have occurred and the results if they have. We would respectfully remind them of the Freedom of Information Act before they reply.
6. We will be calling Mr Kullar the father and Mr Kullar the son to testify to the above and to their apparently well-founded suspicion that further "covert tests" have occurred. You should note that their English is not good. Mrs Harvinder Kaur, a totally fluent English speaker, will, for the Committee's benefit, be willing to translate from the native Punjabi but since she is currently the licensee, and DPS, and has a serious interest in this matter you may prefer to have your own interpreter. We fully understand that. Nothing would be served by doubts over interpretation.
7. We would have welcomed an approach by Cleveland Police or Hartlepool Trading Standards, even the S&RU, to inform us that there was an apparent problem and to provide advice and support but that never happened. "covert testing" followed by prosecution and potential revocation of the licence looks to be the only action they consider.
8. Our intention was to ALWAYS act in accordance with the law and protection of the community. We had absolutely no deliberate intention of breaching the law. Any breach really WAS a mistake. We WOULD have taken serious notice of ANY expression of concern prior to the testing (or since). We were not given that opportunity.
9. We absolutely support the principle that alcohol should not be available to minors (although your S&R unit seems to believe that "minors" should also be refused) and we sincerely regret that any mistakes were made. They will not be repeated even if this

offends "of age" people who look younger than their actual age – which the policy already has. The simple fact of life is that some young people look and act much older than their years and others much younger. Judgments can be wrong and we fully accept that this particular judgment WAS wrong and should not have been made. A simple question on age and/or a request for ID was the correct action.

10. If the license for these premises IS revoked then the business will be likely to become unviable and WILL sadly have to totally close. We will be calling 2 local residents – (yet to be named since at least 4 have volunteered) – as representative witnesses to detail, in their own words, what it would mean to them if the business closed. We promise that they will NOT be coached.

11. We totally refute the written accusation by Cleveland Police, via PC Anthony Green, PO442, that we were "putting profit before public tranquility....". We would remind him that the Kullars live in this very area. THEY have a serious invested interest in "public tranquility" in the area of their own domicile. We can only think that PC Green's obvious enthusiasm for resolving community issues has, with no doubt good intention, far exceeded his level of proof. That is he cannot possibly have proof that we put profit before all else because it simply isn't true and should not therefore have been said. We suggest that it may be helpful if PC Green is available as a witness.

12. We are also surprised at the response of your Safeguard and Review Unit. It appears to be a simple standard philosophical stance that licenses should ALWAYS be revoked if a mistake is made and proven. It nowhere indicates that the circumstances of this particular case have been given any responsible, indeed any, examination. It seriously appears to us that their "recommendation" is always going to be one of revocation whatever and wherever.

We therefore also suggest that the head of S&RU is available as a witness together with any nominated case officer – if any. Some serious questions may need to be satisfactorily answered if their recommendation of "revocation" is to be fairly considered by this Committee. That most certainly is NOT to say that we believe that alcohol should be supplied to under-age children. We don't, and on that matter totally agree with S&RU. We DO though expect at least some respectful consideration of our case by officials before they make recommendations which, if accepted, would have serious effects on the business and livelihoods. We do not seem to have received that but are prepared to "stand corrected" if we are wrong.

13. The Kullars have already paid dearly for their mistake and are well aware that it must never be repeated. If the license is revoked they will also lose their income. That appears to be almost "double jeopardy".

14. We would respectfully request that the Committee accepts our honest apology for this unfortunate lapse, and to recognize our total commitment to uphold the law, and hence reaches a decision which allows this business to continue without further problem. That is we request that you DO NOT revoke this license.

15. Finally we invite, openly and publicly, Hartlepool Trading Standards and Cleveland Police to conduct as many "covert tests" as they wish from hereon in. If they find any deviation from the law then we will very happily admit the fault and close the business!! But that simply wouldn't be necessary. There will be no further breaches!!

Thank you for your time and attention.