

LICENSING SUB-COMMITTEE

AGENDA



Wednesday 26th January 2022

at 10.00am

**in the Council Chamber,
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 Tuesday 25th January and name and address details will be taken for NHS Test and Trace purposes.

All attendees are required to bring proof of a negative lateral flow test to the meeting. This test must have been taken in the preceding 24 hours.

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 Cook, Feeney and B Loynes

- 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: 16 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 (Regulatory 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 (Regulatory 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:
16 SYDENHAM ROAD, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for a new premises licence in respect of 16 Sydenham Road, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Applicant: Savior Selvarasa Paramesvaran

Premises: Belle Vue News, 16 Sydenham Road, Hartlepool

- 2.2 The applicant has applied for a new premises licence for the off sales of alcohol so as to allow sales between 0600 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 premises (seen as a shuttered end property) are attached as **Appendix 3**.

3. BACKGROUND

- 3.1 The application has been advertised in the prescribed manner and six representations have been received. Five from local residents (**Appendices 4 – 8**) and one from Cleveland Police (attached as **Appendix 9**).

- 3.2 The objections from local residents refer to problems of anti-social behaviour in the area. The Police have referred to their knowledge of the applicant and the high levels of crime and anti-social behaviour in the area.

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

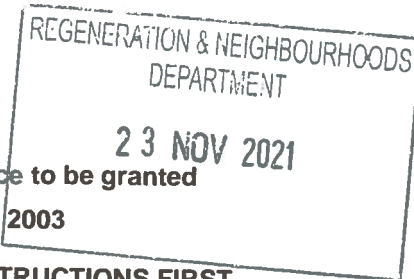
4.4 The licensing objectives are:

- 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 SAVIOR SELVARASA PARAMESVARAN
(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>16 SYDENHAM ROAD BELLE VUE NEWS</u>			
Post town	<u>HARTLEPOOL</u>	Postcode	<u>TS25 1QB</u>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<u>£ 4300 - 3,550</u> <i>18</i>

Part 2 - Applicant details

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

- | | |
|--|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname PARAMESVARAN			First names SAVJOR SELVARAN		
Date of birth over		[REDACTED]	I am 18 years old or		<input checked="" type="checkbox"/> Please tick yes
Nationality BRITISH					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
17	11	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)

It's a news and general Convenience Store also Sale Alcohol, Tobacco 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 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	06-00 am	23-00 pm.			
Tue	06-00 am	23-00 pm.			
Wed	06-00 am	23-00 pm.			
Thur	06-00 am	23-00 pm.			
	06-00 am	23-00 pm.			
Fri	06-00 am	23-00 pm.			
Sat	06-00 am	23-00 pm.			
Sun	06-00 am	23-00 pm.			

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	SUTHARSHINI -THARMESwaran.		
Date of birth	[REDACTED]		
Address	[REDACTED]		
Postcode	[REDACTED]		
Personal licence number (if known)	[REDACTED]		
Issuing licensing authority (if known)	[REDACTED]		

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	06-00	23-00		
	am	pm.		
Tue	06-00	23-00		
	am	pm.		
Wed	06-00	23-00		
	am	pm		
Thur	06-00	23-00		<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 6)
	am	pm		
Fri	06-00	23-00		
	am	pm -		
Sat	06-00	23-00		
	am	pm.		
Sun	06-00	23-00		
	am	pm.		

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

Going to fix CCTV internal and External also Alarm will be fit with police connection. All (CCTV, ALARM) Sign will be display outside and inside of the premise. Always keep Sales Refusal Book –

c) Public safety

Make sure that, when serve the Alcohol one good customers and always check proof of age.
Make sure that Staff are well trained as well.
Always keep a

d) The prevention of public nuisance

let the customers leave from premise quicker and Quittly.
Don't sale of alcohol any one who show anti social behavior.

e) The protection of children from harm

Always check their ages.
Refuse Sale all the time that if we know the Adult are purchasing behalf of younger Age.

