

LICENSING ACT SUB-COMMITTEE AGENDA



14 January 2013

at 10.00am

**in the Council Chamber,
Civic Centre, Hartlepool**

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Councillors Gibbon, Morris and Tempest

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 – 91 Elwick Road, 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 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 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, applicant/responsible bodies/interested parties to be given opportunity to sum up.
10. 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.
11. Members to go into closed session to deliberate.
12. Chair informs parties of their decision, with reasons.

Report of: Assistant Director, Regeneration & Planning

Subject: APPLICATION FOR A NEW PREMISES LICENCE,
91 ELWICK ROAD, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for a new premises licence in respect of 91 Elwick Road, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Applicant: Mr Vasanthi Kanapathippillai

Premises: 91 Elwick Road
Hartlepool
TS26 9AU

- 2.2 The applicant has applied for the following activities: -

Supply of Alcohol (Off Sales)

Monday to Sunday 09:00 – 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 a total of 74 individual representations have been received. These consist of three from local councillors (**Appendices 2-4**), one from Cleveland Police (**Appendix 5**), one from Burn Valley North Residents Association (**Appendix 6**) and 69 from local residents.
- 3.2 The objections from residents are attached as **Appendices 7-13**. Most of the objections submitted by residents were on one of two different pro forma letters which are attached as **Appendices 12 and 13**.
- 3.3 The representations from local councillors refer to concerns over a possible increase in crime, disorder and nuisance for those residents who live nearby.
- 3.4 Cleveland Police have stated that of the 48 incidents of crime reported during 2012 in the Elwick Road area, 21 (44%) of these were related to licensed premises and there is concern that an additional premises may lead to further

crime. The Police also refer, amongst other things, to the potential for underage sales activity in the area.

- 3.5 Burn Valley North Residents Association refers to, amongst other things, the fact that drug crime (including alcohol related) and anti social behaviour in the Burn Valley Ward are higher than average for Hartlepool and that an additional licence premises would have a negative impact on these issues.
- 3.6 The representations from residents collectively refer to the current high levels of crime and anti social behaviour in the area, the number of other licensed premises already in the vicinity and the previous noise nuisance and anti social behaviour experienced around this particular property.

4. **ISSUES**

- 4.1 As relevant representations have been received within the prescribed time period a hearing must be held for Members to consider the application.
- 4.2 The premises to which this application relates has recently operated as a beauty therapist and, for a short period, a fireworks retailer.
- 4.3 Members are advised that at the request of the Trading Standards Service the applicant has agreed to a number of conditions being added to the licence relating to the provision of a CCTV system and a Challenge 25 age verification policy.
- 4.4 Having regard to the representations received, Members may take any of the following steps for the promotion of the licensing objectives:
- i) To approve the application in its entirety
 - ii) To approve the application in part - with or without the addition of further conditions
 - iii) To reject the whole or part of the application
- 4.5 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
- 4.6 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 applicant and the objectors and determine what aspects, if any, of the application should be granted and, if appropriate, what conditions, if any, should be attached.

**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 in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

~~I/We~~ VARAN THANANAYAGIAM
(Insert name(s) of applicant)

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 none, ordnance survey map reference or description			
91 Elwick Road Hartlepool			
Post town	Hartlepool	Post code	TS269AU

Telephone number at premises (if any)	confidential		
Non-domestic rateable value of premises	£	4,150	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes



- a) an individual or individuals * 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 complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname VARAN			First names THANANAYAGAM		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
confidential					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? *A-S.A.P*

Day	Month	Year

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note1)

General Dealer's and off licence

S

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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)

Provision 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)

Provision 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)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all 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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 3)	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri					
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Wed			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Thur				
Fri				
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing	
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	09.00 Am	10.00 pm			
Tue	09.00	10.00			
Wed	09.00	10.00			
Thur	09.00	10.00			
Fri	09.00	10.00			
Sat	09.00	10.00			
Sun	09.00	10.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name	VASANTHY KANAPATHIPPILLAI
confidential	

N

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)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	09.00	10.00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p>
	Am	Pm	
Tue	09.00	10.00	
Wed	09.00	10.00	
Thur	09.00	10.00	
Fri	09.00	10.00	
Sat	09.00	10.00	
Sun	09.00	10.00	

