

# LICENSING SUB-COMMITTEE

## AGENDA



**Friday 12<sup>th</sup> October 2018**

**at 2.00 pm**

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

**MEMBERS: LICENSING SUB-COMMITTEE:**

Councillors Hall, Hunter and T Richardson

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. ITEMS FOR DECISION**
  - 3.1 Application for Variation of Premises Licence – 152 Northgate, Hartlepool –  
*Assistant Director (Environment and Neighbourhood Services)*



# LICENSING ACT 2003

## Procedure for Review 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 Assistant Director (Environment & Neighbourhood Services) outlines the application, any relevant representations and relevancy to Licensing Policy and statutory guidance.
3. Members ask any questions of the Assistant Director (Environment & Neighbourhood Services).
4. Applicant for Review 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. Licence/Club Certificate holder presents their case (either personally or via legal representation) and introduces witnesses where appropriate.
9. Parties may question and clarify issues raised with the consent of the Chair.
10. If required, applicant/responsible bodies/interested parties to be given opportunity to sum up.
11. If required, the Licence /Club Certificate holder to be given opportunity to sum up.
12. 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.
13. Members to go into closed session to deliberate.
14. Chair informs parties of their decision, with reasons.

**Report of:** Assistant Director (Environment & Neighbourhood Services)

**Subject:** APPLICATION FOR VARIATION OF PREMISES LICENCE – 152 NORTHGATE, HARTLEPOOL

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## 1. PURPOSE OF REPORT

- 1.1 To consider an application for the variation of a premises licence in respect of 152 Northgate, Hartlepool.

## 2. SUMMARY OF APPLICATION

- 2.1 Applicant: Mr Ranga Gunamuthu

Premises: 152 Northgate  
Hartlepool

- 2.2 The applicant has applied to extend the hours for the supply of alcohol as follows: -

### Supply of Alcohol (Off sales)

Monday – Sunday 0800 – 2300 hours

A copy of the application is attached as **Appendix 1**.

- 2.3 The current licence authorises the following activities: -

### Supply of Alcohol (Off sales)

Monday – Sunday 0900 – 2200 hours

A copy of the current licence is attached as **Appendix 2**.

- 2.4 Street view images of the premises are attached as **Appendix 3**. The premises to which this application relates is identified on the photographs as 'Dimensions' as they were taken before the premises converted to the current shop.

## 3. BACKGROUND

- 3.1 The current premises licence was granted in May 2016 following a licensing sub-committee hearing.

- 3.2 The application to extend the licensed hours of the premises was advertised in the prescribed manner and one representation was received – from Mr Simon Watson who lives directly above the property.
- 3.3 Mr Watson's representation is attached as **Appendix 4** and in it he refers to noise emanating from the licensed premises.
- 3.4 When the initial application for the grant of the licence was made in 2016, the application was for trading hours of 0800 – 2300 hours and Mr Watson was, again, the sole objector.
- 3.5 Following consideration of the evidence at the hearing in 2016, the sub-committee determined to grant a licence of 0900 – 2200 hours.

#### 4. ISSUES

- 4.1 As a relevant representation has been received a hearing must be held for Members to consider it (unless all parties agree a hearing is unnecessary).
- 4.2 Members attention is drawn to the Council's current Licensing Policy which states in paragraph 4.25: -

*The licensing authority does not accept that longer opening hours have been a benefit to Hartlepool but rather that they place an undue and unnecessary strain on the local transport infrastructure, Accident & Emergency services and law enforcement agencies and creates a nuisance for those residents who are affected by the general operation of a premises or from revellers returning home during the early hours.*

*Shops, stores and supermarkets will in general be licensed to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping but licences for before 9:00 a.m. or after 10:00 p.m. in residential areas will generally be refused.*

- 4.3 Following consideration of the application, relevant representations and any comments of the licence holder, Members may take such steps as they consider necessary for the promotion of the licensing objectives.
- 4.4 The sub-committee may take any of the following steps: -
- i) Grant the application without amendment
  - ii) Grant the application in part and/or with conditions or amended conditions
  - iii) Refuse the application

4.5 The licensing objectives are:

- i) The prevention of crime and disorder
- ii) Public safety
- iii) The prevention of public nuisance, and
- iv) The protection of children from harm

## **5. RECOMMENDATIONS**

5.1 That members consider the representations made by the applicant and Mr Watson and determine what aspects, if any, of the proposed application should be granted and, if appropriate, what conditions, if any, should be attached.

