

LICENSING SUB-COMMITTEE

AGENDA



Tuesday 16th November 2021

at 10.00am

**in Committee Room B,
Civic Centre, Hartlepool.**

A limited number of members of the public will be able to attend the meeting with spaces being available on a first come, first served basis. Those wishing to attend the meeting should phone (01429) 523568 or (01429) 523019 by midday on Monday 15th November and name and address details will be taken for NHS Test and Trace purposes.

You should not attend the meeting if you are required to self-isolate or are displaying any COVID-19 symptoms such as (a high temperature, new and persistent cough, or a loss of/change in sense of taste or smell), even if these symptoms are mild. If you, or anyone you live with, have one or more of these symptoms you should follow the [NHS guidance on testing](#).

MEMBERS: LICENSING SUB-COMMITTEE:

Councillors Elliott, Fleming and Prince

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. ITEMS FOR DECISION**
 - 3.1 Application for a new premises licence – 10 Sydenham Road, Hartlepool –
*Assistant Director, Regulatory Services***

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

LICENSING ACT 2003

Procedure for Hearings



Prior to the commencement of the meeting, a representative of the Democratic Services Section shall establish the identity of those present, who they represent and who intends, or wishes to speak.

1. The Chair's opening comments, including introduction of Members of sub-committee and officers present. Explanation of the decision to be considered.
2. The Assistant Director (Environment & Neighbourhood Services), or representative shall outline 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), or representative.
4. Applicant presents their case (either personally or via legal representation) and introduces witnesses where appropriate.
5. Questions by Members to applicant and/or applicant's witnesses.
6. Representations by responsible bodies and/or interested parties and witnesses introduced where appropriate.
7. Questions by Members to responsible bodies/interested parties and/or their witnesses.
8. Parties may question and clarify issues raised with the consent of the Chair.
9. If required, responsible bodies/interested parties to be given opportunity to sum up.
10. If required, the applicant to be given opportunity to sum up.
11. Members to have the opportunity to clarify any points raised. The Chair shall ask whether all parties are satisfied they have said all they wish to.
12. Members to go into closed session to deliberate.
13. Chair informs parties of their decision, with reasons.

Report of: Assistant Director (Regulatory Services)

Subject: APPLICATION FOR A NEW PREMISES LICENCE:
10 SYDENHAM ROAD, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for a new premises licence in respect of 10 Sydenham Road, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Applicant: Belle Vue Booze Ltd

Premises: 10 Sydenham Road
Hartlepool

- 2.2 The applicant has applied for a licence for the off sales of alcohol between 1000 hours and 2300 hours seven days a week.

A copy of the application is attached as Appendix 1.

A map of the area is attached as Appendix 2 and street view images of the property (identified as 'Belle Vue Freezer') are attached as Appendix 3.

3. BACKGROUND

- 3.1 The application has been advertised in the prescribed manner and two representations have been received – one in the form of a petition (with 69 signatures) and one anonymous letter (attached as Appendices 4 and 5).
- 3.2 The premises to which the application relates already holds a premises licence which is currently suspended because of outstanding annual fees (via a previous licensee).
- 3.3 To un-suspend a licence, all outstanding annual fees must be paid and, in relation to this property, eleven annual fees are due (totalling £770). As the costs of applying for a new licence are much less than the cost of un-suspending this licence, and there is no legal bar on more than one licence being issued for a premises, the applicant has chosen to make a new application.
- 3.4 The current, suspended licence permits the sale of alcohol between 0900 and 2100 hours seven days a week and, if the new application is refused, the

applicant would have the option of paying the outstanding annual fees and un-suspending the existing licence (albeit with the lesser licensed hours).

