

LICENSING SUB-COMMITTEE AGENDA



Thursday 6th March 2014

at 10.00am

in Committee Room C,
Civic Centre, Hartlepool

MEMBERS: LICENSING SUB-COMMITTEE:

Councillors Dawkins, Fleet and Hall

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **MINUTES**
No items
4. **ITEMS FOR INFORMATION**
 - 4.1 Application for a new premises licence, 23 Jesmond Road, Hartlepool –
Director of Public Health
5. **ANY OTHER ITEMS THE CHAIR CONSIDERS ARE URGENT**



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. The Director of Public Health shall outline the application, any relevant representations and relevancy to Licensing Policy and statutory guidance.
3. Members ask any questions of the Director of Public Health.
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, responsible bodies/interested parties to be given opportunity to sum up.
10. If required, the applicant to be given opportunity to sum up.
11. 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.
12. Members to go into closed session to deliberate.
13. Chair informs parties of their decision, with reasons.

Report of: Director of Public Health

Subject: APPLICATION FOR A NEW PREMISES LICENCE,
23 JESMOND ROAD, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for a new premises licence in respect of 23 Jesmond Road, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Applicant: Mrs Jasdeep Kaur

Premises: 23 Jesmond Road
Hartlepool
TS26 0JD

- 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 three representations have been received from local residents (attached as **appendices 2, 3 and 4**) and, in addition, a petition signed by 21 signatories was also submitted (attached as **Appendix 5**).
- 3.2 A number of conditions that will be attached to the licence have been agreed following discussions between the applicant, Trading Standards and the Police. These are designed to reduce the possibility of sales of alcohol to children and the installation of a CCTV system and the applicant's acceptance of them has resulted in there being no objections from either Trading Standards or the Police.
- 3.3 The objections that have been received collectively refer to the potential impact of granting the application on the four licensing objectives of: -

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

3.4 Among the issues specifically raised by the objectors are a potential for traffic related accidents, particularly due to the premises close proximity to Jesmond Road primary school, anti social behaviour problems, children attempting to purchase alcohol and noise from the shop shutters when closing at night.

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 (unless all parties agree a hearing is unnecessary).

4.2 The premises to which this application relates was previously a dressmaking business.

4.3 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

4.4 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 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.

9 Copies + Plan

£100



**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 Mrs Jasdeep Kaur
(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 <u>23. Jesmond Road</u>		
Post town <u>Hartlepool</u>	Postcode <u>TS26 0JD</u>	
Telephone number at premises (if any) <u>—</u>		
Non-domestic rateable value of premises <u>£ 2,900</u>		

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|---|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> 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	Confidential
Surname	
I am 18	
Current different address	
Post town	
Daytime	
E-mail address (optional)	

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?

DD	MM	YYYY
A	S	A
P		

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

General dealers / off-Licence

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 any that apply

- 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 late night refreshment (if ticking yes, fill in box I)

☐

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

☒

In all cases complete boxes K, L and M

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)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input 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 exhibition of films (please read guidance note 4)			
Thur						
Fri						
Sat			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 (please read guidance note 5)			
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			
Fri			<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)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment 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						
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Wed						
Thur						
			<u>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</u> (please read guidance note 5)			
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input 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 performance of live music (please read guidance note 4)	
Thur				
			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 (please read guidance note 5)	
Fri				
Sat				
Sun				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input 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 the playing of recorded music (please read guidance note 4)		
Wed					
Thur					
			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 (please read guidance note 5)		
Fri					
Sat					
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"/>
Day	Start	Finish	Both <input type="checkbox"/>			
Mon			<u>Please give further details here</u> (please read guidance note 3)			
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

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place 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			<u>Please give further details here</u> (please read guidance note 3)		
Thur			<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)		
Fri			<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)		
Sat			<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)		
Sun			<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)		

I

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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (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	22:00			
Tue	09:00	22:00			
Wed	09:00	22:00			
Thur	09:00	22:00			
Fri	09:00	22:00			
Sat	09:00	22:00			
Sun	09:00	22:00			
			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 designated premises supervisor:

Name	Confidential
Address	
Postcode	
Personal	
Issuing l	

K

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).