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)

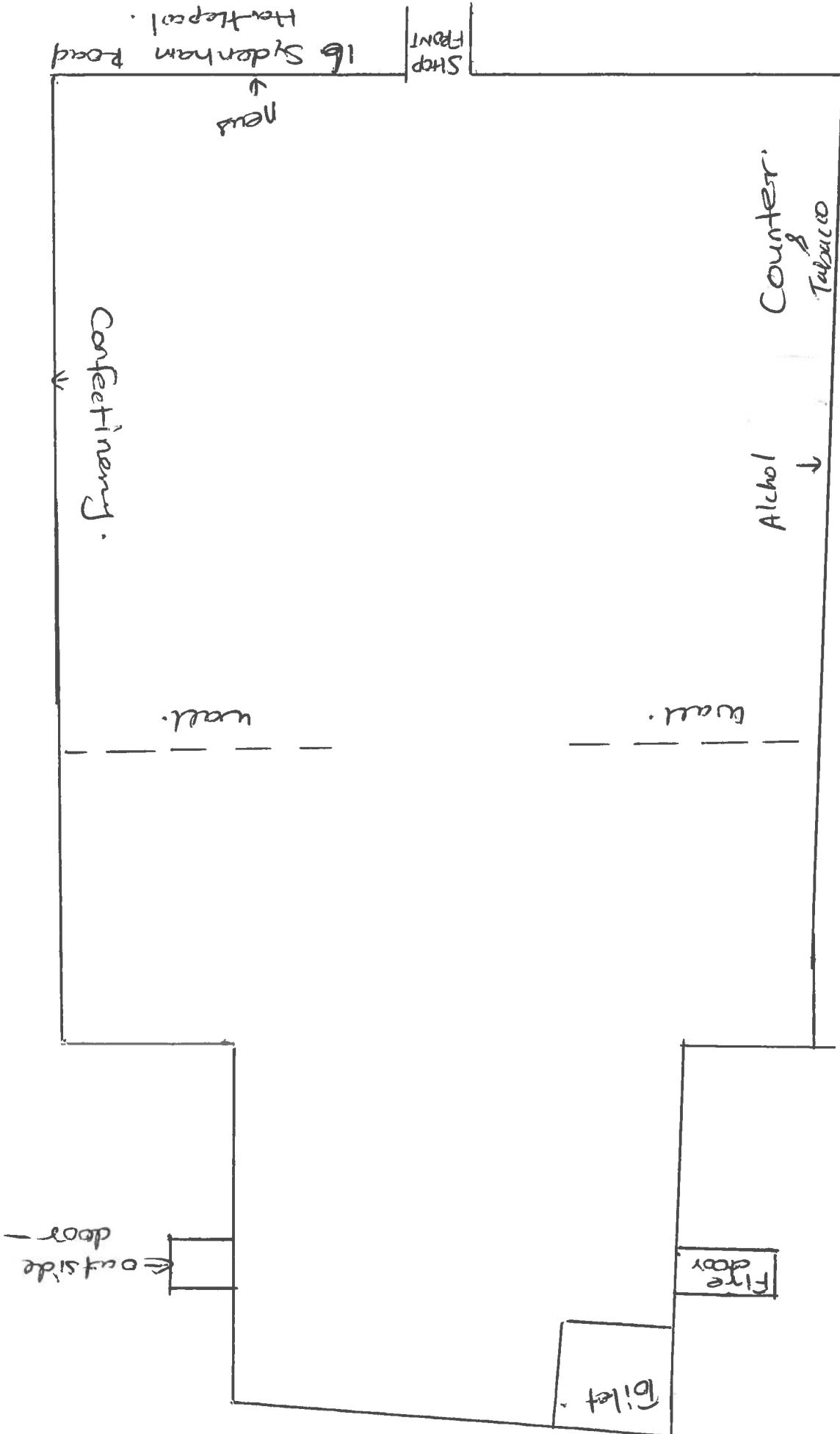
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

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	17/11/21
Capacity	Shop Owner

