

LICENSING SUB-COMMITTEE

AGENDA



Wednesday 18th May 2022

at 10.00am

**in Committee Room C
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 17th May

You should not attend the meeting if you 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 Brown, Cassidy and Little.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. ITEMS FOR DECISION

- 3.1 Application for the review of a premises licence – Jax Bar, Middleton Grange Shopping Centre, 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 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, Regulatory Services

Subject: APPLICATION FOR THE REVIEW OF A PREMISES
LICENCE – JAX BAR, MIDDLETON GRANGE
SHOPPING CENTRE, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To consider an application for the review of a premises licence in respect of Jax Bar, Middleton Grange Shopping Centre, Hartlepool.

2. SUMMARY OF APPLICATION

- 2.1 Party requesting review: Cleveland Police
- 2.2 The current premises licence holder is: Camerons Brewery
- 2.3 The current premises licence authorises the supply of alcohol, regulated entertainment and the provision of late night refreshment until 4:00 a.m. seven days a week. A copy of the licence is attached as **Appendix 1**.
- 2.4 A copy of the review application is attached as **Appendix 2**.
- 2.5 Google streetview images of the property are attached as **Appendix 3**.
- 2.6 The application for review refers to the following licensing objectives:
- Public Safety
 - Prevention of Crime & Disorder
 - Prevention of Public Nuisance
- 2.7 The application was advertised in the prescribed manner and one representation was received from a member of the public, supporting the operators of Jax Bar (**Appendix 4**).

3. BACKGROUND

- 3.1 Cameron's Brewery are the owners of Jax Bar and also hold the premises licence but the site itself is currently leased to Jayden Leisure Ltd who operate it as a bar.

3.1

- 3.2 Jayden Leisure Ltd is owned by Mr John Burn and Mr Anthony Wilkinson – the former also being named on the premises licence as the Designated Premises Supervisor
- 3.3 The application for review states that there has been a significant number of incidents of crime and disorder at the premises over the past year and, despite agreeing an action plan to improve the premises in June 2021, serious problems have persisted.

4. ISSUES

- 4.1 An application for the review of a licence is made under Section 51 of the Licensing Act 2003. The application must be made by either a Responsible Authority or any other person as defined by the Act. In this case, the application has been made by Cleveland Police which is a Responsible Authority.
- 4.2 The application must also relate to at least one of the Act's '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
- 4.3 The application for review relates to allegations that the premises has had a significant number of incidents of crime and disorder and the Police have supplied a number of crime reports as evidence.
- 4.4 This premises licence was previously reviewed in November 2020 following an application by Hartlepool Borough Council's Environmental Health department because of breaches of covid restrictions. Cleveland Police supported the review as they had concerns over the number of incidents of violence that were taking place there.
- 4.5 Negotiations prior to the review hearing resulted in the Designated Premises Supervisor being replaced by Mr Burn (who is currently still the DPS) and additional conditions being added to the licence (see Annex 3 of Appendix 1)
- 4.6 Having considered the evidence detailed in this report and any further information provided, or representations made, at the licensing hearing, the steps available to the Licensing Sub-committee are: -
- To take no action;
 - To modify the conditions on the licence;
 - To remove or amend licensable activities currently authorised by the licence and/or the times that they may take place;
 - To remove the Designated Premises Supervisor

3.1

- To suspend the licence for a period not exceeding three months;
- To revoke the licence.

5. RECOMMENDATIONS

- 5.1 That Members consider the representations made and determine what action, if any, should be taken.

THE LICENSING ACT 2003
PREMISES LICENCE (PART A)

Premises licence number

HART/PS/188

Part 1 - Premises details

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

Jax Bar
 Middleton Grange Shopping Centre

Post Town Hartlepool

Post Code TS26 7RR

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.