4. ISSUES

- 4.1 As relevant representations have been received, a hearing must be held for Members to consider the application (unless all parties agree a hearing is unnecessary).
- 4.2 Members attention is drawn to Hartlepool Borough Council's Licensing Policy which states the following in respect of licensed hours: -

'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 Having regard to the representations received, Members may take any of the following steps for the promotion of the licensing objectives:
- i) To approve the application in its entirety
 - ii) To approve the application in part - with or without the addition of further conditions
 - iii) To reject the whole or part of the application
- 4.4 The licensing objectives are:
- i) The prevention of crime and disorder
 - ii) Public safety
 - iii) The prevention of public nuisance, and
 - iv) The protection of children from harm
- 4.5 Members are reminded that they must only consider those aspects of the licence application that are relevant to the representations received.

5. RECOMMENDATIONS

- 5.1 That Members consider the representations made by 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.

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.



I/We Bellevue Booze Ltd
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
<u>10 Sydenham Road</u> <u>Hartlepool</u> <u>TS25 1QB</u>			
Post town		Postcode	
<u>Hartlepool</u>		<u>TS25 1QB</u>	

REGENERATION & NEIGHBOURHOODS
 DEPARTMENT
 17 SEP 202

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ <u>60,000</u>

Part 2 – Applicant details

Please state whether you are applying for a premises licence as appropriate

Please tick as

- | | |
|--|---|
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |

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

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over			I am 18 years old or <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over			I am 18 years old or <input type="checkbox"/> Please tick yes		
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	Bellevue Booze Ltd
Address	10 Sydenham Road Hartlepool TS25 1QB
Registered number (where applicable)	136 30 941
Description of applicant (for example, partnership, company, unincorporated association etc.)	
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	10	2021

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

DD	MM	YYYY

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

General convenience store
with sale of Tobacco,
alcohol and confectionery.

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

--

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00 10:00	18:00 23:00			
Tue	10:00 10:00	18:00 23:00			
Wed	10:00 10:00	18:00 23:00			
Thur	10:00 10:00	18:00 23:00			
Fri	10:00 10:00	18:00 23:00			
Sat	10:00 10:00	18:00 23:00			
Sun	10:00 10:00	18:00 23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	<div style="background-color: black; width: 150px; height: 20px;"></div> Miss Natasa Amalia MAKLARI
Date of birth	<div style="background-color: black; width: 150px; height: 20px;"></div>
Address	<div style="background-color: black; width: 100%; height: 100px;"></div>
Postcode	<div style="background-color: black; width: 100%; height: 20px;"></div>
Personal licence number (if known)	— T.B.C
Issuing licensing authority (if known)	— H.B.C

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	23:00	
Tue	07:00	23:00	
Wed	07:00	23:00	
Thur	07:00	23:00	
Fri	07:00	23:00	
Sat	07:00	23:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Sun	07:00	23:00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

check age, guidance ensure sales are to age specific groups.

c) Public safety

Ensure sales of alcohol are to sensible, age worthy customers.

d) The prevention of public nuisance

No sale of alcohol will be given to any individual or group who show any signs of anti-social, disrespectful behaviour.