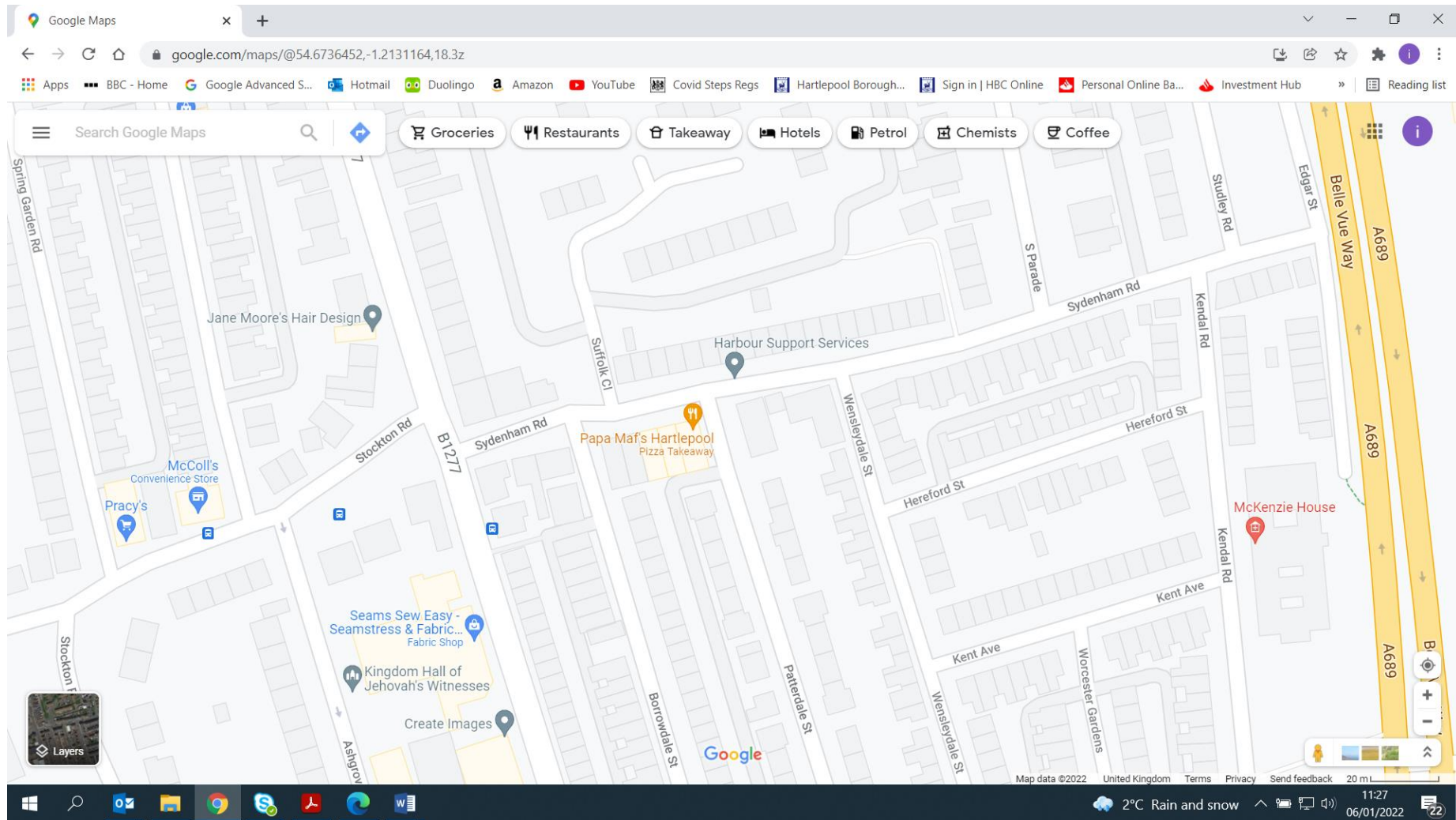
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

