

# LICENSING SUB-COMMITTEE AGENDA



Friday 4<sup>th</sup> April 2014

at 10.00am

in the Council Chamber  
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 variation of a premises licence relating to Inspirations Coffee House, Tanfield Road, Hartlepool – *Director of Public Health*
5. **ANY OTHER ITEMS THE CHAIR CONSIDERS ARE URGENT**



**Report of:** Director of Public Health

**Subject:** APPLICATION FOR VARIATION OF A PREMISES  
LICENCE RELATING TO INSPIRATIONS COFFEE  
HOUSE, TANFIELD ROAD HARTLEPOOL

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## 1. PURPOSE OF REPORT

- 1.1 To consider an application to vary the premises licence in respect of the Inspirations Coffee House, Tanfield Road, Hartlepool.

## 2. SUMMARY OF APPLICATION

- 2.1 Applicant: Hartlepool Borough Council

- 2.2 The premises currently holds a licence that authorises the following activities between 0830 hours and 1830 hours Monday to Sunday: -

1. Supply of Alcohol (on sales only)
2. Plays
3. Films
4. Live Music
5. Recorded Music
6. Performances of Dance

- 2.3 A copy of the current licence is attached as **Appendix 1**.

- 2.4 The application is to vary the current licence so as to extend the licensed hours for the following activities to 2100 hours 7 days a week: -

1. Supply of alcohol (on sales only)
2. Recorded music
3. Live music

A copy of the application is attached as **Appendix 2**.

- 2.5 The initial application was to extend all of the licensed activities to 2100 hours on Mondays, Tuesdays, Wednesday and Sundays and 2300 hours on Thursday, Fridays, Saturdays and Bank Holidays but, at the request of the applicant, this has subsequently been reduced to the activities and times detailed in paragraph 2.4 above.

### 3. BACKGROUND

- 3.1 The application has been advertised in the prescribed manner and a total of 13 individual objections have been received (attached as **Appendices 3 – 15**).
- 3.2 The representations collectively refer to the potential for all of the Licensing Act's licensing objectives to be undermined should the application be granted. Many objectors have stated that a licensed premises, offering music and the sale of alcohol, would be a nuisance to those visiting the cemetery to pay their respects to loved ones.
- 3.3 In addition to the individual representations received, two petitions objecting to the application have also been submitted with a total of 100 signatories and this will be circulated to Members at the committee hearing.

### 4. ISSUES

- 4.1 As relevant representations have been received a hearing must be held for a licensing sub-committee to consider the application.
- 4.2 The current licence was granted on 4<sup>th</sup> June 2013.
- 4.3 An application to extend planning permission for this property was considered by the Planning Committee on 19<sup>th</sup> December 2013 and a number of conditions were attached to the approval. Some of these are relevant to the licence application and objections that have been received. A copy of the planning permission is attached as **Appendix 16**.
- 4.4 The sub-committee is reminded that the statutory guidance that accompanies the Licensing Act states that licensing authorities must avoid attaching conditions that duplicate other regulatory regimes and that where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions are appropriate.
- 4.5 Essentially this means that if the sub-committee is minded to grant the application it should not attach conditions to the licence that duplicate conditions already attached to the planning permission.
- 4.6 A number of objectors have expressed their concerns over alcohol being supplied from a premises that is so closely associated with a cemetery. Members of the sub-committee are reminded that they must only consider those aspects of objections that relate specifically to the four licensing objectives which 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

- 4.7 Members of the sub-committee are also reminded that the recent national deregulation of live music means that live music can be offered from alcohol licensed premises, or any other workplace, between 0800 hours and 2300 hours, without the need for a licence or specific authorisation. If the sub-committee was minded to refuse the application for live music it could be argued that this would have no binding effect on the applicant who could, if they wished, offer live music within the times detailed above without a licence provided that it does not become a public nuisance.
- 4.8 The deregulation of live music also extends to any licence conditions that are intended, or have the effect of, controlling the provision of live music insofar as such conditions are unenforceable during the hours of 0800 and 2300.
- 4.9 Such limitations do not however apply to planning permission and the sub-committee will see that conditions 8, 9 and 10 of the planning permission for the premises, attached in Appendix 16, are designed to ensure that no noise nuisance should be experienced as a result of music taking place.
- 4.10 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

## **5. RECOMMENDATIONS**

- 5.1 That Members consider the representations made by the 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.