# 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 RANGA JAYARATHNE GUNAMUTHU  
(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

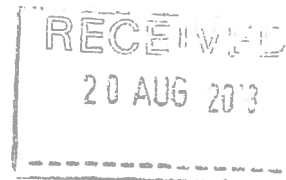
Premises licence number

HART/494

### Part 1 – Premises Details

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

NO - 152 NORTHGATE  
HARTLEPOOL



Post town

Postcode

TS24 0EJ

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 3,250

### Part 2 – Applicant details

Daytime contact  
telephone number

E-mail address (optional)

Current postal address if  
different from premises  
address

Post town

Postcode

### 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?

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Extend trading hours to 08:00 - 23:00

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:

#### 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 see guidance note 3) Please tick all 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 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 7)		
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur					
Fri			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 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
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 7)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		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 5)			
Mon						
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)			
Thur						
Fri			<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 7)			
Sat						
Sun						

## E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur					
Fri			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 7)		
Sat					
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri					
Sat			<b><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></b> (please read guidance note 7)		
Sun					



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			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 4)	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 5)	
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 6)	
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 7)	
Sun				

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)	
Mon				
Tue				
Wed				
Thur			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)	
Fri				
Sat				
Sun				
			<b><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></b> (please read guidance note 7)	

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	08.00	23.00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Tue	08.00	23.00			
Wed	08.00	23.00			
Thur	08.00	23.00	<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 7)		
Fri	08.00	23.00			
Sat	08.00	23.00			
Sun	08.00	23.00			

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 10).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	06.00	23.00	
Tue	06.00	23.00	
Wed	06.00	23.00	
Thur	06.00	23.00	
Fri	06.00	23.00	
Sat	06.00	23.00	
Sun	07.00	23.00	<b>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</b> (please read guidance note 7)

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.

Please tick as appropriate

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

☒  
☐

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.

To be returned.

**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 11)**

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**

**Checklist:**

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	20/08/2018
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 14). 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 15)

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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the



relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 
5. 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.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. 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.
9. 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'.
10. 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.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

**The Licensing Team**  
**Hartlepool Borough Council**  
**Civic Centre**  
**Hartlepool**  
**TS24 8AY**

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

**Premises licence number**

HART/PS/494

**Part 1 - Premises details**

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

152 Northgate

**Post Town** Hartlepool

**Post Code** TS24 0EJ

**Telephone number**

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

N/A

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

Supply of Alcohol

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

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

Monday – Sunday

09:00 – 22:00

**The opening hours of the premises**

Monday – Sunday

08:00 – 23:00

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

Off Sales



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

Mr Ranga Jayarathne Gunamuthu  
43 Hartington Road  
Stockton on Tees  
TS18 1HD

Email: ranga-jayarathne@yahoo.com

**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**

Mr Ranga Jayarathne Gunamuthu  
43 Hartington Road  
Stockton on Tees  
TS18 1HD

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

SBC144908  
Stockton Borough Council

**Date licence granted: 21<sup>st</sup> February 2018**

## ANNEX 1 – Mandatory Conditions

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.
  - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) 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 either-
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.

3.
  - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
  - (2) For the purposes of the condition set out in paragraph 1—  
“duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;  
“permitted price” is the price found by applying the formula—
$$P = D + (D \times V)$$
  - (b) where—
    - (I) P is the permitted price,
    - (II) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (III) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

“relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (c)
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a

licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

“relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club

- (d) present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

“valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

- (e)

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price

- (3) given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different

- (4) from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions. Cameras will encompass all entrances and exits to the premises including fire exits, and areas where the sale of alcohol occurs. Equipment must be maintained in good working order, be correctly time and date stamped. All recordings must be kept in date order for a period of 31 days. There must be at all times a member of staff on duty who is trained in the use of the equipment who can on request of a responsible authority such as (but not exclusively) Cleveland Police produce the footage within a reasonable time.
2. All staff will be fully trained on a 6 monthly basis and must include the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18s (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated 'Challenge 25' policy. Staff will receive refresher training at least every 6 months.
3. Training records, signed by both the staff member and the Designated Premise Supervisor/Store Manager/Business Owner will be retained for future reference and shall be updated at least every 6 months. All staff training records will be made available to the Licensing Authority and/or responsible Authorities upon request.
4. A 'Refusals Book' shall be provided and completed for all instances where the sale of Alcohol has been refused. The 'date' and 'time' of the attempted sale and a description of the incident must be recorded in the book. The Designated Premises Licence Supervisor, Store Manager or Business Owner shall check and sign each page of the book and make it available for inspection to the Licensing Authority and/or Responsible Authorities.
5. There will be a minimum of two notices displayed on the premises indicating that the sale of alcohol to those under the age of 18 is illegal and those adults who buy alcohol for immediate disposal to those under 18 are committing an offence.
6. A "Challenge 25", policy will be implemented with all staff insisting on evidence of age from any person appearing to be under 25 years of age and who is attempting to buy alcohol. There shall be notices displayed at all points of sale and at all entrances and exits to inform customers and remind staff that the premises is operating a "Challenge 25" policy. Only valid Passport UK "photo card style" driving licences, PASS approved proof-of-age cards of Ministry of Defence "Form 90" identification Cards shall be accepted as proof of age.