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)

b) The prevention of crime and disorder

CCTV
—

c) Public safety

Display Boards warning
Notices
—

d) The prevention of public nuisance

Request to the Police
←

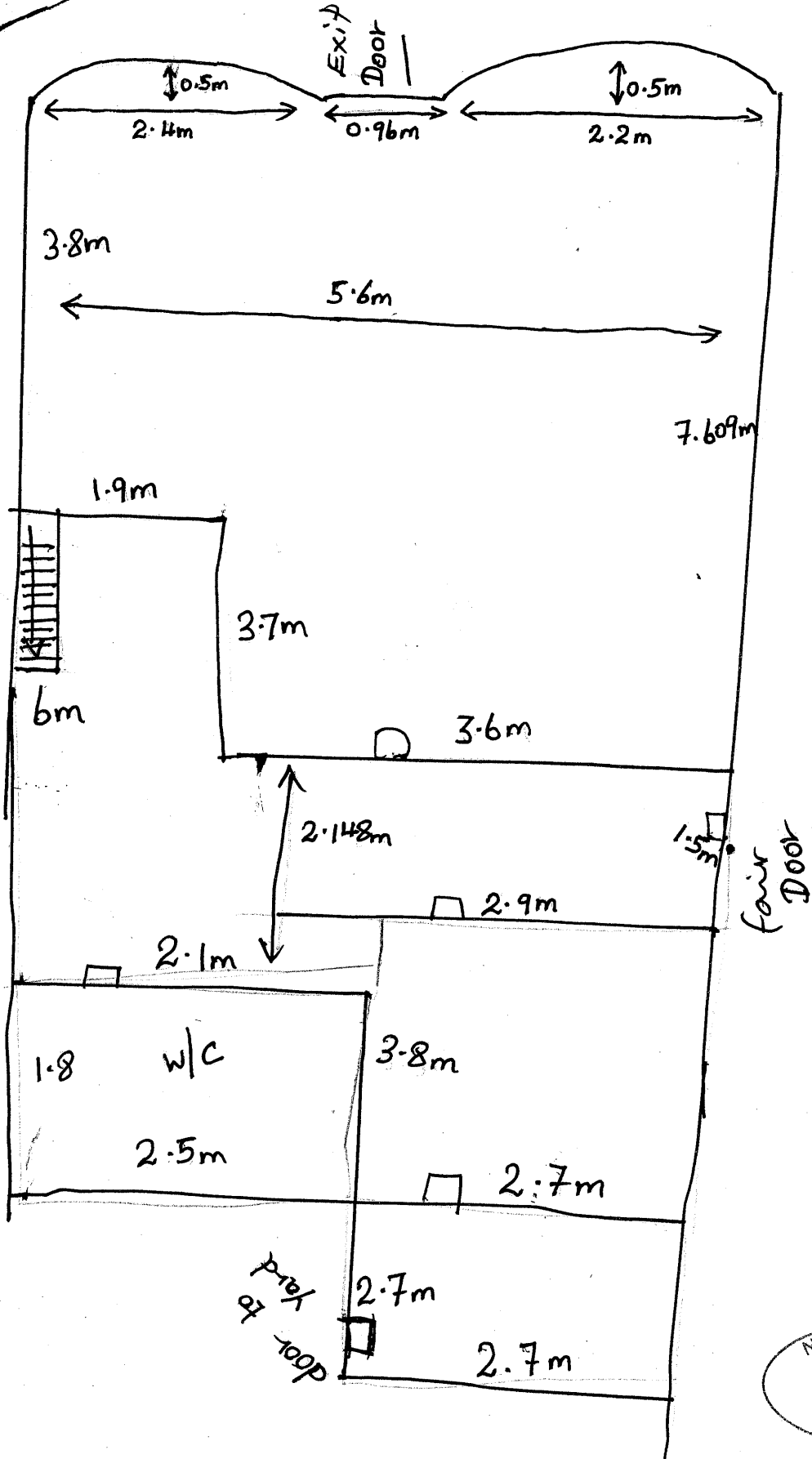
e) The protection of children from harm

NO ID NO Sale
—

Ground Floor

91 Elwick Road

Stairs to FF



NEIGHBOURHOOD
- 8 NOV 2012
SERVICES

Dear Ian,

With reference to the application for a retail sales alcohol licence in respect of no. 91 Elwick Road, I wish to register as an interested party in this case in my roles as a local resident and ward councillor.

