

# Licensing Sub Committee Hearing

Wednesday 15<sup>th</sup> May 2013

Members of the Panel:	Councillors Cook (Chair), Ainslie and Gibbon
Application Premises:	The New Alma, Whitby Street, Hartlepool
Officers present:	Ian Harrison, Principal Trading Standards & Licensing Officer Tony Macnab, Solicitor Rachael White, Democratic Services Officer
Applicant:	Stephen Allan
Objectors:	Mark Coates, Hillcarter
Decision:	
<p>The Licensing Sub-Committee considered an application from Stephen Allan for the variation of the premises licence in respect of The New Alma, Whitby Street to extend the hours from midnight to 2:00 am on Thursdays, Fridays and Saturdays. In addition, the application included the removal of out of date conditions and these to be replaced by conditions submitted with the application in the form of a new Annex 2 to the premises licence.</p> <p>The Licensing Authority had received an objection from Cleveland Police but this had been withdrawn as the applicant had agreed conditions which would be included in the licence if the application was granted.</p> <p>The Licensing Authority received a letter of objection from Mark Coates, General Manager of the Hillcarter Hotel. The objection related to the licensing objectives in respect of the prevention of crime and disorder and the prevention of public nuisance. The objection concerned anti-social behaviour that was alleged to have occurred in the past when customers from the premises had been verbally abusive to and thrown bottles at the Hillcarter's residents. In addition there were complaints of noise emitting from the premises and disturbing the residents. The objection stated that if the licence was extended to 2:00 am this would compound these problems</p> <p>The applicant outlined his application and answered the objection raised in the letter from Mr Coates. The applicant queried whether there was any evidence to back up the allegation concerning anti-social behaviour. He stated that he has satisfied the police objections by agreeing to conditions. In addition he stated that he would not allow glasses or bottles to be taken outside the premises. In respect of the noise issue he stated that people congregate outside the Hillcarter. In addition he pointed out the number of complaints on the Hillcarter's website made by guests in respect of noise within the hotel.</p> <p>Mark Coates outlined his objection on behalf of the Hillcarter Hotel. He stated that he would like to see the New Alma re-open. His main concern with</p>	

extending the hours relates to Thursdays due to the problems experienced in the past concerning noise and anti-social behaviour. He stated that in the past the premises' doors were left open which meant the Hillcarter's residents could hear the noise. He explained that half of the bedrooms face the premises and with the residents concerned about noise pollution it could impact on the bedroom sales. He explained that there have been issues with anti-social behaviour in the past mainly on Thursdays as this is often seen as student night,

It was ascertained that the premises had been closed for the past six years and that the objection related to previous incidents and the possibility of these reoccurring.

Mr Coates stated that the conditions in the applicant premises licence would be similar to those in the Hillcarter's licence. He questioned if the application was granted in its entirety whether the condition relating to door staff could be extended to Thursday nights. Mr Allan stated that if it did get busy on a Thursday night he would employ door staff.

The Licensing Sub-Committee considered the application to vary the existing premises licence as presented by Mr Allan.

The Licensing Sub-Committee considered the objections raised by Mr Coates on behalf of the Hillcarter Hotel. The Licensing Sub-Committee considered the comments made by Mr Allan in response.

The Licensing Sub-Committee noted that the objection primarily related to the variation for a Thursday night. The Sub-Committee also noted that the applicant stated that he would have a 'no glasses outside' policy in response to one of the points of concern raised by the objector.

The Licensing Sub-Committee considered that the objector did not present strong enough reasons and evidence to demonstrate that the licensing objectives would be undermined if the application was granted.

The Licensing Sub-Committee determined that the application would promote the licensing objectives subject to the inclusion of the following additional condition: *'no glasses or open bottles shall be removed from the premises'* and therefore grants the application.

The Licensing Sub-Committee considered that the inclusion of this condition is appropriate for the promotion of the licensing objectives.

CHAIR