**THE LICENSING ACT 2003**  
**PREMISES LICENCE (PART A)**

**Premises licence number**

HART/PS/450

**Part 1 - Premises details**

**Postal address of premises or, if none, ordnance survey map reference, or description**

Inspiration's Coffee House  
 (Stranton Cemetery Lodge)  
 Tanfield Road

**Post Town** Hartlepool

**Post Code** TS25 5DD

**Telephone number**

**Where the licence is time limited the dates**

**Licensable activities authorised by the licence. Any entertainment authorised by this licence is limited to indoors only, unless stated otherwise.**

1. Supply of Alcohol
2. Plays
3. Films
4. Live Music
5. Recorded Music
6. Performances of Dance

**This licence does not authorise the provision of adult entertainment.**

**The time the licence authorises the carrying out of licensable activities.**

Monday to Sunday 0830 to 1830

**The opening hours of the premises**

Monday to Sunday 0830 to 1830

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

On Supplies Only

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Hartlepool Borough Council  
Civic Centre  
Victoria Road  
Hartlepool  
TS24 8AY

Tel No: 01429 523039

e-mail: [carole.thelwell@hartlepool.gov.uk](mailto:carole.thelwell@hartlepool.gov.uk)

**Registered number of holder, for example company number, charity number (where applicable)**

N/A

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol**

Graeme Mailen  
85 Tunstall Avenue  
Hartlepool  
TS23 3QH

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

HART/PL/591  
Hartlepool Borough Council

I  
Date licence granted: 4<sup>th</sup> June 2013

1. No supply of alcohol may be made under the premises licence-
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2. In relation to the exhibition of films, the admission of children must be restricted in accordance with the classification designated by the British Board of film Classification (BBFC) or other authority designated by the Video Recordings Act 1984 for the film, or films being exhibited.
3. Each individual employed or otherwise engaged at the premises to carry out a security activity must be licensed by the Security Industry Authority.
4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;

- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- 5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
  
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 8. The responsible person shall ensure that–
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.



**ANNEX 2 – Conditions consistent with the Operating Schedule**

1. A “Challenge 25” policy shall be operated throughout any events. Customers attempting to purchase alcohol who appear to be less than 25 shall be challenged by staff to produce a passport photo driving license or a PASS approved Proof-of-Age card. No other form of identification shall be accepted. All staff must have received sufficient training to ensure they understand it and can comply with it. At any sales counter where alcohol sales may take place there shall be a means of alerting or reminding staff of the Challenge 25 Policy.
2. At the sales counter there shall be a means of alerting or reminding staff to verify the age of a prospective purchaser whenever an age restricted product is presented for purchase.
3. Except with prior written approval of the licensing Authority and subject to any conditions which may be attached to such approval;-
  - (a) No special effects, naked flames, smoke production or any process creating a risk of fire, or the illusion of smoke or fire shall be used for the purpose of providing regulated entertainment on the premises.
  - (b) No explosives or highly flammable substances shall be brought into or used on the premises.
  - (c) No special effects shall be used or displays given on the premises, which consist of or include the use of lasers.
4. The licensee must ensure that the electrical socket outlets in the licensed premises, which are used for the purpose of providing licensed entertainment, are protected by a residual current device being a 30mA tripping circuit.
5. In the event of the fire alarm being activated a suitable relay should be provided so that the electrical power supply to all sound amplification system in the licensed premises shall be immediately intercepted so that the alarm can be clearly heard in all parts of the licensed premises.
6. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials for use by patrons.
7. All external doors and windows shall not be kept open when regulated entertainment/karaoke is being provided.
8. Live Music shall be restricted to occasional incidental acoustic music.

**ANNEX 3 – Conditions attached after a hearing by the Licensing Authority**

**ANNEX 4 - Plans**

YOU ARE REMINDED THAT IT IS YOUR LEGAL OBLIGATION TO ATTACH THE CURRENT 'PLAN' TO THIS PREMISES LICENCE AND KEEP THIS LICENCE (OR A CERTIFIED COPY) IN A SECURE PLACE AT THE LICENSED PREMISES.

IT IS AN OFFENCE NOT TO PRODUCE YOUR PREMISES LICENCE (INCLUDING THE PLAN) UPON REQUEST BY A POLICE OFFICER, LOCAL AUTHORITY OFFICER OR AUTHORISED PERSON.

RECEIVED

13 FEB 2014



Application to vary a premises licence 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 HARTLEPOOL BOROUGH COUNCIL  
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

HART/RS/450

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

INSPIRATIONS COFFEE HOUSE  
TANFIELD ROAD

Post town

HARTLEPOOL

Postcode

TS25 5DD

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

Post town

HARTLEPOOL

Postcode

TS24 7DS

Confidential

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐ No

If not, from what date do you want the variation to take effect?