I do not believe that the four licensing objectives will be promoted by the granting of this licence on the grounds that :-

- PREVENTION OF CRIME AND DISORDER

There have significant problems with similar outlets in the area notably in Cornwall Street - crime and anti-social behaviour has reduced since the closure of an un-supervised outlet in that district;

- PUBLIC SAFETY

Other premises in the area have supervision e.g. the Co-op Stores in Elwick Road have a security guard to deter potential trouble-makers;

- PREVENTION OF PUBLIC NUISANCE

Local residents concerns centre around a number of issues –

very close proximity to residential properties;
parking problems in an already congested area;
late opening - problems existed when the shop was an outlet closing at 5 pm;

- PROTECTION OF CHILDREN FROM HARM

SEE POINT ABOVE REGARDING SECURITY GUARD WHICH WILL NOT APPLY HERE;

late availability of cheap alcohol due to potential for "price wars."

I trust that this declaration of interest will be registered appropriately for consideration in this case.

Yours

GERARD HALL
11 Eamont Gardens
Hartlepool
TS26 9JD
Tel - 01429260557

Dear Ian,

I would like to formally object to the proposed licence for the sale of alcohol at 91 Elwick Road, which I understand is due to come before a sub-committee of Councillors in the New Year.

This premise, which is the heart of the Burn Valley ward, is surrounded by residential homes, local community centres, a public park and a primary school and I believe firmly that this application, if granted, would have a severely detrimental effect on this thriving community.

There are three principle reasons why I think councillors should reject this application:

1. Prevention of crime and disorder – This area of the Burn Valley ward has been plagued by high levels of crime and disorder in the past, which was directly linked to alcohol. Thankfully, through a combination of resident support, police action and investment by the local council and others, things have improved. The greater access to alcohol and the greater number of drunken individuals, who would almost certainly be attracted to such a premise if this licence is granted, threatens this progress and is, in my view, certain to increase crime and anti-social behaviour.
2. Public nuisance – Added to the above you have the low-level disturbance that is routinely associated with such premises, with noise and litter being the most obvious examples. 10pm may not sound late to some people but for many of the older residents in the area (including those across the road in Elwick Grange Nursing Home) the sound of drunken revellers at such a time is often annoying and sometimes highly intimidating.
3. Public safety – The increase of crime and anti-social behaviour that would result from this premise being granted a licence puts innocent people into harm's way. This is a residential area, with people of all ages and backgrounds living there, and they deserve their way of life protected and their safety maintained. This is a clear duty of the licensing authority and one I feel we would be falling short of if we granted this application.
4. Protection of children from harm – The area is populated with many young people, they walk to school at Eldon Grove, they play in the Burn Valley Gardens, they attend dubs at St. Matthew's Hall and they live in the residential homes all around 91 Elwick Road. To increase crime and anti-social behaviour by granting this licence puts these children in direct harm's way and we must do we can to prevent that.

In summary, our licensing objectives clearly mandate councillors to vote against this application and I call on them to do so.

Yours Sincerely,

Jonathan Brash

Councillor for Burn Valley

Cllr John Lauderdale

Confidential

3rd December 2012

The Licensing Team
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

Re: Application for a licence to sell alcohol at 91 Elwick Road, Hartlepool

I am concerned about the above application for the premises 91 Elwick Road, Hartlepool.

The Burn Valley area has a level of crime and anti-social behaviour which is above average for Hartlepool and the presence of another off-license, I believe, will only further worsen the situation with potentially increased levels of crime and anti-social behaviour, in particular.

The area is already well served with licensed shops within the near vicinity of 91 Elwick Road - such as, Gillen's, Burn Valley Stores, Lister Street Newsagents and the neighbouring Co-op and Londis in Elwick Road itself.

Local residents are understandably concerned about this proposed development and I would therefore urge the Licensing Committee to refuse the application for any alcohol licence at the above address.

Yours faithfully,

John Lauderdale

Confidential





Objections to Proposed Licence at 91 Elwick Road

Dear Sir,

As one of the Ward Officers for the Burn Valley Ward in the South and Central Neighbourhood Policing Team area I would like to table my objections to the proposed alcohol licence at the above named address.

Whenever I hear about a new licence being sought in our wards, I have immediate concern as to how that may affect the quality of life of the many residents who my colleagues, both Police Officers and PCSO's support in their neighbourhoods.

I will refer to each of the licensing objectives as I list the concerns of myself and my colleagues.

Prevention of Crime and Disorder.