Alcohol Sales (On & Off-Licence)

Entertainment

1. Live Music
2. Recorded Music
3. Performance of Dance
4. Anything similar to 1, 2 & 3 above
5. Provision of facilities for making Music
6. Provision of facilities for Dancing

Late Night Refreshment

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

Alcohol Sales (On & Off-Licence)

Monday to Sunday 1100 – 0400

Entertainment

1. Live Music
2. Recorded Music
3. Performance of Dance
4. Anything similar to 1, 2 & 3 above
5. Provision of facilities for making Music
6. Provision of facilities for Dancing

Monday to Sunday 1100 - 0400

Late Night Refreshment

Monday to Sunday 2300 - 0400

The opening hours of the premises

Monday to Sunday 1100 - 0430

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

On and Off Sales

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

Camerons Brewery Limited
Maingate House
Waldon Street
Hartlepool
TS24 7QS

Tel: 01429 266666

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

3571101

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

Mr John Henry Leaning Burn

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

Date licence granted: 24th March 2021

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. 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 must 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.
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (d) 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;

- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 6. (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.
- 7. 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;
 - (b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises and
 - (c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 8. (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—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
 - (b) “permitted price” is the price found by applying the formula—
$$P = D + (D \times V)$$
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;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
- (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;
- (d) “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 present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994⁽⁷⁾.
- (3) 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 given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (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 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 Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours includes:

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

- 2 The maximum number of persons who shall be allowed to be present in the premises or in any specific part of the premises shall be as follows.

Ground Floor	110 (one hundred and ten)
First Floor	220 (two hundred and twenty)

- 3 The external doors and windows to the parts of the premises used for the purposes of entertainment are not to be left open whilst entertainment are being held in the premises.
- 4 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.
- 5 A drugs policy shall be prepared and implemented.
- 6 All parts of the licensed premises must be open to inspection by duly authorised officers of the Licensing, Fire and Police Authority during the time the premises are being used for the purpose for which this Licence is granted, or at any other time upon reasonable notice being given to the Licensee.
- 7 The Licensee, that is the person in whose name the licence is granted, shall be fully responsible for ensuring that each and every one of these terms and conditions are complied with and for the safety of persons and employees on the premises in the event of emergency.
- 8 The Licensee or such other nominated person must give to any authorised officer of the Police, Fire or Licensing Authority, on request, the number of persons in the premises. A suitable form of machinery, approved by the Licensing Authority, should be provided for the purpose of calculating this number.

If the premises consists of two or more floors then there should be some form of machinery, approved by the Licensing Authority, in place to calculate and control how many persons are on each floor.
- 9 The Licensee or nominated person of the premises must ensure that any noise emanating from the licensed premises is such as not to cause annoyance to residents in the locality.

- 10 Except with the written approval of the Licensing Authority: -
- (a) All doors on exitways must open in line of egress from the premises.
 - (b) No chairs, seats, barriers or other obstruction, whether fixed or moveable, shall be placed or allowed in any gangway, passage or exit of the licensed premises, or in any part of the licensed premises, which may be used as an exit. No person, except an official or servant of the licensee, shall be permitted to stand, sit or remain in any vestibule, passage, staircase, lobby, corridor, gangway or space forming part of any exit way of the Licensed premises or any part thereof.
 - (c) No corridor or passage which is or may be an exit, or which leads to an exit, shall be used as a cloakroom, and no pegs for hanging hats or coats shall be allowed therein.
 - (d) No curtain or drape shall be hung over any exit door or across any gangway.
- 11 If the Licensing Authority have approved the use of chains, padlocks or other devices for securing exit doors when the public are not on the licensed premises, the Licensee must ensure the removal of such chains, padlocks and other devices before the admission of the public and must ensure they are hung on a board kept only for that purpose throughout the times the public are present in the licensed premises. Such board and its location must have been approved in writing by the Licensing Authority.
- 12
- (a) Where required in writing by the Licensing Authority, doors or openings not affording a safe egress from the licensed premises, must be clearly indicated by the words "NO THOROUGHFARE" or have notices fixed on or over them indicating the use of the portions of the premises to which they give access.
 - (b) Such directional notices and signs indicating the way out of the premises must be provided, as the Licensing Authority may consider necessary.
 - (c) All fire-resisting doors must be duly marked.
- 13 All the signs and notices referred to in these conditions must comply with the relevant British Standards for the time being in force or The Signs and Signals Regulations 1996.
- 14 Suitable and efficient fire fighting equipment must be provided in the premises and kept in such positions as approved by the Fire Authority. Such equipment must be maintained in proper working order and available for instant use and must be tested and examined by a competent person at periods not exceeding 12 months.
- 15
- (a) The Licensee, any other person in charge of the premises, all members of the staff and competent attendants must be properly instructed in the protection of the premises from fire, the use of fire fighting equipment, the action to be taken in the event of a fire and the method of summoning the Fire Brigade.

