

LICENSING ACT SUB-COMMITTEE AGENDA



Friday 21 October 2011

at 10.00 am

in Committee Room C, Civic Centre, Hartlepool

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Fleet, Hall 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 – 3 Brus Corner, Hartlepool –
Assistant Director, Regeneration and Planning

Report of: Assistant Director, Regeneration & Planning

Subject: APPLICATION FOR A NEW PREMISES LICENCE -
3 BRUS CORNER, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for a new Premises Licence in respect of 3 Brus Corner, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Applicant: Mr Mandeep Singh Dhindsa

Premises: 3 Brus Corner
Hartlepool
TS24 9LA

- 2.2 The application is for the following activities:

1. Supply of Alcohol Monday – Sunday 09:00 to 21:00

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

3. BACKGROUND

- 3.1 The application has been advertised in the prescribed manner and representations have been received from one interested party (**Appendix 2**) and via a 131 signature petition (**Appendix 3**). It is understood that the interested party, a local shopkeeper, arranged the petition.
- 3.2 The representation from the interested party refers to all of the four licensing objectives - namely crime and disorder, public safety, public nuisance and the protection of children from harm, whilst the petition refers to a potential anti-social behaviour.
- 3.3 Following receipt of the above representations, and in compliance with statutory requirements, a Notice of Hearing has been sent to the applicant, the interested party and to the 48 persons who could be identified from the petition.
- 3.4 The remaining 83 persons named on the petition were not contactable due to their details being incomplete, illegible or there being insufficient address details.

- 3.5 Members are advised that the applicant has agreed to a number of conditions being attached to the licence, should it be granted, following recommendations made by Cleveland Police and Hartlepool Borough Council's Trading Standards Team. These conditions relate to the provision of a CCTV system and a Challenge 21 policy.

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 being 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 harm
- 4.5 With specific regard to the representation made by the interested party, Members are reminded that the 'need' for another licensed premises, or the potential impact on the viability of a competing business, are not matters that should be taken into consideration.
- 4.6 Members may also wish to consider how much weight should be given to the petition bearing in mind that many of the signatories were unidentifiable or were clearly from people who did not live in the vicinity of the premises.
- 4.7 Members are reminded that they must only consider those aspects of the licence application that are relevant to the representations received and that relate to one or more of the above licensing objectives.

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.