The proposed site is situated in the middle of one of the busiest of our six policing wards. I have experienced officers assigned to that ward who work diligently to ensure that crime and anti-social behaviour is policed robustly. Massive improvements have taken place over the years through partnership working, but historically any establishment that sells alcohol will always be a catalyst for retail theft and anti-social behaviour usually driven by alcohol abuse.

There are five other smaller retail outlets nearby that sell alcohol, and a large supermarket situated just over the border from the Burn Valley Ward, which currently add to the pressures of policing a very busy ward.

There are retail premises which sell alcohol who do not present themselves as such a target for shop theft and antisocial behaviour, these are the stores who employ security staff in order to reduce theft and deal with antisocial behaviour as it occurs, be that moving on youths from outside or ejecting unruly customers. Unless this store was to employ a staff member purely in a security role then I am sure that the introduction of another licensed premises to the Burn Valley area would provide another hub for crime and disorder to rear its ugly head.

There have been 48 incidents of shop theft in the Burn Valley Ward so far in 2012. Of this 48, 21 incidents relate to licensed premises in the Elwick Road area. This equates to 44% of total incidents in the ward. The addition of one more licensed premises will only add to this total and depending on the security systems installed i.e. quality of CCTV if this was not up to scratch the possibility of detecting any crimes which may occur would also suffer.

Prevention of Public Nuisance

Unlike other off licences that form part of a precinct of shops, this proposal relates to a single shop in very close proximity to residential homes, there is no area for additional parking for potential customers of the store to park, this would mean that customers would park wherever they could find a space, be it on the busy Elwick Road or in the side streets which run off it. If the licence is granted it would be highly likely that these residents would be severely affected by increased constant vehicle traffic stopping outside of their homes and parking in residential areas.

As previously stated premises that sell alcohol have major potential to attract groups of people who will cause anti-social behaviour. Residents in nearby properties will therefore be affected by the noise made by persons both using the store and loitering near it and the potential intimidating affect that groups can have.

Public Safety

Historically off licenses have been a target for criminals. With this premises being a retail outlet not immediately surrounded by other stores the staff and customers using the store could be at potential risk from crime and public disorder.

The fact that there is no specific parking area designated to the licensed premises would also cause a public safety hazard in that the increased amount of vehicular traffic to the residential areas surrounding the store could put pedestrians at risk. Children who play in the streets near to the store would have to be more vigilant than usual due to more cars parking in the street for short periods of time. There could also be potential problems when the store is receiving deliveries as the delivery driver would have to park in close proximity to the store possibly causing traffic obstructions on Elwick Road.

The area of Elwick Road from York Road to Baden Street is already a very busy road and this is currently made worse by the hoards of vehicles which visit the stores which currently operate in the area. The addition of another premises would only increase this and in turn the potential for accidents to occur.

Protection of Children from Harm

Licence holders have a massive responsibility in ensuring that the licensing objectives are met, with none more important than protecting children from harm. Young people intent on acquiring alcohol have historically targeted stores where they believe that staff would either agree to sell them alcohol or could be intimidated into selling them alcohol, either that or target the customers in order to pressurise adults into purchasing alcohol for them. This has thankfully been almost eradicated due to the fact that the remaining stores are established and Police and PCSO's have ensured that this practice does not occur. Young people will always push the boundaries simply to find out where they are and what is acceptable and what is not and the

introduction of a new licensed premises would open the door to this behaviour again, at least until a new precedent was achieved.

I would urge the licensing committee to take my concerns seriously as I feel that this ward does not need another off licence premises.

Should the decision be to grant a licence I would ask for consideration to tailor the licensing hours to be set sensibly to allow residents some respite during quality family time on an evening. This would further allow me to ensure a reasonable level of policing cover rather than the risk of my units being stretched to unacceptable levels.

Yours Sincerely

Mark Say
PCSO 7985
Burn Valley Ward
Hartlepool South And Central Neighbourhood Policing Team

3.1 Appendix 6
REGENERATION & NEIGHBOURHOODS
DEPARTMENT
05 DEC 2012

Burn Valley North

Residents Association

December 1, 2012

The Principal Licensing Officer
Hartlepool Borough Council

Dear Sir

I am writing to you on behalf of Burn Valley North Residents' Association to register our objection to the application for a licence to sell alcohol at the premises situated at **91 Elwick Road**, Hartlepool.