- (b) Written instructions to staff and competent attendants, in the form of a notice or notices, as to the action to be taken in the event of fire must be conspicuously displayed in the licensed premises.
- 16 Except with the written approval of the Licensing Authority: -
- (a) all fixed, permanent or temporary decorations must be of inherently incombustible materials or must be treated and so maintained so that they will not readily catch fire.
 - (b) Curtains or drapes in the premises must be flameproof in accordance with the relevant British Standard for the time being in force, of a type approved by the Licensing authority and maintained in that condition.
- 17 If it appears to the Licensing Authority that the use of a product, material, fabric or finish might assist the spread of fire in the premises then the Licensing Authority may require such product, material, fabric or finish to be replaced or to be treated in such a manner as to reduce this risk to the satisfaction of the Licensing Authority.
- 18 A means of giving warning in case of fire must be provided on the licensed premises, as approved by the Licensing Authority and must be tested prior to each public admittance and must be inspected annually by a qualified person. Details of every such inspection must be recorded in a logbook kept on the premises.
- 19 In the event of the fire alarm being activated a suitable relay must be provided so that the electrical power supply to all sound amplification system in the licensed premises must be immediately intercepted so that the alarm can be clearly heard in all parts of the licensed premises.
- 20 All parts of the premises to which the public have access and all external exit ways must be provided with emergency lighting to appropriate British Standard capable of providing sufficient illumination for the public to leave the premises safely. Although it is not required that emergency lighting should be provided in each W.C. compartment, it must be provided in toilet accommodation, which exceeds 8m² in gross area and in toilet accommodation having a gross area smaller than 8m² where no provision for borrowed light has been made. Such a system must be tested prior to each public admittance. If such system of emergency lighting is found to be faulty then the premises must not be used for the purposes for which this licence is granted until such time as the fault is rectified and the emergency lighting is fully operational.
- 21 A written record of all the periodic tests and examinations, and the results thereof, referred to in these conditions, relating to the provision of suitable and efficient fire fighting equipment and fire alarm system, must be kept by the Licensee on the licensed premises and be available for inspection by authorised officers of the Licensing, Fire and Police Authority.
- 22 The electrical installations in the licensed premises must comply with any Regulations and British Standard Codes of Practice affecting the use of electricity for the time being in force. All electrical installations including emergency services must be inspected and tested once a year (and all or any of such installations

shall be inspected at any other time at the request of the Licensing authority if it has any reasonable cause to doubt the safety of such installations) by one of the following:

- (a) a chartered electrical engineer or;
- (b) a member of the Electrical Contractors Association or;
- (c) a certificate holder of the National Inspection Council for Electrical Installation Contracting or;
- (d) the Local Electricity Supplier

appointed by or on behalf of the Licensee. A certificate stating the condition of the installations must be forwarded to the Licensing Authority, by or on behalf of the Licensee, on or before each anniversary of the date this licence was granted. In the case of the annual inspection and in the case of any request for an inspection by the Licensing Authority, a certificate must be received within 2 weeks of such request.

- 23 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 30 MA tripping circuit.
- 24 The Licensed premises must be kept properly and sufficiently ventilated and heated to the satisfaction of the Licensing Authority.
- 25 Any heating or ventilation appliance in the licensed premises must be constructed and installed in accordance with Building Regulations or Institute of Electrical Engineers Regulations and maintained in accordance with current good practices and must be located only in a position approved in writing by the Licensing Authority.
- 26 The edges of the treads of steps and stairways must be conspicuous. Mats, matting and other floor coverings must be secured and maintained, so that they will not ruck or be in any way a source of danger.
- 27 Handrails and balustrades where required, are to be fixed and constructed in accordance with current Building Regulations.
- 28 Reflective surfaces and glazed screens must only be provided in the licensed premises and sited in such positions therein, as approved by the Licensing Authority.
- 29 Alterations or additions, either permanent or temporary, to the structure, including wall and ceiling surfaces, lighting, heating or other installations or to the approved seating, gangways stairways, or any other arrangements in the premises must not be made except with the prior approval of the Licensing Authority.
- 30 Combustible materials can only be stored with the approval of the Licensing Authority. Storage of materials in the licensed premises shall be in such a position approved in writing by the Licensing Authority.
- 31 All parts of the premises, all fittings and apparatus therein, including the seating, door fastenings, notices, as well as the lighting, heating, electrical, and other installations, must be maintained at all times in good order and condition to the satisfaction of the Licensing Authority.