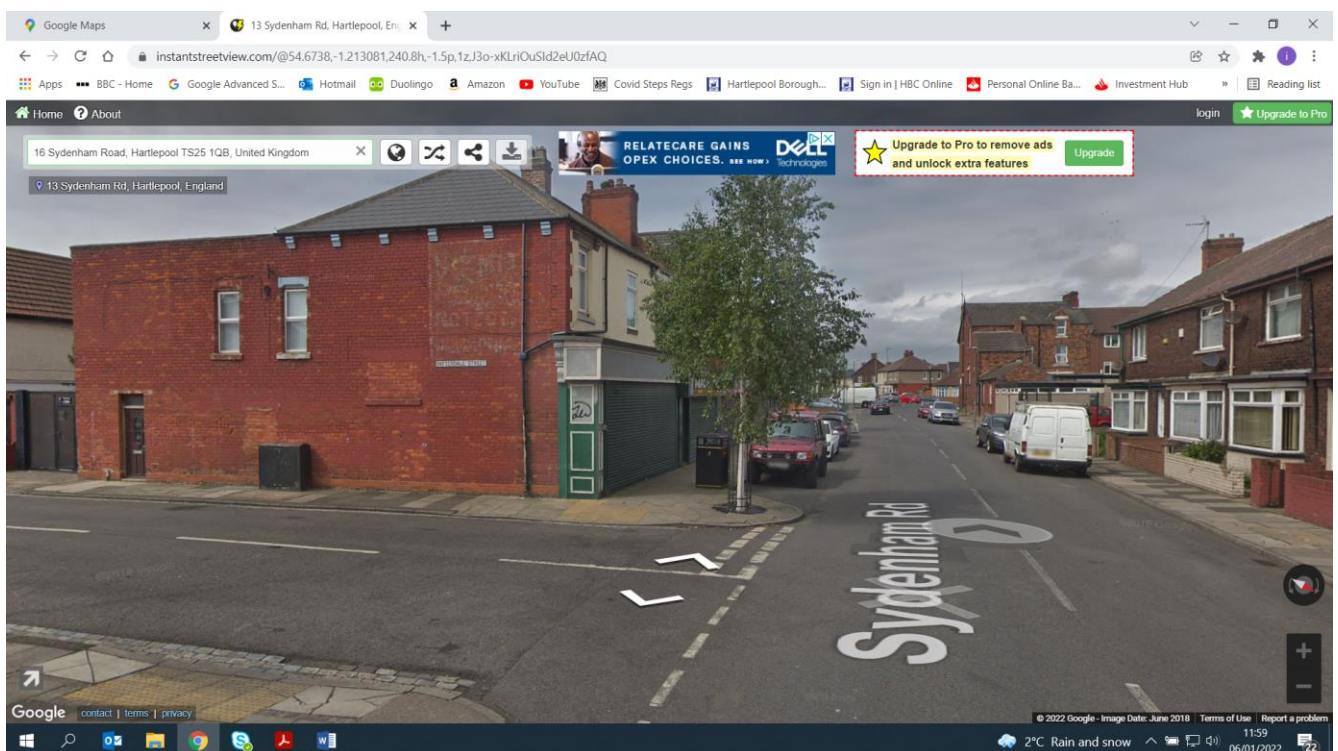
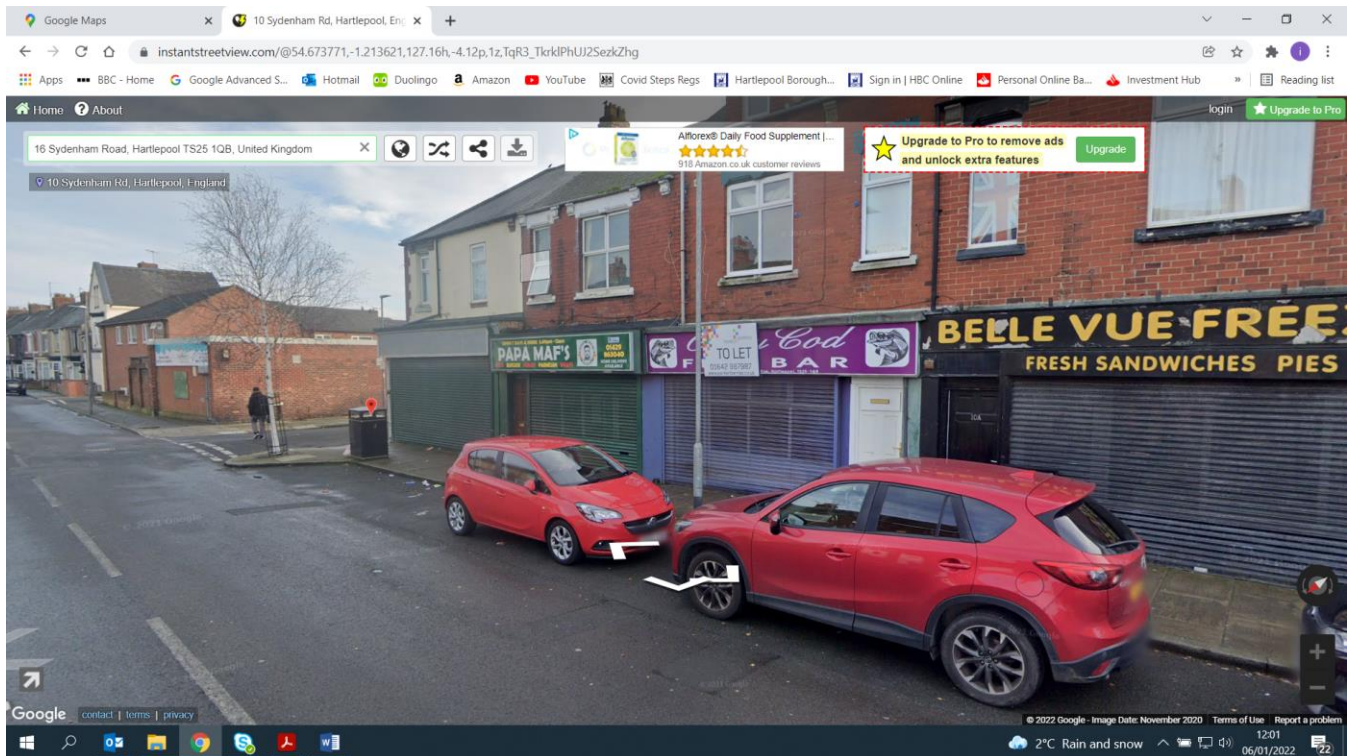
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