Whilst Neighbourhood Policing Teams enjoy good relationships with community groups within the Burn Valley Area, the most recent Ward Profile reveals that total crime in this area is above the average for the Hartlepool Borough, and in particular, total drug crime and antisocial behaviour levels are higher than average. As a result of these findings a decrease in levels of antisocial behaviour and a reduction, especially in drug related crime are identified as key theme priorities for this area of Hartlepool. As you are aware alcohol related crimes are included under the drug related category, and we believe that the introduction of yet another alcohol licensed premises in the area would have a negative impact on achieving these objectives. In fact we believe another licensed premises could increase levels of crime and antisocial behaviour.

At present there are at least 5 licensed premises within a half mile radius of 91 Elwick Road; namely, The Cooperative Store and Londis in Elwick Road, Gillens and Burn Valley Wine Stores in York Road and Lister News in Lister Street. We can see no justification whatsoever for another licensed shop to be trading in what is already a saturated area for such outlets, and consequently we are imploring the Licensing Committee to reject this application, particularly as this outlet will be directly adjacent to private residential properties.

Finally, the third key theme priority for Burn Valley Ward is an improvement in levels of community spirit within the area, and as a group who are committed to working towards achieving this goal, we can certainly tell you that another off licence will have a significant negative impact on those local residents who really care about their community.

Yours faithfully

confidential

Carol Laud (Chairperson)

confidential

confidential

Licencing Team
Brian Hanson House
Hanson Square
Hartlepool
TS24 7BT



To Whom It May Concern:

Application for Off Licence premises 91 Elwick Road, Hartlepool

I have been informed that there are plans for an Off Licence to be opened at the above premises and I object strongly to this application.

I have lived in Elwick Road for 17 years and it used to be a much quieter, nicer area than it is now. With all the shops and take aways in the street already we tend to get a lot of bottles and rubbish thrown in the gardens and increased noise from the passing public. I frequently find empty bottles of Lambrusco, lager cans etc thrown over the wall into my garden.

My objection to an off licence in particular is that there are already **three** in the immediate area, ie the Co-op and Londis stores in Elwick Road itself and the Nisa store on the corner of Elwick and York Road. There is absolutely no call for yet another so close to the existing shops. If this is opened it will create a further public nuisance with people hanging around outside the premises, increased noise, littering and, as a probation worker I realise that this could lead to an increase in crime and disorder. We already have problems from the unsavoury residents in Baden Street which now seem to house a number of alcoholics and drug addicts. This will only give yet another outlet for the alcoholics to frequent.

Sadly, Elwick Road has gone 'down hill' in recent years but with the local butchers, flower shop and greengrocers nearby it thankfully still retains a little of the village type atmosphere and is still a good place to live. Opening yet another off licence will ruin this even more I feel. I chemist would be far more useful!!

Yours faithfully

confidential

Tracey Spaven

confidential

22.11.2012

RE: APPLICATION FOR A LICENCE TO SELL ALCOHOL AT 91 ELWICK RD, HARTLEPOOL

I am writing to object to the granting of a licence to sell alcohol at the above premises for the following reasons:

- 1) The Burn Valley area has a higher than average rate of crime and antisocial behaviour and another off-licence has the potential to worsen the situation
- 2) The close proximity of residential property to an outlet for purchasing alcohol is unacceptable.

I fail to see how yet another licensed shop in the area will improve the life of residents and strongly urge that the Licensing team reject the application.

Yours faithfully

confidential

REGENERATION & NEIGHBOURHOODS
DEPARTMENT
26 NOV 2012

confidential



18th November 2012

The Licensing Team
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

Re: Application for a Licence to sell alcohol at 91 Elwick Road, Hartlepool

I am writing to object to the granting of a licence to sell alcohol at the above premises.

This area already has 5 outlets selling alcohol within a few minutes walking distance of each other, being Londis and the Co-op in Elwick Road, Lister Street News in Osborne Road/Lister Street, Gillens and Burn Valley Wine Stores in York Road.

There is already an extremely high level of crime and anti-social behaviour in the area, and a further shop selling alcohol would do nothing to alleviate the situation, only increase levels. Litter will also become more of a problem, empty cans and broken bottles are seen regularly on the pavements in Elwick Road and the surrounding streets, especially at weekends.

Also, there is not much room for delivery vans to park near the premises, and as my house in Grasmere Street backs on to the premises, I assume that delivery vans will park near to or in front of my house as the side entrance to the shop is next door. Many people already use the surrounding streets to park in when doing their shopping in Elwick Road. Residents don't mind so much during the day, but if the proposed proprietor is planning to stay open until 10 pm as I strongly suspect, then this would cause disruption and noise for myself and other residents in Grasmere Street.