e) The protection of children from harm

Checklist:**Please tick to indicate agreement**

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


[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

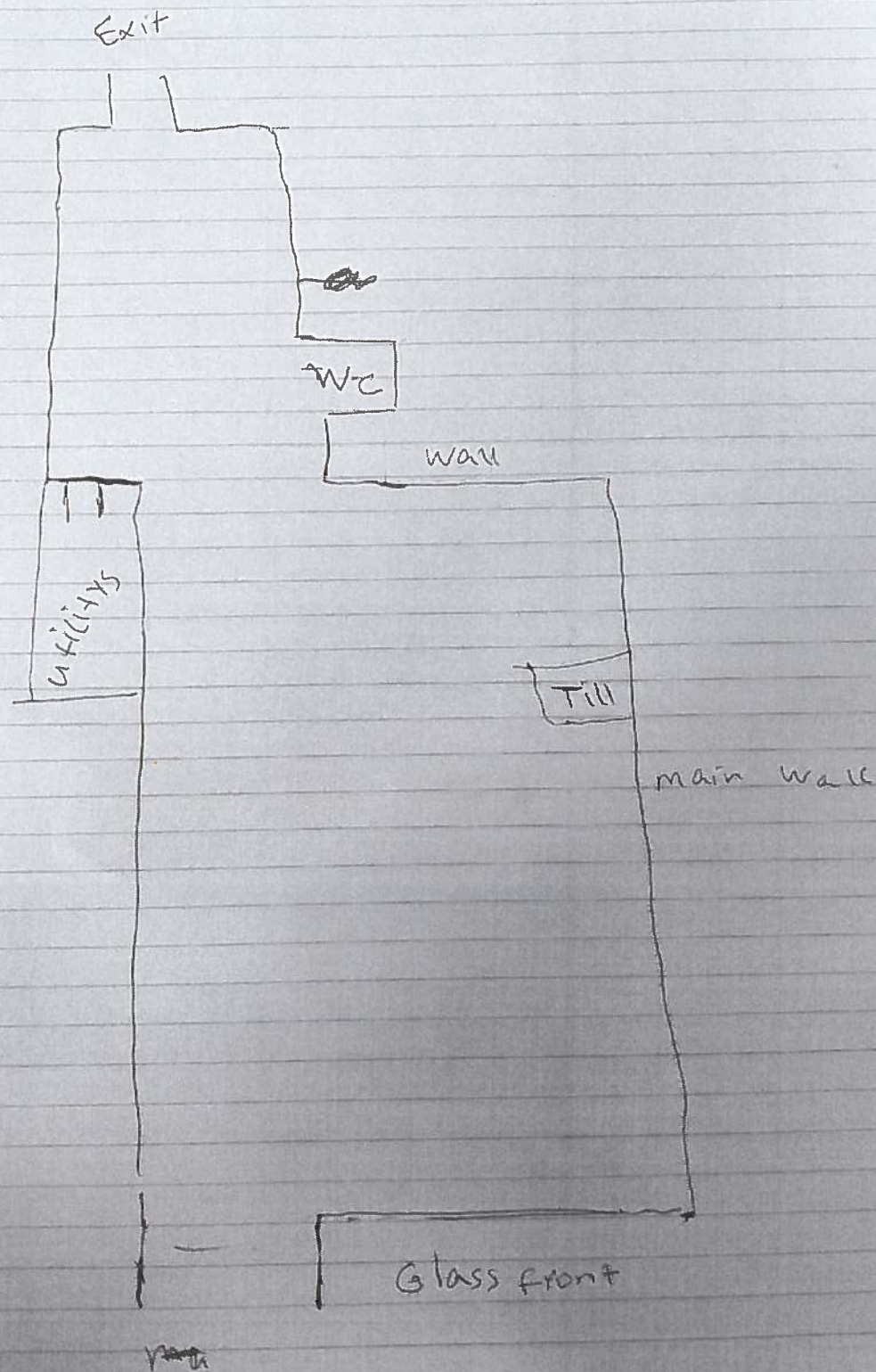
Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15).
Signature	
Date	9/9/21
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