N/A

DD	MM	YYYY

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

TO EXTEND CURRENT HOURS AUTHORISED TO SELL ALCOHOL.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

##### Provision of regulated entertainment

Please tick all that apply

- |  |                                     |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A)   | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)   | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)  | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)   | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)  | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)  | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)   | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)<br>(if ticking yes, fill in box H) | <input type="checkbox"/>            |

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

☐

Sale by retail 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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	8.30	21.00			
Tue	8.30	21.00	State any seasonal variations for performing plays (please read guidance note 4)		
Wed	8.30	21.00	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)		
Thur	8.30	23.00	All Bank Holidays, plays from 8.30am to 23.00pm		
Fri	8.30	23.00			
Sat	8.30	23.00			
Sun	8.30	21.00			



# 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 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	8.30	21.00			
Tue	8.30	21.00			
Wed	8.30	21.00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	8.30	23.00			
Fri	8.30	23.00			
Sat	8.30	23.00	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)  All Bank Holidays, Films from 8.30am To 23.00pm		
Sun	8.30	21.00			



## C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			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 (please read guidance note 5)
Fri			
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 (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</u>		
Wed			<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 (please read guidance note 5)</u>		
Thur					
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 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	8.30	21.00			
Tue	8.30	21.00			
Wed	8.30	21.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	8.30	23.00			
Fri	8.30	23.00			
Sat	8.30	23.00	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)		
Sun	8.30	21.00			
			ALL BANK HOLIDAYS, LIVE MUSIC from 8.30am to 23.00pm		

## 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 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	8.30	21.00		
Tue	8.30	21.00		
Wed	8.30	21.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)	
Thur	8.30	23.00		
Fri	8.30	23.00		
Sat	8.30	23.00	<u>Non standard timings.</u> 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)  ALL BANK HOLIDAYS, RECORDED MUSIC From 8.30am To 23.00pm.	
Sun	8.30	21.00		



## G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	8.30	21.00	Please give further details here (please read guidance note 3)		
Tue	8.30	21.00			
Wed	8.30	21.00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	8.30	23.00			
Fri	8.30	23.00	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 (please read guidance note 5)  ALL BANK HOLIDAYS, PERFORMANCE OF DANCE FROM 8.30am TO 23.00pm		
Sat	8.30	23.00			
Sun	8.30	21.00			

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><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></b> (please read guidance note 5)		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)			
Thur						
Fri			<b>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</b> (please read guidance note 5)			
Sat						
Sun						

# J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises <input checked="" type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)	
Mon	8.30	21.00		
Tue	8.30	21.00		
Wed	8.30	21.00		
Thur	8.30	23.00		
Fri	8.30	23.00		
Sat	8.30	23.00		
Sun	8.30	21.00	<b>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</b> (please read guidance note 5) All Bank Holiday, Alcohol sale from 8.30 AM To 23.00 PM	

# 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).
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**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	8.30	21.30	<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	8.30	21.30	
Wed	8.30	21.30	
Thur	8.30	23.30	
Fri	8.30	23.30	
Sat	8.30	23.30	
Sun	8.30	21.30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Please tick as appropriate



If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

## M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

CURRENT ANNEX 2 - UNCHANGED.

### b) The prevention of crime and disorder

- EXISTING SECURITY MEASURES - CEMETARY GATE & ENTRANCE GATE TO INSPIRATION IS LOCKED EACH EVENING.
- PROPOSED CCTV
- STRONG LINK WITH NEIGHBOURHOOD POLICE TEAM
- ADDITIONAL FENCE SECURITY

### c) Public safety

- CAR PARK LIGHTING
- COFFEE HOUSE NOTES TO ALL HAS REGULATIONS (FIRE/DDA) ETC.
- STRONG LINKS WITH NEIGHBOURHOOD POLICE TEAM
- EMPLOY NES SECURITY - 24 HOUR SERVICE

### d) The prevention of public nuisance

- COFFEE HOUSE OPENING HOURS ARE BETWEEN
- PROVISION OF A PURPOSE BUILT CAR PARK - ASSISTS WITH THE PROVISION REDUCTION OF PARKING ISSUES FOR RESIDENTS IN TANFIELD ROAD & VISITORS TO THE CEMETARY.
- STAFF TO REGULARLY CHECK OUTSIDE DURING PROVISION OF ENTERTAINMENT
- SIGNS (OUTSIDE) TO REMIND CUSTOMERS TO RESPECT LOCAL RESIDENTS