I strongly urge the Licensing Committee to refuse the application for an alcohol licence at 91 Elwick Road.

Yours faithfully

Anne Saunders

3.1 Appendix 10

Nicola Purdy

From: confidential
Sent: 07 December 2012 09:37
To: Licensing
Subject: ALcohol Licence : 91 Elwick Road

The Licensing Team
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

Email: licensing@hartlepool.gov.uk

Thursday, 6 December 2012

Re: Application for a Licence to sell alcohol

at 91 Elwick Road, Hartlepool

I am writing to object to the granting of a licence to sell alcohol at the above premises.

The Burn Valley area has levels of crime and anti-social behaviour which are above the average for Hartlepool as a whole, and I believe that the presence of another off-licence in the area will do nothing to alleviate the situation.

There are already 5 licensed shops in the near vicinity of 91 Elwick Road, namely : The Co-operative and Londis in Elwick Road; Gillen's and the Burn Valley Wine Stores in York Road; and Lister Street Newsagents. Consequently, there can be neither demonstrable need, nor justification, for yet another licensed outlet in this area.

The increased availability of alcohol in such a residential environment will, I suggest, merely increase the level of crime and disorder. This has clear adverse implications for the issues of public safety, the prevention of public nuisance and the protection of children from harm.

I therefore urge the Licensing Committee to refuse the application for an alcohol licence at 91 Elwick Road.

Yours faithfully

*Hearing notice
Sent 10/12/12
AP*

OSBORNE ROAD
HARTLEPOD
TS26 9SP

To whom it may concern,

I wish to object to the licence application for 91 Elwick Road. Living in Osborne Road, we have enough social problems due to drink without somewhere else selling it. Also the pressure on the police keeping up checks on the ones already open is enough.

There is one in Osborne Road, Lister Street, Co-op 200yds from 91 Elwick Road, Londis, Gillens Yark Road + Oxford Road.

For the sake of getting neighbourhood back on a good level please do not grant this license.

Yours truly

confidential



23-11-12

confidential

The Licensing Team
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT



Re: Application for a Licence to sell alcohol at 91 Elwick Road, Hartlepool

I am writing to object to the granting of a licence to sell alcohol at the above premises.

The Burn Valley area has a level of crime and anti-social behaviour which is above the average for the whole of Hartlepool and I believe the presence of another off-licence in the area will do nothing to alleviate the situation, rather, it could possibly increase levels.

There are already 5 licensed shops within the near vicinity of 91 Elwick Road, namely The Co-op and Londis in Elwick Road, Gillen's and Burn Valley Wine Stores in York Road, and Lister Street Newsagents, and there can be no demonstrated need nor justification for yet another licensed outlet in this area.

I therefore urge the Licensing Committee to refuse the application for an alcohol licence at 91 Elwick Road.

Yours faithfully

confidential

3.1 Appendix 13

MRS. S. WILKINSON

confidential



Dear Sirs,

Application for sale of alcohol, 91 Elwick Road, Hartlepool.

I am writing to register my objection to the application for a premises to be licenced, as stated above. The basis for this opposition is that granting a licence for these premises will not promote the councils objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Recently a letter was sent to all residents in the Elwick Road area regarding the state of Baden Street and enabling the premises to sell alcohol would be totally detrimental to the aims and plans of bringing up the standards of the community in and around this area. In the past there has been an off-licence further up Elwick Road who had to resort to locking staff and customers in the store to safeguard them and increase security against theft and robbery. This establishment was closed to reduce this type of anti social and criminal behaviour and to consider re-opening the same kind of establishment is just bringing back this unacceptable behaviour to the area. The application proposes that alcohol will be sold for consumption off the premises between 9.00am and 10.00pm, seven days a week. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance would increase problem levels for the local police.

Residents in this area suffered noise, nuisance and antisocial behaviour when it was previously a general corner shop, without the sale of alchohol, at all hours of the day and night. This included urinating, increased rubbish levels, graffitti, foul and abusive language and experienced intimidating behaviour.

I feel by granting the licence this would increase the risk of adoloscents obtaining alcohol unlawfully and this has the potential for routine incidents of public nuisance to escalate to more serious incidents under the influence of alcohol. Alcohol related crime and disorder has a major impact on the quality of life of many people who live in this area.

In view of the above, I would urge the Licensing Authority to refuse the application

Yours faithfully

confidential