N/A.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09:00	22:00	<p><u>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</u> (please read guidance note 5)</p>
Tue	09:00	22:00	
Wed	09:00	22:00	
Thur	09:00	22:00	
Fri	09:00	22:00	
Sat	09:00	22:00	
Sun	09:00	22:00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

--

b) The prevention of crime and disorder

--

c) Public safety

--

d) The prevention of public nuisance

--

e) The protection of children from harm

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Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	<div>Confidential</div>	
Date		
Capacity		

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<div>Confidential</div>	
Date		
Capacity		

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

By e-mail

I am putting in writing my objection to the alcohol license of number 23 Jesmond Road.

The objection plea is for the following reasons:

Obstruction of traffic causing potential accidents as people stop at the traffic lights 'to nip in to the shop'

Children loitering around shop causing anti social behaviour

Regards

DELETED

Hi

I would like to raise my concerns and object to a liquor licenc being granted for 23 Jesmond Road, Hartlepool,
my name is *DELETED* and currently reside at (*DELETED*) Chester Road, [*CLOSE TO*] to the said property.

Firstly i would like you to think about the noise this would cause ie shop door, customers/kids/teenagers gathering outside the property which is joined to mine, window shutters being opened and dosed, i get up 5 days a week at 5am and would be awoken at 10pm when the shop doses by them being shut.

Secondly i think this would attract more traffic to an already extremely busy and dangerous corner where there has been numerous accidents which is going to endanger more childrens lives as they go to and from school or the nearby parks.

Lastly i think this could bring more anti social behaviour to our area which would not be welcomed.

Thankyou

DELETED
Chester Road
Hartlepool
TS26 0JE
01429 421724

Reasons for my objection to the license agreement are;

I believe it will cause a safety issue. The shop is located on a very busy junction adjacent to a school. My fear is that people will be stopping around the junction to pop into the premises to make purchases. Causing danger to other motorists. The junction is already very busy with the school and parents collecting children. I believe the shop will add to the chaos and potentially put the children in danger when cars are pulling in and out.

My other concern is shops located on corners attract groups of youths. This is evident with the shop on Hart Lane there is often groups of youths outside of this shop. The grave yard is also opposite the shop where youths will go in the summer I believe a shop located this close will only increase this problem and cause anti social behaviour.

Regards.

DELETED.

Licencing Department,
Civic Centre, Hartlepool.

Concerned Residents
Chester Road Area
Hartlepool

04 February 2014

4rd February 2014
The Licencing Team,
HBC. Civic Centre,
TS24 8AY.
Planning Reference for:



Address: 23 Jesmond Road,
Hartlepool. TS26 OJD.

Dear Sir/Madam,

We the undersigned residents of the Chester Rd area wish to oppose the application to change 23 Jesmond Rd (now trading as a hairdressers and nail bar) into an off Licence.

The junction of Cheester Rd / Jesmond Rd corner has had more than its fair share of traffic accidents over the years and with the entrance to the new junior school sited directly on the traffic lights, plus the usual high volume of traffic in the area and lack of parking eg: no layby, it is a major cause of concern regarding the safety of both the school children and the local residents and parents who drop off / or pick up the children from school and feel it increases the risk of a accident.

We know off licences (currently there is nine in the area) do attract some groups of under age youths who will pester adult passers by to purchase cigarets, cans of lager, and other alcoholic drinks for their consumption making the adults feel uneasy and in some cases intimidated if they refuse the youths demands.

Also with the shop staying open until late at night we fear it may prevent families who live close to the shop from getting a good nights rest, plus the additional noise and litter pollution problems is causes a major concern for us the local residents.