- 32 The lavatories, water closets and urinals in the licensed premises must at all times be kept in good order and repair, and be properly and effectively cleansed, ventilated, disinfected, and supplied with water. Adequate and separate sanitary convenience must be provided for persons of each sex. The doors leading thereto must be suitably marked.
- 33 There shall be no exhibition, recitation, acting, singing, dancing or other entertainment, which is of an obscene character or is in any way offensive to public decency or calculated to incite any breach of the peace or disorder.
- 34 No drunkenness or any violent, quarrelsome or riotous conduct shall be permitted in the licensed premises.
- 35 No unlawful gaming, lottery or betting shall be allowed on the licensed premises.
- 36 No exhibition, demonstration or performance of hypnotism or of roller skating shall take place at the premises, except with the written approval of the Licensing Authority and subject to any conditions attached to such approval. Application for consent must be made to the Licensing Authority not less than 28 days before the day on which it is to take place. A detailed description of the proposal event must accompany this application.
- 39 On those occasions when disabled persons are to be present on the premises, special arrangements as may be necessary in the circumstances must be made, so as to enable all persons to leave the premises safely in the event of fire or other emergency.
- 39 Except with the 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.

Applications for consent, giving detailed descriptions of the equipment to be used and details of the event, including dates and times must be made not less than 28 days before the date of the event.

- 40 Any person employed or engaged at the premises in the vetting of customers and/or the maintenance of public order either at any entrance to the premises or any part within must be approved or provisionally approved by the Security Industry Authority (SIA)
- 41 If an event is to include the use of moveable seating for a closely seated audience then a plan showing the location of this seating should be submitted to the Licensing Authority at least 28 days before the event is to be held.

- 42 This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the Children and Young Persons Act 1933.
- 43 There shall be in place a written policy to prevent the sale of supply of alcohol to persons under 18 years of age. That policy shall require any person who appears to be under the age of 21 to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS), a photo driving licence, a passport or official HM Forces or EU ID card bearing photo and date of birth.
- 44 At least one notice shall be displayed at the entrance to the premises where it can be clearly seen and read and shall indicate that it is unlawful for persons under 18 years of age to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.
- 45 A written record shall be maintained detailing the training provided to each member of staff authorised to sell or supply alcohol. Such a record shall be signed by the member of staff to confirm the date that such training took place.
- 46 The licence holder shall implement a policy of regular monitoring and review of all staff authorised to sell or supply alcohol. Such a policy shall include periodic analysis of CCTV footage to ensure sales and refusals correspond with till records.

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

- a) A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of, and in consultation with, Cleveland Police. Such a system shall:
- i) Be operated by properly trained staff;
 - ii) Ensure coverage of all public entrances and exits, till areas, any existing outside areas and other areas as required by Cleveland Police;
 - iii) Be kept in a secure environment under the control of responsibly named individual.
 - iv) During the times licensable activities are provided, have a member of staff present and trained in the retrieval of CCTV footage, with the ability to download the relevant footage onto a disc at the request from Cleveland Police or other authorised officer (i.e. Council licensing officer);
 - v) Be capable of recognition of all persons entering the premises.
 - vi) Recording facilities for each camera shall be to a high standard of clarity. Such recordings shall be retained on hard drive for a minimal period of 28 days and shall be supplied to a Police and local authority on reasonable request. Images recorded are to be retained in an unedited format and the CCTV system must continually record whilst the premises is open.
- b) The only persons permitted to be in the premises after either permitted licensed hours, or the hours permitted under COVID-19 restrictions, will be members of staff, the tenant (as identified by the premises licence holder) and the tenant's relatives / partners.
- c) Noise limiting devices will be installed in the premises on the ground floor and first floor, and will be utilised when regulated entertainment is taking place. They shall serve as a conduit for live and recorded music. The devices will be set to a level agreed between the premises licence holder and the Council, so as to promote an environment in which customers do not have to shout in order to be heard over the music.
- This condition shall apply at any time that the provision of entertainment is limited, or controlled, by any national COVID-19 restrictions that apply to the Hartlepool area
- This condition is imposed under section 177A (4) of the Licensing Act 2003 as Hartlepool Borough Council has chosen to apply a condition to the provision of music as if such music were regulated entertainment and that the premises licence licenses such music.