Appendix 2



Appendix 3



I'm emailing my view on the licensing of 16 Sydenham Road.

I live in [local], and I would like to voice my concerns of having another shop selling alcohol in close proximity to each other.

There is an ongoing issue of Anti social behaviour in the area and my opinion is that having another shop with the right to sell alcohol may be an issue for the local community.

In my opinion is that this area would benefit for soming of a cafe or a bakers and even a butchers to try get the local community to get into fresh meats and produce.

I am writing this letter to object to another shop opening up in Sydenham Road with a license to sell alcohol.

I have lived in Sydenham Road area over 15 yrs and the area is already suffering from anti-social behaviour, drunkenness and gatherings of teen-agers' intent on causing as much of a nuisance as they can.

The main problem is a store already located in [redacted]. This is where teenagers buy the drinks and then congregate on the corner.

I have been in the shop to complain about the sale of alcohol to youngsters and was told to basically keep my nose out of it. So on these grounds, I strongly object. I re-fuse to give my name and full address as I am afraid of repercussions

Thank you for taking time to read this letter.

Concerned

To whom it may concern.

Dear Sir/Madam.

I have recently found out that a new shop soon to open has applied for a license to sell alcohol.

These premises are situated in a rank of shops at Sydenham Road

The owner also owns Bel Vue Wines which is situated 100 yards away.

Another shop has already opened in this rank of shops and I cannot see how another shop will do any good.

[redacted]

I am 62 yrs old and and its bad enough to have to walk by Bel Vue stores and be accosted by youths asking for money.

We have two shops in this road that sell alcohol and groceries. We do not need a third especially with the youth problem we have already.

I very strongly OBJECT to another shop gaining a license to sell alcohol.