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

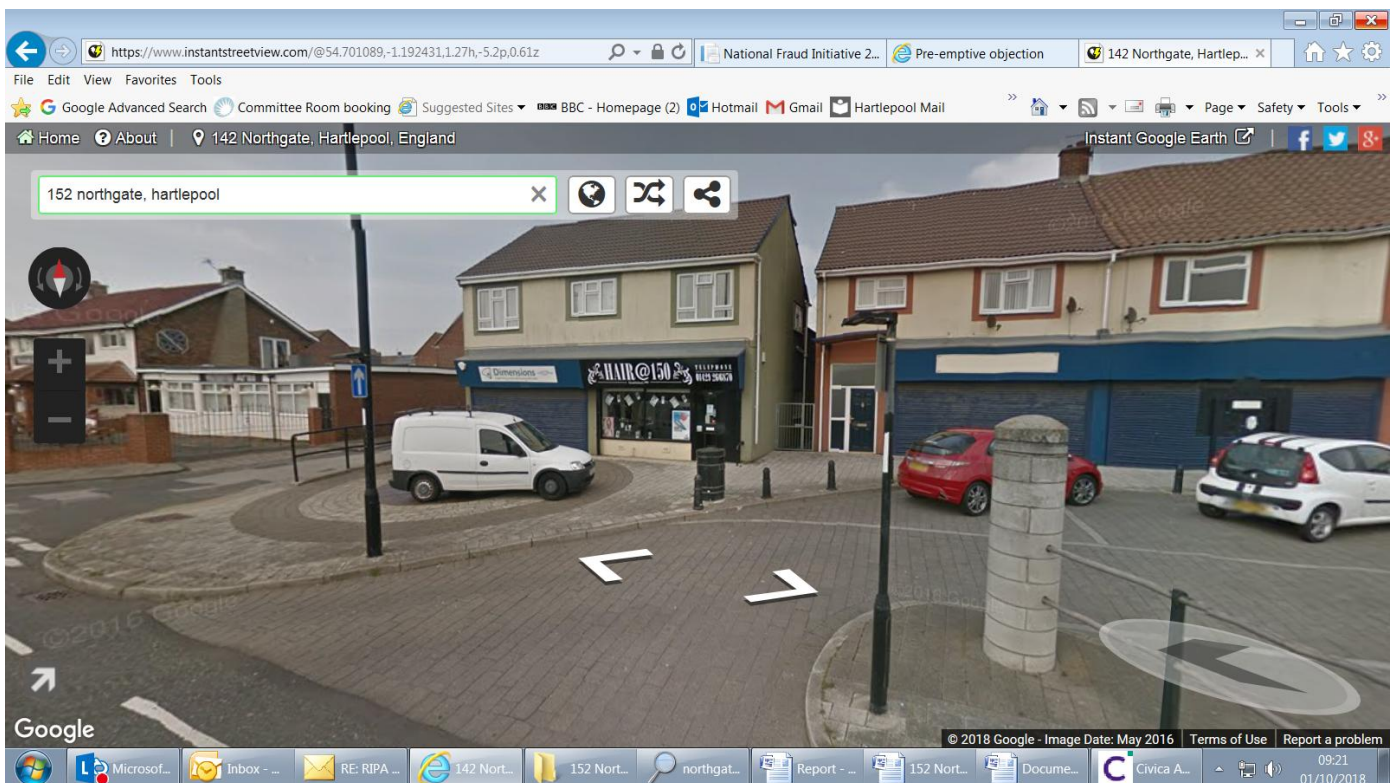
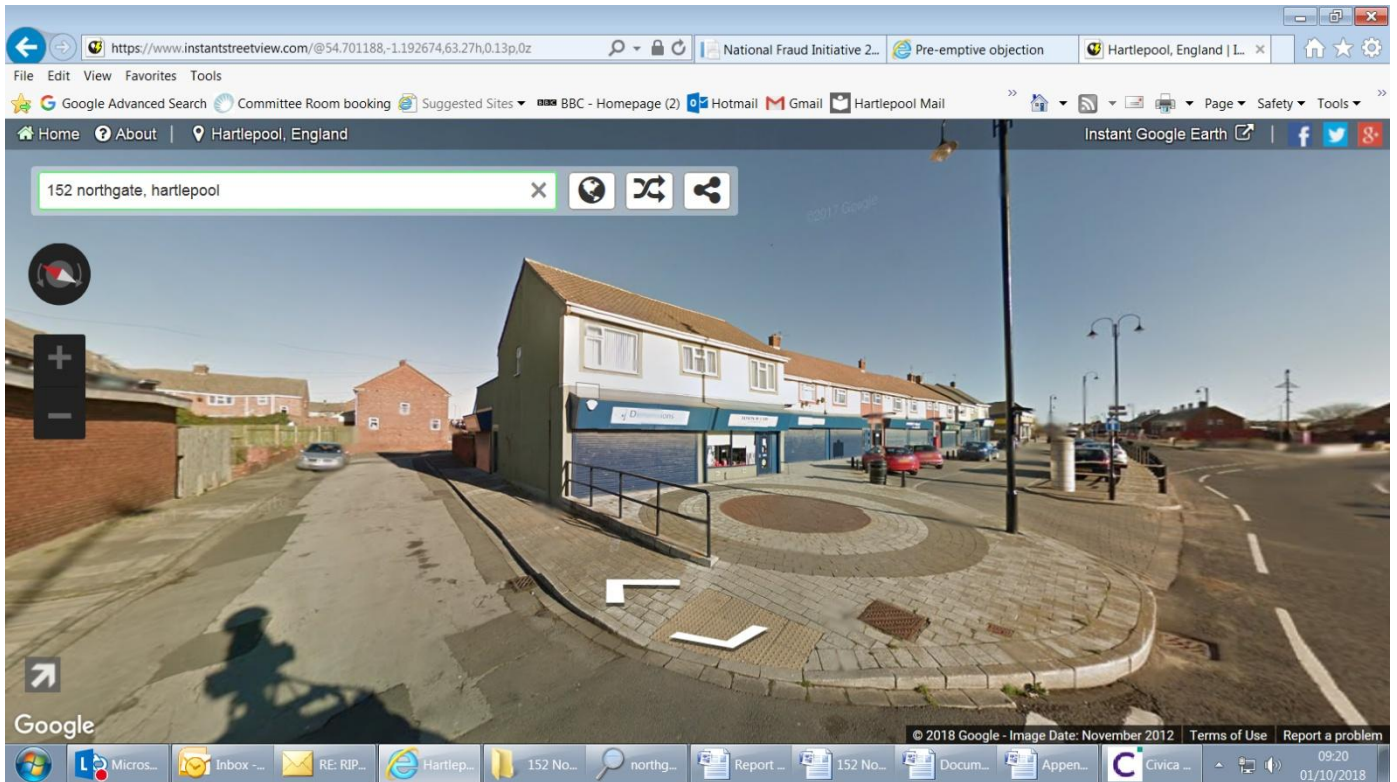


