

# **LICENSING ACT SUB-COMMITTEE AGENDA**



**8 October 2012**

**at 10.00 a.m.**

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

**MEMBERS: LICENSING ACT SUB-COMMITTEE:**

Councillors Ainslie, Fleet and A Lilley

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. ITEMS FOR DECISION**
  - 3.1** Application to Appoint an Individual as a Designated Premises Supervisor – The GLE Bar, Church Street Hartlepool - *Assistant Director, Regeneration and Planning*

**Report of:** Assistant Director, Regeneration & Planning

**Subject:** APPLICATION TO APPOINT AN INDIVIDUAL AS A  
DESIGNATED PREMISES SUPERVISOR – THE  
GLE BAR, CHURCH STREET, HARTLEPOOL

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**1. PURPOSE OF REPORT**

- 1.1 To consider an application to vary a premises licence to specify an individual as a designated premises supervisor (DPS).

**2. SUMMARY OF APPLICATIONS**

- 2.1 Applicant: Mr Michael Steven West
- Premises: The GLE Bar  
Church Street  
Hartlepool

**3. BACKGROUND**

- 3.1 As required by the Licensing Act 2003, a copy of the application was served on Cleveland Police. The Licensing Act states that where the chief officer of Police is satisfied that the exceptional circumstances of the case are such that granting the application(s) would undermine the crime prevention licensing objective he must give the Licensing Authority a Notice.
- 3.2 In this case Cleveland Police have given such Notice and therefore the Licensing Authority must hold a hearing to consider the objection and determine whether the application should be granted or refused. A copy of the Police's objection Notice is attached as Appendix I.

**4. ISSUES**

- 4.1 An application to vary the DPS into Mr West's name was submitted to the licensing authority on 28<sup>th</sup> August 2012 and, as such applications have immediate effect, Mr West has been acting in this capacity since that date.

- 4.2 A relevant objection Notice has been submitted by Cleveland Police within the prescribed time period. The Police Notice states that Mr West is currently on Police bail on allegations of criminal damage to property belonging to a neighbouring licensed premises. In addition to this, a relative, who is subject to a Drink Banning Order, was found to be working at these premises at a time when Mr West was acting as the manager.
- 4.3 A hearing must therefore be held for Members to consider the Notice unless the licensing authority, the applicant and Cleveland Police who gave the Notice, agree that a hearing is unnecessary. At the time of writing this report no such agreement had been reached.
- 4.4 Members must consider the facts detailed in this report and any other evidence presented and take one of the following steps for the promotion of the crime and disorder licensing objective:
  - i) Grant the application
  - ii) Refuse the application
- 4.5 Should Members decide to refuse the application then Mr West will be deemed to be no longer the DPS and responsibility will automatically revert back to the previous DPS.

## **5. RECOMMENDATIONS**

- 5.1 That Members consider the objection submitted by Cleveland Police and determine whether to grant or reject the application.

On behalf of Legal Services  
Marie Nevison

Your Ref:  
Our Ref: LICE/20/759/MN

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

29th August 2012

Dear Mr Harrison

**Re: Licensing Act 2003**  
**Application for Transfer of DPS to Michael Steven West**  
**G.L.E.E. Bar, 58 Church Street, Hartlepool TS24 7DX**

I refer to the above application to transfer the DPS from Raymond Joseph Fowler to Michael Steven West. On behalf of Cleveland Police, I give notice that the Chief Constable of Cleveland Police is satisfied that the exceptional circumstances of this case are such that granting the application will undermine the crime prevention objective. The brief reasons for this are as follows:

Michael West is currently on police bail on allegations of criminal damage to property belonging to a neighbouring DPS. It is unknown as yet whether Michael West is to be formally charged. In addition to this, a relative, who is on a Drinking Banning Order (DBO) was found to be working at the premises. The DBO prohibits the relative from entering Church Street area between the hours of 20.00 – 07.00 hours daily. Whilst working as manager at GLEE, West confirmed to officers that the relative was indeed working there.

I trust that the above information is sufficient to form the basis of police objections. In the event that this application is not withdrawn, further evidence will be provided by Cleveland Police.

Yours faithfully,  
Mr Ian Harrison  
Principal Licensing Officer  
Hartlepool Borough Council  
Bryan Hanson House  
Hanson Square  
Hartlepool