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.

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE 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 Andrew Thorpe

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Jax Bar Middleton Grange Shopping Centre	
Post town Hartlepool	Post code (if known) TS24 7RR

Name of premises licence holder or club holding club premises certificate (if known) Cameron's Brewery
--

Number of premises licence or club premises certificate (if known) HART/PS/188
--

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises ☐
 - b) a body representing persons living in the vicinity of the premises ☐
 - c) a person involved in business in the vicinity of the premises ☐
 - d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) X
- 3) a member of the club to which this application relates (please complete (A) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address CHIEF CONSTABLE OF CLEVELAND POLICE C/O APS894 Thorpe Middlesbrough Police Bridge Street West Middlesbrough
Telephone number (if any) 01642 302360
E-mail address (optional) H0.licensingunit@cleveland.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|---|
| 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 | |

Please state the ground(s) for review (please read guidance note 1)

Cleveland Police make application to review this premises licence for the following reasons:

Jax Bar is situated opposite Hartlepool College of Further Education and is part of the large shopping complex Middleton Grange Shopping Centre. It is a two storey premises with licensable activity allowed on both floors. It currently holds a Premises Licence allowing it to carry out licensable activity from 11:00 hours to 04:00 hours Monday to Sunday.

The premises has been open inside and out since the Government relaxation of the Coronavirus regulations on 12th April 2021

There have been 40 incidents of violence and Anti Social Behaviour in and around the premise in the past 9 months. The premise has become one of the more reported premises in all the four districts we are responsible for.

The Incidents range from the throwing of glasses and persons causing injury, to fights in and outside the premise. As a result of these reports there have been 17 arrests made and police have responded on each occasion.

An Action Plan was discussed with the Designated Premises Supervisors partner in May 2021 which was signed by the Designated Premise Supervisor on 7th June 2021. We have had regular contact from the DPS as per the Action Plan.

We have had no other premises in Hartlepool with as many reported incidents as Jax Bar but, there have been other premises which have been just as busy and open just as late.

We will always strive to work with the premise to resolve issues and will never leave a premise to struggle on without support. A review application is always the last resort if all other avenues fail. Such are the concerns of Cleveland Police that they find no alternative but to make this application for the review of the Premises Licence.

Please provide as much information as possible to support the application
(please read guidance note 2)

Please see attached documentation

Please tick yes

Have you made an application for review relating to this premises before ☐ YES

If yes please state the date of that application

Day Month Year

1	3	1	0	2	0	2	0
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If you have made representations before relating to this premises please state what they were and when you made them

Cleveland Police made representations last year October 2020 after the first relaxation of Coronavirus regulations were relaxed. The application last year was for the rise in violent and ASB incidents similar to this application but over a longer period and also included infringements against the Coronavirus legislation.

Prior to the hearing going before the Hartlepool Council Licensing Sub-Committee the legal representative requested an adjournment to the hearing so they could hopefully find a solution which would mitigate the need for a hearing.

Subsequently the premises changed it's DPS to the current person. I submitted objections to this variation but was asked by the licence holder Cameron's Brewery (though their representative) to give this new DPS a chance which I agreed. Unfortunately things have not improved and we are again at the point where it is necessary to apply for a review of the premise licence.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate X
- I understand that if I do not comply with the above requirements my application will be rejected X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 16/02/2022

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Copies of this completed application form must be sent to:-

The Licensing Team (HBC),
Principal Trading Standards Officer (HBC)
Development Control Manager (HBC)
Principal Environmental Health Officer (Commercial Services) (HBC)
Principal Environmental Health Officer (Environmental Protection) (HBC)
Head of Safeguarding and Review (Licensing) (HBC)
Cleveland Police,
Cleveland Fire Brigade

Addresses for the above organisations are attached.