## **ANNEX 4 - Plans**

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.

## Appendix 3



**Nicola Purdy**

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**From:** Simon Watson [REDACTED]@gmail.com]  
**Sent:** 07 September 2018 08:48  
**To:** Licensing  
**Subject:** Shop opening hours 8-11

Hello there. My name is Simon watson I live above 152 northgate. I want to object to 11pm opening time. The noise generated is ridiculous as I've complained various occasions to my housing officer. Thanks Simon.

Click [here](#) to report this email as spam.

**Nicola Purdy**

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**From:** Simon Watson [REDACTED]@gmail.com]  
**Sent:** 11 September 2018 11:28  
**To:** Licensing  
**Subject:** Re: Premises Variation - 152 Northgate  
**Attachments:** image001.jpg

Hello there. The noise is currently withing the shop. I am currently in contact with the thirteen group who is sending a surveyor to assess my flooring to see if I need some sort of soundproofing as currently it's a disgrace the noise. As I attended the last hearing which was was confirmed opening times as 8am-10pm as in line with current policy of 10pm closing. They are currently trading from 7am which is against the current licensing hours. Thanks Simon.

On Mon, 10 Sep 2018, 12:09 pm Licensing, <[Licensing@hartlepool.gov.uk](mailto:Licensing@hartlepool.gov.uk)> wrote:

Morning Simon,

I acknowledge receipt of your objection to a licence application made in respect of the above named property.

When the Council receives an objection it is required to hold a Licensing Hearing where you (and any other objectors) will be given the opportunity to explain why the licence should not be granted and the applicant can explain why the application should be approved.

**Could you please provide further information on the type of noise nuisance e.g is it from within the premises? Outside the premises? Opening/closing shutter doors? Is it certain times/days?**

We will write to you again when the date of the Licensing Hearing is known but should you have any questions regarding this matter please do not hesitate to contact the Licensing Team on 01429 523354 or [licensing@hartlepool.gov.uk](mailto:licensing@hartlepool.gov.uk)

Kind regards

Nicola

**Nicola Purdy | Licensing Officer**

**Hartlepool Borough Council**