### e) The protection of children from harm

- CHECK 25.
- CHILDREN (UNACCOMPANIED) WILL NOT BE ALLOWED AFTER 21.00 PM WITHOUT BEING ACCOMPANIED BY AN ADULT.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- 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 5 – Signatures** (please read guidance note 10)

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

Signature	Confidential	
Date		
Capacity		

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) 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	
Date	
Capacity	

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

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



### Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

**The Licensing Section  
Hartlepool Borough Council**

**Civic Centre  
Victoria Road  
Hartlepool  
TS24 8AY**



**Nicola Purdy**

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From: Confidential  
 Sent: 21 February 2014 18:23  
 To: Licensing  
 Subject: re inspirations cafe application .

I strongly oppose and object to the proposals planned for this cafe to become a venue for night-time activities .

I don't believe that music /dancing /film nights should be taking place within our local cemetery .It should be a place of peace /tranquillity 24 hours a day not just daylight hours.  
 why not open the cafe in ward jackson park up for these activities ....as no deceased souls are trying to rest in peace there.

*Best wishes* Confidential

**Nicola Purdy**

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From: Confidential  
 Sent: 28 February 2014 21:43  
 To: Licensing  
 Subject: RE: Inspiration Coffee House, Tanfield Road

I object to the cafe inspirations extending its opening hours into the evening because i believe it will cause a public nuisance ie a noise disturbance ...people leaving and staff leaving car doors slamming ...people generally making a noise on leaving .Noise of care travelling down a quiet road .....as well as the most common sense which people fail to realise RIP MEANS JUST THAT not part time .

Confidential

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From: [Licensing@hartlepool.gov.uk](mailto:Licensing@hartlepool.gov.uk)  
 To: [Licensing@hartlepool.gov.uk](mailto:Licensing@hartlepool.gov.uk)  
 Date: Wed, 26 Feb 2014 09:57:57 +0000  
 Subject: Inspiration Coffee House, Tanfield Road

Good Morning,

Thank you for your recent objection to a licence application made on behalf of the above named premises.

The Licensing Act 2003 places a legal obligation on local authorities to only consider objections that relate directly to at least one of the Act's licensing objectives , which are: -

- Prevention of crime and disorder
- Prevention of public nuisance
- Public Safety
- Protection of children from harm



**Dawn Howley**

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**From:** Confidential  
**Sent:** 12 March 2014 21:15  
**To:** Licensing  
**Subject:** Inspirations coffee shop objection

To whom it may concern,

I wish to object to the extension of opening hours and use of the venue, mentioned above for music events etc for the following reasons.

1. Inspirations is a coffee shop not a wine bar.
2. Inspirations is located WITHIN Stranton Cemetery. It is disrespectful to encourage the drinking of alcohol in, what should be, a peaceful location.
3. People do not want to see and hear socialising/ drinking alcohol/ celebrating when they are paying respect to loved ones.
4. Stranton cemetery, like all cemeteries should be a quiet, calm and respectful place.
5. Just today, I reported an incident, to Cleveland Police, of a young man being 'under the influence of alcohol' within Stranton Cemetery. Obviously, this was unacceptable and he was taken away by police officers. The proposal of extended opening hours and music events will, in my opinion, encourage this exact behaviour.
6. I live at the other side of Hartlepool but have concern for the local residents, especially those in Tanfield Road who simply are not used to having the passing traffic/noise and attention in their close community.
7. Finally I would question if there is even a need for such facilities. Who is going to want to drink alcohol and celebrate within a cemetery? Very few individuals.

Many thanks for onside ring my objection.  
Kind regards

Confidential

Confidential

Sent from my iPad



**Dawn Howley**

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**From:** Confidential  
**Sent:** 12 March 2014 17:17  
**To:** Licensing  
**Subject:** Inspirations Coffee House Licensing Application

Dear Sir,

I am writing to express my concerns regarding the recent licensing application made by Inspirations Coffee House. As a frequent visitor to the cemetery I appreciate the need for respect and privacy within the grounds. As much as Inspirations Coffee House contributes to the community, I feel that an extension to the licence to allow alcohol to be sold at later hours is unnecessary for a coffee shop located inside of the cemetery grounds.

Inspirations Coffee House have expressed that the extended hours and permission will be utilised to hold 'ad hoc ticketed events for evenings such as whiskey tasting and pudding clubs' but I feel that this will only escalate within time particularly as they hope to be open every Thursday, Friday and Saturday until 11pm.