Hadi Azagh
Bel Vue Booze
10 Sydenham Road
Hartlepool
TS25 1QB

13th December 2021.

Dear Sirs,

I write this letter to put in my objection to the premises at number 16 Sydenham Road obtaining a license to serve alcohol.

I run a shop at number 10 which is a grocery store with a license to sell alcohol. My premises is the 2nd shop in this road that is a grocery store with a license to sell alcohol. Another store like ours is not needed.

We have had a lot of people in here talking about the new shop at number 16 and they all say that the community round here do not want another grocery shop. They want a bakery, fruit and veg shop that will benefit the people round here. There is a problem already with the younger generation being able to buy alcohol round this area and congregating on the street corner being a nuisance.

I am all in favour of befitting the local community, making it a safe place for the older generation to be able to go to their local shop with the confidence of not being harassed by youths who are very anti-social.

2 shops with alcohol licenses in this street within 50 yards of each other is more than enough to cater for the community. Another shop within this parameter will only cause more anti-social behaviour.

I hereby lodge my objection to the alcohol license for number 16 Sydenham Road.

Yours Truly

To whom it may concern

I am writing this letter to object to a license to sell alcohol to be given to a new store at 16 Sydcnham Rd Hartlepool.

In this area, there is already two shops that sells alcohol the area is plagued with teenagers buying there alcohol and hanging around causing noise, disruption etc. The problem is they buy there drinks from the [redacted] as they know they will be served.

To give another shop a licence to serve alcohol is just going to make things worse

This area does not need a third shop the same as the other 2. The older generation around here are already fearful to walk to the shops at night due to the youths.

I strongly object to this license application and hope that you will take into consideration the elderly generation that live and use the shops already here

Thank you



**CLEVELAND
POLICE**

Licensing Support Unit
Middlesbrough Police Station
Bridge Street West
Middlesbrough
Cleveland
TS2 1AB
Tel 01642303176

**Representations On A Current Application For A Grant/Variation of a Premises Licence Or Club
Premises Certificate Under The Licensing Act 2003**

I Pc 1620 Clare LAWTON

On behalf of

CHIEF CONSTABLE OF CLEVELAND POLICE
MIDDLESBROUGH DISTRICT H/Q
BRIDGE STREET WEST
MIDDLESBROUGH
TS2 1AB

As a responsible authority wish to make representation about the application for variation of a premises licence.

PREMISES OR CLUB PREMISES DETAILS

16 SYDENHAM ROAD
HARTLEPOOL
TS25 1QB

This representation relates to the following licensing objective(s)

- | | | |
|----|--------------------------------------|---|
| 1. | The prevention of crime and disorder | x |
| 2. | Public safety | x |
| 3. | The prevention of public nuisance | x |
| 4. | The protection of children from harm | x |

GROUND'S FOR REPRESENTATIONS

Cleveland Police have received an application made under the Licensing Act 2003 for a new premises licence to be granted at 16 Sydenham Road Hartlepool TS25 1QB. The applicant is requesting a licensed for a news and general dealers with the sale of alcohol between 0600hrs – 2300hrs 7 days a week.

Cleveland Police submit representations to this application for the following reasons,

The applicant of this application is currently employed at another off licensed premise Belle View Wines. Belle View Wines is situated less than 100m away from the premise subject to this application.

On a recent visit to Belle View Wines the applicant of this application was the only member of staff on duty. During the visit it was clear from the outset that the applicant had a very limited knowledge of the licensing act and the importance of licensing conditions. During inspection several licensing breaches were identified.

Cleveland Police are deeply concerned that the applicant is wanting to become the premises licence holder for a new premise when he has been unable to demonstrate that he is fully conversant with the licensing act and able to promote the licensing objectives.

It is also worthy of note to state the applicant for this application is married to the DPS of the other premise visited as mentioned above.

The area that this premise is situated in already suffers from high levels of crime and disorder and antisocial behaviour.

If required, a statement can be provided with supporting evidence.

Pc 1620 Clare Lawton
Licensing Support Unit