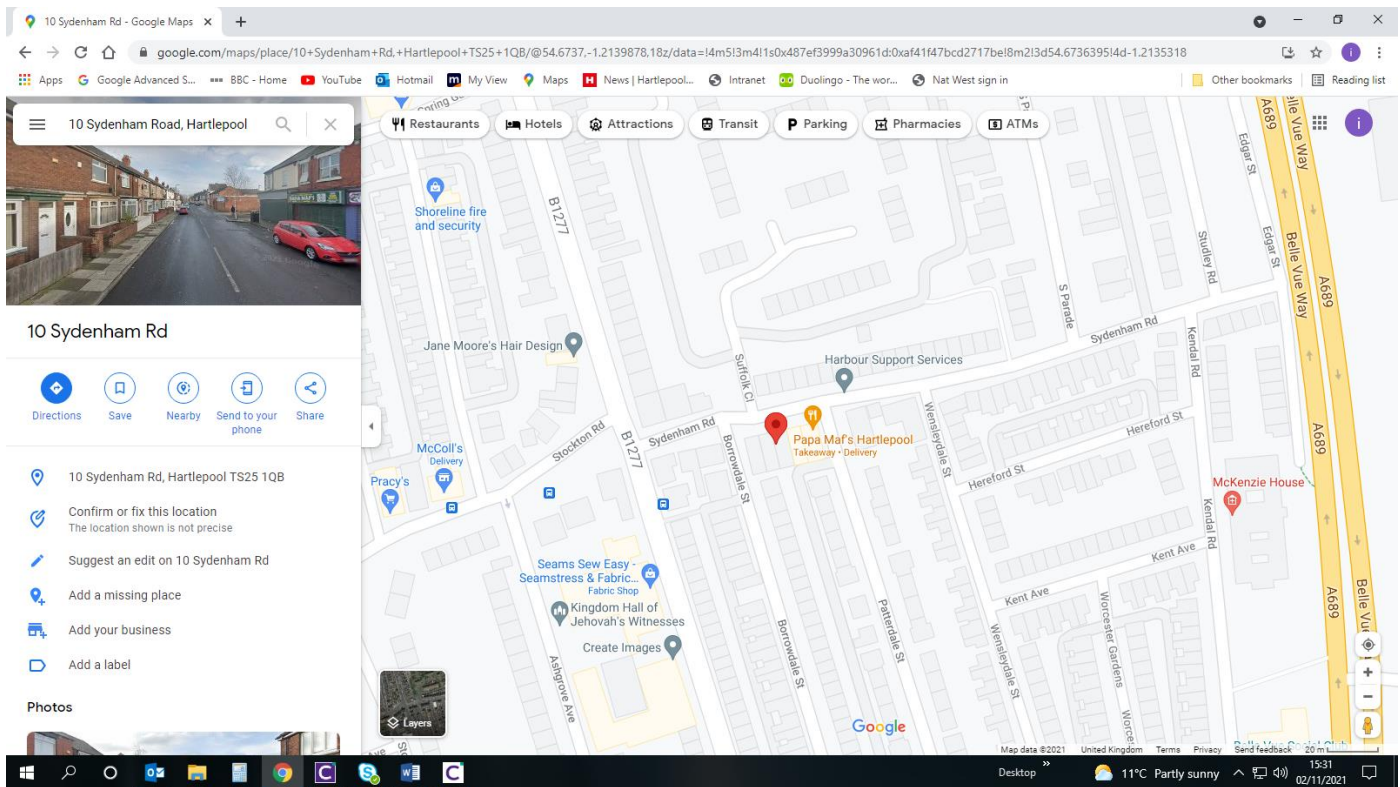
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