I believe this to be inappropriate and disrespectful and worry that residents would begin to use the Coffee house as a Public house and therefore express my disapproval of the application and any permits issued.

Yours faithfully

Confidential

Confidential

Nicola Purdy

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From: Confidential  
Sent: 21 February 2014 18:50  
To: Licensing  
Subject: Re: Fwd: Cemetery cafe

Confidential

wrote:

----- Original Message -----

Subject: Cemetery cafe

From: Confidential

To: [licensing@hartlepool.gov.uk](mailto:licensing@hartlepool.gov.uk)

CC:

Hi I've just been told of a proposed cafe with alcohol & live band licence in stranton. Although I think the cafe may be a good idea as some people have a long way to travel when visiting their loved ones .I think serving alcohol on cemetery grounds is distasteful, disrespectful and down right disgusting. I dread to think of the people it will attract especially in the summer .

Also I ve also heard rumour that when les bell retires from west view cemetery this year that they will be moved out of cemetery house and that will be stood empty . I think this will cause great problems there. People in the area respect les & Maureen.lovely people always friendly & helpful .their door always open to people with any problems within the cemetery. If the house is going to be left empty I think they should be allowed to stay there .the fact the house would be empty would probably attract vandals. Such a shame in a lovely cemetery .

My reason for objecting to your proposal for the cafe are Public safety Prevention of crime & disorder Prevention of public nuisance Regards

Confidential

**Nicola Purdy**

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**From:** Confidential  
**Sent:** 21 February 2014 19:17  
**To:** Licensing

I believe that giving a licence to stranton cafe to sell alcohol is not right under the grounds of preventing public nuisance, preventing crime and public safety

Sent from my BlackBerry® smartphone

**From:** Confidential

**Sent:** 22 February 2014 07:48

**To:** Customer Service

**Subject:** New Premises Licence Application form 130214 Inspirations Coffee House, Tanfield Road, Hartlepool

Hi,

I wish to object to the application for extended hours and use for music etc.

My objection - the council have not given sufficient assurances that the cemetery will be sufficiently protected from evening revellers. The explanations given are weak.

Confidential

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Please consider the environment before printing this e-mail

**Nicola Purdy**

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From: Confidential  
Sent: 22 February 2014 18:38  
To: Licensing  
Subject: FW: Inspiration Coffee House. Hartlepool

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From: Confidential  
To: [licencsing@hartlepool.gov.uk](mailto:licencsing@hartlepool.gov.uk)  
Subject: Inspiration Coffee House. Hartlepool  
Date: Sat, 22 Feb 2014 18:33:02 +0000

Dear Hartlepool Planning

I was taken aback when I read about Inspirations Coffee House, and the proposals that have been passed (I believe), to license and put on various events, etc. I feel this is just not appropriate near a cemetery. I cannot believe this has even been considered.

Dear Hartlepool Planning

As an ex Hartlepool girl, I am not happy that this proposal has been put forward already. I visit Hartlepool every year, and go with other relatives from the area to visit the graves of family. I understand that the events probably take place on an evening; but still this seems disrespectful of the people in the town, who have their relatives buried in the grounds.

If this is seen as progress. I am very much against it. I advise that you just continue to have a daytime cafe, which was very welcome when I visited last year.

Please do reconsider as there are many very upset people against this proposal. I hope that another area will be found to be more suitable.

Yours Truly

Confidential

**Nicola Purdy**

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**From:** Confidential  
**Sent:** 22 February 2014 13:11  
**To:** Licensing  
**Subject:** cafe in hartlepool cemetary

dear sir,i would like to complain about the planned licence to sell alcohol in the cafe at hartlepool stranton cemetary.The cemetary is for paying your respects not for the consumption of alcohol and i find this disrespectful, yours Confidential



My objections relate to the following as I believe far more information needs to be given.

b) The prevention of crime and disorder

- EXISTING SECURITY MEASURES - CEMETERY GATE & ENTRANCE GATE TO INSPIRATIONS IS LOCKED EACH EVENING.
- PROPOSED CCTV
- STRAIGHT LINK WITH NEIGHBOURHOOD POLICE TEAM
- ADDITIONAL FENCE SECURITY

c) Public safety

- CAR PARK LIGHTING
- COFFEE HOUSE ADHERES TO ALL HHS REGULATIONS (HSE/DDA) ETC.
- STRAIGHT LINKS WITH NEIGHBOURHOOD POLICE TEAM
- EMPLOY NPS SECURITY - 24 HOUR SERVICE