The Licensing Section
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

Licensing Act 2003 Consultees



The Licensing Team
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

Principal Trading Standards Officer
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

Chief Fire Officer
Community Services Group
Fire Engineering Hartlepool
Fire Brigade HQ
Endeavour House
Stockton Road
Hartlepool
TS25 5TB

The Licensing Unit
Hartlepool Police Office
Avenue Road
Hartlepool
TS24 8AB

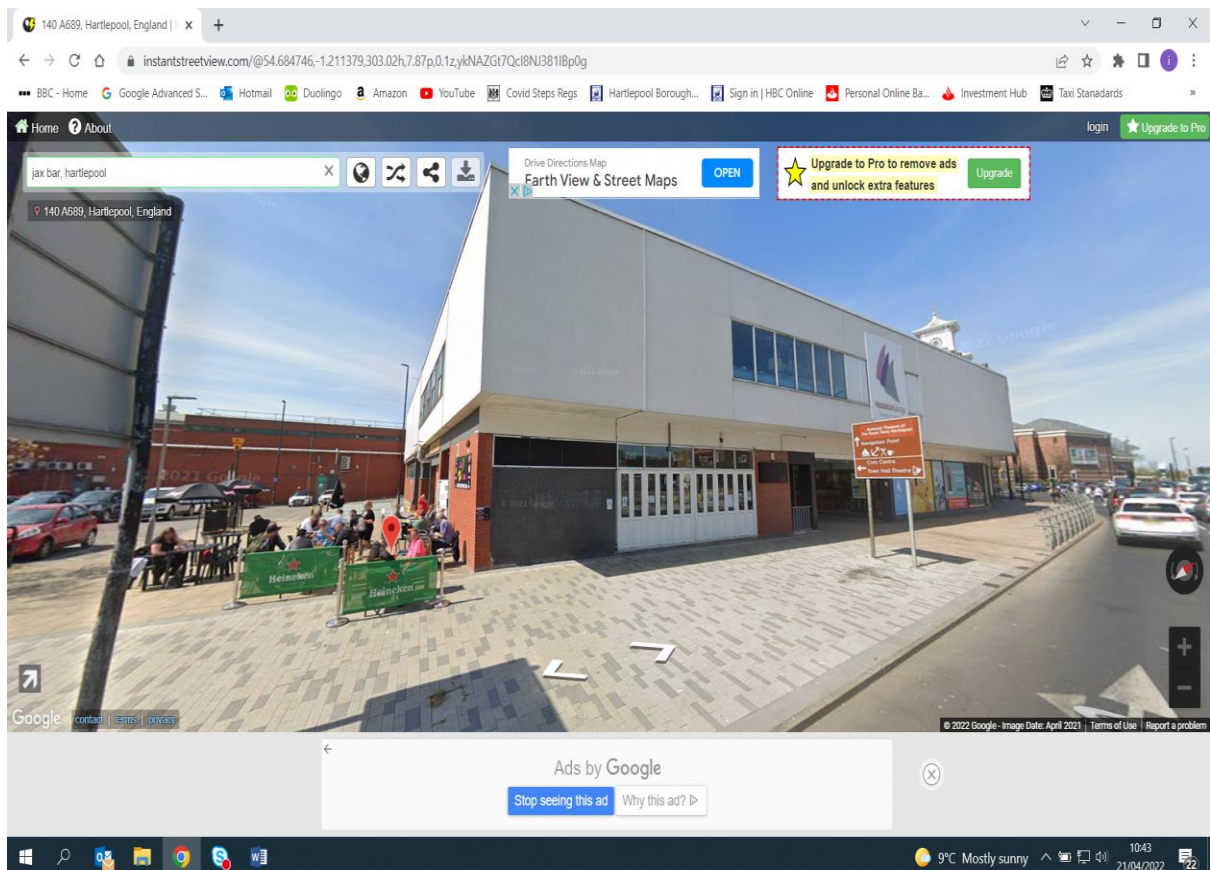
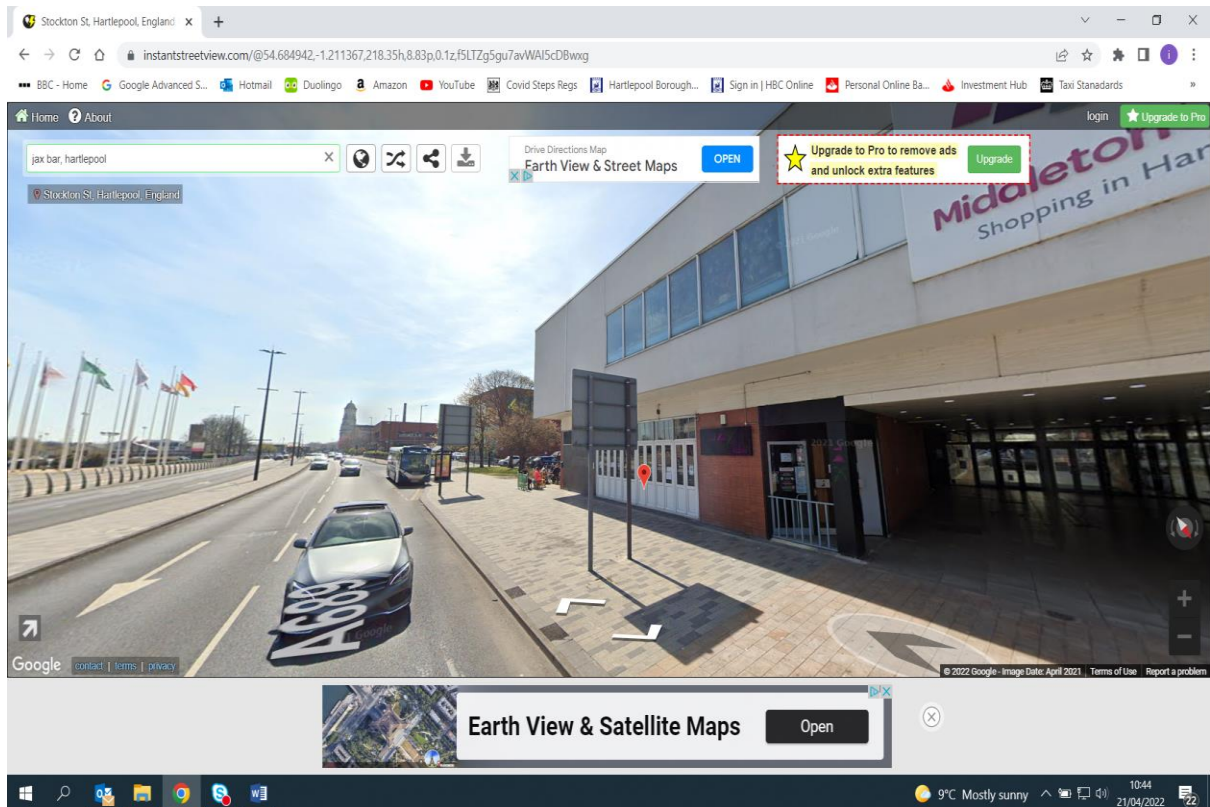
Development Control Manager
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

