

**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 29 MARCH 2016**

APPLICATION FOR VARIATION TO PREMISES LICENCE

Applicant: Great Greek Restaurant's Ltd

Ref.No. OL/16/05

Premises: Unit 1, 248 Linthorpe Road, Middlesbrough

Application received: 4 February 2016

Summary of Proposed Licensable Activities:

Provision of Late Night Refreshment 11pm to 1am daily
Plays, Live Music, Recorded Music, Performance of Dance, Supply of Alcohol 11am to 1am
daily

**Full details of the application and accompanying operating schedule have been
reproduced at Appendix 1.**

1. Notification to Responsible Authorities:

The following Responsible Authorities have all received notification of the application:

Chief Constable	Planning Manager
Chief Fire Officer	Trading Standards Manager
Area Child Protection Group	Director of Public Health
Environmental Health Manager (Public Safety and Public Nuisance)	

2. Application advertised by the applicant: Evening Gazette – 6 February 2016

3. Legislation

The Licensing Act 2003 requires the Licensing Authority to carry out its functions with a view to promoting the four licensing objectives:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

Decision:

Reasons:

[Insert name and address of relevant licensing authority and its reference number (optional).]

**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 **GREAT GREEK RESTAURANTS LIMITED**

(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			
UNIT 1 248 LINTHORPE ROAD			
Post town	MIDDLESBROUGH	Postcode	TS1 3QP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ NOT RATED

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)

- 1 FEB 2003

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		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

(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 GREAT GREEK RESTAURANTS LIMITED
Address TOBIAS HOUSE ST MARKS COURT TEESSIDE TS17 6QW
Registered number (where applicable) 09760997
Description of applicant (for example, partnership, company, unincorporated association etc.) COMPANY
Telephone number (if any) 01642 987987
E-mail address (optional) john.taylor@parkerbarras.co.uk

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11:00	01:00		Please give further details here (please read guidance note 3) RESTAURANT, SERVING FOOD & DRINK	
Tue	11:00	01:00			
Wed	11:00	01:00	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	11:00	01:00			
Fri	11:00	01:00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	01:00			
Sun	11:00	01:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	01:00	Please give further details here (please read guidance note 3) MAY HAVE A PIANIST FROM TIME TO TIME DURING MEALS		
Tue	11:00	01:00			
Wed	11:00	01:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	11:00	01:00			
Fri	11:00	01:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	01:00			
Sun	11:00	01:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	01:00	Please give further details here (please read guidance note 3) SOME DANCING MAY TAKE PLACE DURING A WEDDING RECEPTION		
Tue	11:00	01:00			
Wed	11:00	01:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	11:00	01:00			
Fri	11:00	01:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	01:00			
Sun	11:00	01:00			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:00	<u>Please give further details here</u> (please read guidance note 3) RESTAURANT MAY SERVE FOOD AFTER 11PM		
Tue	23:00	01:00			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23:00	01:00			
Fri	23:00	01:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	23:00	01:00			
Sun	23:00	01:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09:00	01:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	09:00	01:00	
Wed	09:00	01:00	
Thur	09:00	01:00	
Fri	09:00	01:00	
Sat	09:00	01:00	
Sun	09:00	01:00	

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

JOHN TAYLOR
PARKER BARRAS
THE QUBE
MIDDLEHAVEN

Post town	MIDDLESBROUGH	Postcode	TS2 1QG
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Telephone number (if any)	01642 987987
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
john.taylor@parkerbarras.co.uk

Notes for Guidance

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

Middlesbrough Council
Licensing Office
Middlesbrough House
Corporation Road
Middlesbrough

To whom it may concern,

I am writing to register my objection to the application for a premises licence by Great Greek Restaurants Ltd for Unit 1, 248 Linthorpe Road, Middlesbrough as per your notice attached. The basis for this opposition is that the application proposes to play live and recorded music daily from 11 am to 1 am seven days a week. Residents in this area already suffer noise nuisance at all hours throughout the day and will not be able to endure further continuation throughout the night.

With this in mind I would like you to take into consideration the demographic of residents who would suffer from this excessive noise which would be detrimental to their health. Nearby there are elderly residents within St George's Sheltered Housing and surrounding dwellings, also many families with small children reside within the surrounding streets. Adjacent to the Unit there are many Teesside University accommodations with young people desperately trying to concentrate on studies.