d) The prevention of public nuisance

- COFFEE HOUSE OPENING HOURS ARE BETWEEN
- PROVISION OF A REPOSE BUILT CAR PARK - ASSISTS WITH THE PROVISION REDUCTION OF PARKING ISSUES FOR RESIDENTS IN TANGLE ROAD & VISITORS TO THE CEMETERY. • STAFF TO REGULARLY CHECK OUTSIDE DURING PROVISION OF ENTERTAINMENT • SIGNS (OUTSIDE) TO REMIND CUSTOMERS TO RESPECT LOCAL RESIDENTS

e) The protection of children from harm

- CHECK 25.
- CHILDREN (UNACCOMPANIED) WILL NOT BE ALLOWED AFTER 21.00 PM WITHOUT BEING ACCOMPANIED BY AN ADULT.

re b) The locked gates do not prevent disturbances in the cemetery at present - disturbances likely to increase with consumption of alcohol.

Proposed CCTV does not guarantee it will be purchased and used effectively.

re c) does not state when security will be employed

re d) car park to rear and even if well lit cannot prevent public nuisance on an evening the car park is frequently very busy during open times at present (well times I have visited) - the car park lacks sufficient places for the anticipated increase in users

'Staff regularly check outside' - how regularly? who will check this?

re e) what age will 'unaccompanied children' be allowed? What training will be given re checking ID for age? What training will be given to bar staff?

I enjoy going to Inspirations and would not like to see it's good reputation tarnished if this extension is accepted.

Confidential

**Nicola Purdy**

---

**From:** Confidential  
**Sent:** 21 February 2014 19:53  
**To:** Licensing  
**Subject:** licensing in stranton cemmy

i object I dont want a late license issued to inspirations cafe inside stranton cemetery. .

The distress it would cause to family visiting loved ones graves is unimaginable. To have alcohol and music so close to graves is immoral and down right unthinkable.

Graves are desecrated enough and things stolen constantly without more drunken late night revellers actually inside the cemetery grounds .

Why is a late license necessary ?? If the cafe has nosed dived and not making enough maybe lower prices might help .In my opinion a lower class cafe would have suited the regulars to the cemetery its way too expensive.

I really would consider removing my daughters ashes from that cemetery if this license was granted .Resting in peace means nothing to this council at all have compassion !!!

Confidential

on behalf of Confidential of cancer



**Nicola Purdy**

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**From:** Confidential  
**Sent:** 21 February 2014 17:54  
**To:** Licensing  
**Subject:** Re Inspirations Coffee House in Stranton Cemetery

I write with regards to the licensing application for Inspirations in Stranton Cemetery, I feel it would be totally disrespectful to have a licensed bar in such a place. I have a lot of my family buried in this cemetery and out of respect for them and others I think this is totally unacceptable.... I have never heard of any other cemetery with a licensed bar in it's grounds. The coffee shop is a place people can go for a quiet chat and also could be good for lonely grieving people to meet others in the same position but I think that's where the line should be drawn .

Regards

Confidential

**Nicola Purdy**

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**From:** Confidential  
**Sent:** 21 February 2014 18:41  
**To:** Licensing  
**Subject:** bar in cemetery

i would like to say that any person wanting to change the cafe to a pub in the cemetery is utterly stupid how disrespectful can you get to even think of doing such a thing. there is no way if i go to mourn the loss of my loved ones i will put up with a pub full of drunks with music playing there will be more fights caused by people objecting to it . there is bars and pubs shutting all over this town and you think that putting one in the cemetery is even a slightly good idea you all need your damn brains checking not even your brains your common sence !!!!!

Importance:

High

Dear Sir or Madam

I would like to register my objection to the extension of the licence for alcohol sales in Inspirations Coffee House.

I understand that in this economic climate, Hartlepool Borough Council needs to profit from its ventures but I feel that this a wholly inappropriate way to do so, on several levels.

I am confused about the **actual** extension being asked for as I was informed that it had been revised slightly from the original application submitted at the beginning of February i.e. that the hours had been reduced somewhat. I can find no evidence of these changes and I would challenge the validity of the application and ask that it be declared invalid.

I would also like you to note that the application has an error within it, in that it states in Section M part b, that the Cemetery gates are locked; this is actually not the case. The large vehicle gates are locked on an evening but the smaller pedestrian gates are left open. If this is to be changed, there is a danger that access to graves could be curtailed in the name of making a profit. The use of CCTV within the Cemetery grounds has also been something of a contentious issue to date. Local residents have lobbied for this in the past and several council officers have taken great pains to explain why it has not been forthcoming in terms of the cost/benefit. This licence doesn't give any assurances as to how this will be taken forward even from a monitoring point of view.