Hartlepool Safeguarding Children's Board
Hartlepool Borough Council
Bevan House
35 Avenue Road
Hartlepool
TS24 8HD

Principal Environmental Health Officer
(Commercial Services)
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

Principal Environmental Health Officer
(Environmental Protection)
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

Appendix 3



With reference to Jaxx Bar, 26 Middleton Grange lane, Hartlepool.

I am a regular customer at the venue and use this venue alongside others in the town. It saddens me to hear that this bar is under a review of it's licence. I personally think that there are worse venues than Jaxx bar from my experience there is one in York road and two in Church Street where I have noticed constant police intervention and arrests

I find the staff of Jaxx Bar very conscientious, caring people who have a lot of time for all customers and have built up a good community spirit. I have always felt very safe in the venue, I have never seen drug abuse or underage drinking as I.D is checked throughout the day.

We have lost too many pubs in this town over the last 2-3 years, it would be a huge shame to lose another in the heart of the town centre, it is open 7 days a week and is a safe space for a lot of older regulars to the bar.

I have seen the licence holder and a member of staff do an excellent job of restraining a man who caused an issue within the bar, safely restraining him while awaiting police assistance. Due to their diligence no one was injured and the man was arrested.

A spiking took place within the venue that involved a regular customer and a member of staff been spiked. The licensee called for police assistance while him and another member of staff restrained three customers, the pub was emptied for public safety. Only two police officers arrived to deal with three customers who were causing a massive disturbance, the licensee went above and beyond his duties and proceeded to help the police make the arrests by using his own handcuffs to restrain the third person.

My personal view is that this premises is no different to any other late night venues perhaps support from the council and police intervention may help to prevent further incidents.

Signed.

A black rectangular redaction mark covering the signature.

21st April 2022