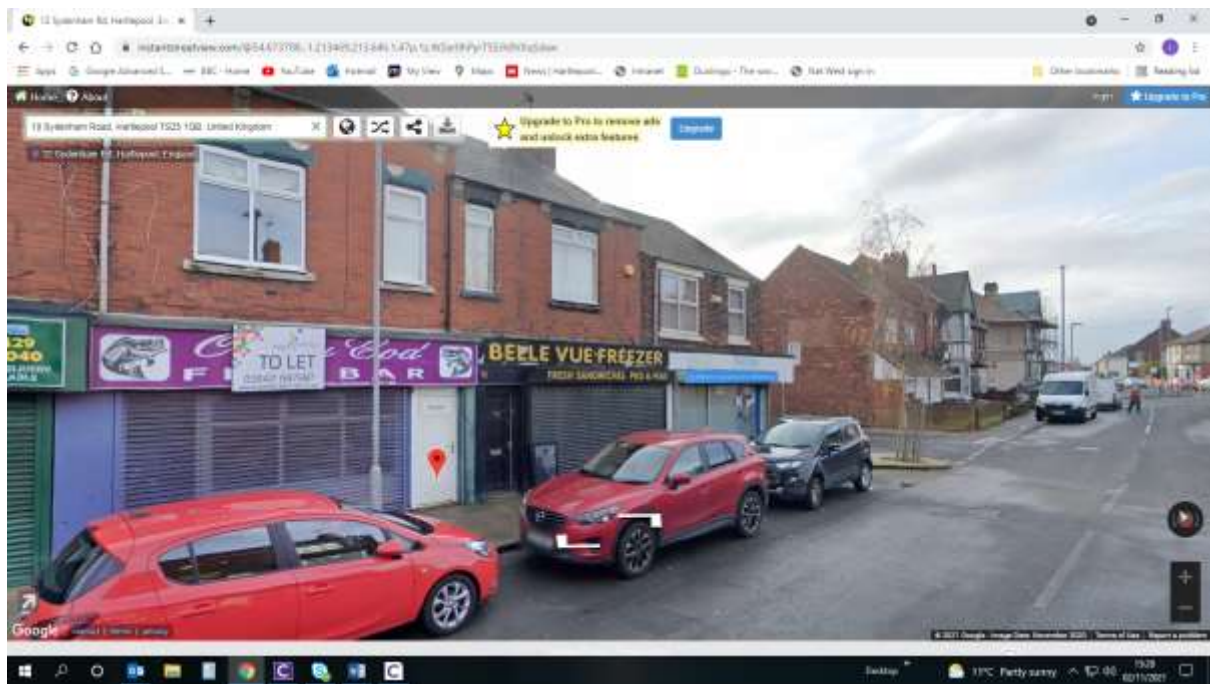
HART/PS/ST5 - Bellevue Booze, 10 Sydenham Rd



3.1 Appendix 2



3.1 Appendix 3



The licencing team

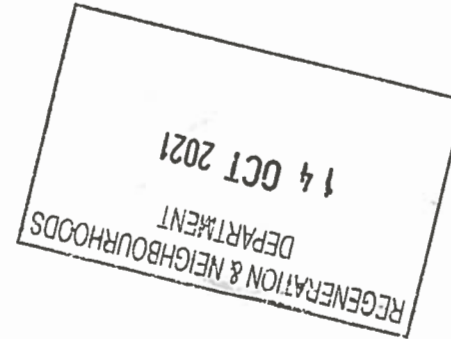
Hartlepool brough council

Civic centre

Victoria road, hartlepool

TS24 8AY

06th October 2021



Dear Sirs/madam

RE : OBJECTION TO ISSUE AN OPENING LICENCE FOR OFF LICENCE (10 SYDENHAM ROAD
HARTLEPOOL, TS251QB)

We noticed a public notice to issue a licence to above the shop.

We strongly object to issue a licence to 10 Sydenham Road, Hartlepool, TS251QB. Already there is an off-licence shop in number 2 Sydenham road. If you issue another licence to open nearby, this place going to be too noisy and too busy that will disturb residence who live nearby.

There for please do not issue new licence to open another off licence in the SAME AREA.

We look forward to get your good decision.

Many thanks

Yours Faithfully

69 Signatures

Name

Address

Signature.

Licencing department

Civic centre

Victoria road

Hartlepool

TS24 8AY

01/10/2021

Dear sirs,

I am the residence of hartlepool. We heard that there is a new shop going to open in 10 Sydenham road. problem with kids arounding this area very noises as well lots of old people and disable kids facing lots of difficulties if you allow permission to sale alcohol anymore new shops in this road we are going to get more problems with people who are alcoholic and kids.

Please note that, the people going to open the new shop in 10 Sydenham road they are three partners one of them used open shop nearby Natwest bank in york road he used to sale fake cigarettes if you see your systems you can find out.

The second one is running pizza shop nearby 11 clock shop in Stockton road.I am not sure about the third one.These three people are saying that they are going to open off licence, grocery, and post office in this road please make sure that their main thing is not all of these,they want to sale fake cigarettes please don't allow to open the shop any more.

They looking for the place to open the shop in this area very long time now they got the place because they know that they can easily do their illegal business.

If you Kindly think about this matter this will help more old people and kids in this area..

Many thanks

Yours Faithfully

Member of public.