The application also talks about strong links with neighbourhood police teams. Services have been recently reduced and are likely to be reduced again in the near future, due to budget cuts. How then will this ensure public safety?

I would also challenge Section M part d. The first bullet point states "Coffee house opening hours are between", but there is no further detail - how does this omission reflect on the prevention of public nuisance or on the application itself? Furthermore, though the car park may mitigate some level of public nuisance for Tanfield Road residents, it will not for those living in Westbrooke Avenue. There will be increased noise that unfortunately, signs are unlikely to prevent either. Car parking as a mitigating factor in this application is also a risk given that the licence is an extension to sell alcohol!

Section M part e (the protection of children from harm) states that "Children (unaccompanied) will not allowed after 21.00pm without being accompanied by an adult". An obvious question to ask I imagine but does this mean that unaccompanied children **will be** allowed in up to 21.00pm?

Finally, the Cemetery site already suffers from a level of anti-social behaviour and I genuinely feel that any extension could add to this. On visiting the Cemetery this evening, the police were called by a local resident as a man was collapsed (a drink related incident) just inside the gates.

I strongly urge the licencing committee to reject this application.

Confidential



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**Dawn Howley**

**From:** Customer Service  
**Sent:** 13 March 2014 09:00  
**To:** Planningpolicy  
**Cc:** Licensing  
**Subject:** FW: [www.hartlepool.gov.uk](http://www.hartlepool.gov.uk) feedback enclosed.

Hi not sure which dept so sent it to both

-----Original Message-----

From: Confidential  
Sent: 12 March 2014 20:54  
To: Customer Service  
Subject: [www.hartlepool.gov.uk](http://www.hartlepool.gov.uk) feedback enclosed.

Please find here some feedback from the [www.hartlepool.gov.uk](http://www.hartlepool.gov.uk) website.

## CONTACT DETAILS

Provided Confidential

Location:

Email: Confidential

Telephone

## COMMENTS

I wish to object on the grounds that I consider the location of the premises to be unsuitable because the building is situated within the cemetery grounds. It is totally disrespectful to peoples loved ones who have been laid there to rest. During the Summer months there is always an issue with alcohol being consumed in the cemetery and I for one have been made to feel uncomfortable when visiting on an evening, to have drunken youths shouting abuse to people visitng graves is very uncomfortable. For this reason alcohol should not be served on the grounds - it should be discouraged or encouraged. We need to respect the cemetery and what it stands for not to encourage celebrations, wine tasting evenings or other private functions. It is a cemetery and should NOT be made into a socialising venue. Situated outside Inspirations is the war memorial to our fallen heroes - I wonder how long it would take for a high spirited person attending an event to desecrate this monument.

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Hartlepool Council

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# GRANT OF PLANNING PERMISSION

## Town and Country Planning Act 1990



### PART I - PARTICULARS OF DEVELOPMENT

<b>Application No</b>	H/2013/0548
<b>Proposal</b>	Variation of condition 4 of planning application H/2012/0029 (as amended by H/2013/0073) to vary existing opening hours to allow opening on Monday, Tuesday, Wednesday and Sunday until 9 p.m. and on Thursday, Friday, Saturday and bank holidays until 23.00 p.m.
<b>Location</b>	Inspirations Coffee House Tanfield Road HARTLEPOOL TS25 5DD
<b>Applicant</b>	Ms K Oliver

### PART II - PARTICULARS OF DECISION

The Hartlepool Borough Council hereby give notice in pursuance of the provisions of the above Act that **PLANNING PERMISSION HAS BEEN GRANTED** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans made valid on 12/11/2013 subject to the following condition(s) and reason(s):

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (Drawing No: 316/11 L007) and details received by the Local Planning Authority on 04/11/2013, unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.
3. The cafe shall only be open to the public between the hours of 08:30hrs and 21:00hrs on Monday, Tuesday, Wednesday and Sunday and only open to the public between the hours of 08:30hrs and 23:00hrs on Thursday, Friday, Saturday and Bank Holidays. In the interests of the amenities of the occupants of neighbouring properties.
4. The ventilation filtration and fume extraction equipment agreed by way of

## App

planning application H/2012/0029 shall be retained and used in accordance with the manufacturers instructions at all times whenever food is being cooked on the premises. In the interests of the amenities of the occupants of neighbouring properties.

5. The lighting units agreed by way of planning application H/2012/0029 shall be fixed at all times to ensure that light is directed away from residential properties. In the interests of the amenities of the occupants of neighbouring properties.
6. The car parking scheme agreed by way of planning application H/2012/0029 shall be retained for its intended purpose at all times during the lifetime of the development.  
In the interests of highway safety.
7. The external areas outside of the premises should not be used as an outside eating/drinking area beyond 20:00hrs Mondays to Sundays inclusive. In the interests of the amenities of the occupants of neighbouring properties.
8. All external doors and windows associated with the premises should be kept closed after 20:00hrs whilst there is any amplified speech of music taking place within the premises. In the interests of the amenities of the occupants of neighbouring properties.
9. No music shall be played outside the building beyond 20:00hrs Mondays to Sundays. In the interests of the amenity of the occupants of surrounding residential properties.
10. No outside entertainment or functions should take place outside of the building beyond 20:00hrs Mondays to Sundays. In the interests of the amenity of the occupants of surrounding residential properties.
11. Notwithstanding the submitted plans a scheme for the installation of CCTV cameras including design, location, and coverage shall be submitted and agreed in writing by the Local Planning Authority within one month of the date of this permission and thereafter shall be implemented and retained for the lifetime of the Coffee House. In the interests of crime prevention.

**Date of issue:** 06/01/2014

**Signed:**



Director (Regeneration and Neighbourhoods)

**Please note** - The decision to grant planning permission has been taken having regard to the policies and proposals in the adopted Hartlepool Local Plan 2006 set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

**Com12: Food and Drink Com13: Commercial Uses in Residential Areas**  
**GEP1: General Environmental Principles**  
**GEP2: Access for All**  
**GEP3: Crime Prevention by Planning and Design**  
**planning law and development plan**  
**statutory status of development plan**  
**NPPF is material consideration**  
**Primacy of Development Plan**  
**Design of built environment**

***See also notes overleaf***



## NOTES FOR APPLICANTS

1. This permission refers only to that required under the Town and Country Planning Act and does not include any consent or approval under any other enactment bylaw, order or regulation. Any other Statutory consent necessary e.g. Building Regulations approval must be obtained from the appropriate authority.
2. **Failure to adhere to the details of approved plans or to comply with conditions attached to this permission is a contravention of the provisions of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken.**
3. If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant permission subject to conditions, you may appeal to the Secretary of State for Communities and Local Government in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 further details are included below.
4. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the District in which the land is situated, a purchase notice requiring that Council to purchase his interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
5. In certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
6. Under the provisions of Section 76 of the Town and Country Planning Act 1990 the Local Planning Authority is required to draw your attention to the provisions of the Chronically Sick and Disabled Persons Act 1970 which makes provisions for the needs of disabled people.
7. Your proposal may also be subject to the Building Regulations and the provisions of Section 5 of the County of Cleveland Act 1987. You are advised to check this before progressing the development with the Council's Building Control Section.

## Regeneration& Neighbourhoods

Bryan Hanson House  
Hanson Square  
Hartlepool TS24 7BT

Tel: 01429 266522  
Fax: 01429 523599  
DX60669 Hartlepool-1



## Compliance with planning conditions

You should be aware that planning permission is often granted conditionally, and the conditions are set out in the decision notice. A number of conditions (referred to as “conditions precedent”) require the submission of additional information to the Council before development can commence on site; these might include, for example, the submission of finishing materials. A development that is commenced without compliance with conditions may be at risk of being invalidated.

Please be aware that the Government has introduced new fees for the discharge of planning conditions. The new procedures apply with regard to all requests made to the Council to discharge conditions imposed on planning approvals or requests seeking confirmation of compliance with such conditions. The request can be made in any written form, which is clear, understandable and identifies the relevant permission and conditions concerned. Alternatively, the Government has provided a new form to be used for the submission of details to discharge a planning condition.

The form is available at:

<http://www.planningportal.gov.uk/uploads/appPDF/H0724Form027.pdf>.

The fee payable for requests is £28.00 for conditions on householder developments and £97.00 on all others. The fee must be submitted at the same time the request is made. Requests that are received without the appropriate fee will be returned unanswered.

The fee is payable for each request made. A single request may seek to discharge more than one condition. If you later decide to change the details of an agreed condition a new payment is required.

The local planning authority will seek to respond within eight weeks. A longer period of time may be required where ongoing discussion and correspondence are necessary. If the authority fails to provide confirmation or notification that confirmation cannot be provided within twelve weeks of the date of receipt, the fee will be refunded.

Yours faithfully

Director (Regeneration and Neighbourhoods)

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:  
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application or for a minor commercial application if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- In all other cases if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.