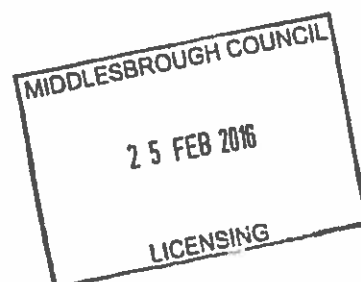
I would also urge you to consider the traffic problems that would arise. Parking on Linthorpe Road is currently a major issue and is often busy and congested with traffic causing not only pollution for the residents within the area but a safety hazard for both motorist and pedestrian. This would only escalate from the extra parking requirements of an additional entertainment premise.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully



Mr. Les Fawcett M.B.E.



Middlesbrough Council

www.middlesbrough.gov.uk

COMMUNITY PROTECTION SERVICES

Licensing

PO Box 65, Vancouver House, Gurney Street,
Middlesbrough TS1 1QP
Tel: (01642) 245432



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

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 (Insert name)

Pr. 1841 Emma Price

Wish to make representation about the application for variation/grant for a premises licence/club premises certificate (delete as applicable)

PART 1 – PREMISES OR CLUB PREMISES DETAILS

Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description	
Unit 1, 248 Linthorpe Road,	
Post Town	Post Code
Middlesbrough	TS1 3QP
Name of premises licence holder or club holding club premises certificate (if known)	
Great Greek Restaurant Limited	
Number of premises licence or club premise certificate (if known)	
N/A	

PART 2 – DETAILS OF PERSON MAKING REPRESENTATION

I am

- | | Please
Tick ✓ |
|------------------------------------------------------------------------------------------|-------------------------------------|
| 1) an interested party (please complete (A) or (B) below) | <input type="checkbox"/> |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |
| 2) a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 3) a member of the club to which this representation relates (please complete (A) below) | <input type="checkbox"/> |

This representation relates to the following licensing objective(s)

- | | Please
Tick ✓ |
|-----------------------------------------|-------------------------------------|
| 1. The prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2. Public safety | <input type="checkbox"/> |
| 3. The prevention of public nuisance | <input type="checkbox"/> |
| 4. The protection of children from harm | <input type="checkbox"/> |

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

An application has been received for a new premises licence at Unit 1, Linthorpe Road, Middlesbrough. The application has been made by Great Greek Restaurants Limited and is an application for:

Performance of Plays Monday-Sunday 11:00-01:00hrs, Performance of Live Music Monday-Sunday 11:00-01:00hrs, Playing of Recorded Music Monday-Sunday 11:00-01:00hrs, Performance of Dance Monday-Sunday 11:00-01:00hrs, Provision of Late Night Refreshment (on and off premises) Monday-Sunday 23:00-01:00hrs, Supply of alcohol (on premises) Monday-Sunday 11:00-01:00hrs. The opening hours of the premises are Monday-Sunday 09:00-01:00hrs.

Cleveland Police make representations regarding this application on the grounds of the Prevention of Crime and Disorder; this is due to the area already suffering issues with crime and anti social behaviour. The area was recently declared a Saturation Zone by Middlesbrough Council with regard to Off Licences due to the amount of alcohol related crime and disorder taking place. It is also near to an existing Saturation Zone for On Licensed premises.

Section 5 of Middlesbrough Councils Licensing Policy makes recommendations around the measures that an applicant can implement to address problems of crime and disorder. And although the applicant has identified some measures they are insufficiently detailed to tackle the problem.

It is believed that the following conditions should be placed upon the operating schedule of the proposed premises licence to aid in the support of the licensing objectives:

•A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.

The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with Data Protection legislation.

CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition.

Cameras will encompass all ingress and egress to the premises, outside areas and all areas where

If Yes, please state the date of that representation

Day		Month		Year			

If you have made representation before relating to these premises please state what they were and when you made them.

How We Collect And Use Information

By completing this document you give Middlesbrough Council the authority to collect and retain information about you for the purpose of the application. In order to process the application we may need to check this information with other enforcement agencies, local authorities or government departments.

We must protect the public funds we handle and so we may use the information you have provided on this form to prevent and detect fraud. We may also share this information with other enforcement agencies including those organisations which handle public funds. Middlesbrough Council will not disclose information about you unless the law permits.

Middlesbrough Council is the Data Controller for the purposes of the Data Protection Act. If you want to know more about the information the Authority holds about you or the way the Authority uses that information please contact the Information Security Officer, PO Box 17, Melrose House, 1 Melrose Street, Middlesbrough, TS1 2YW.

Part 3 – Signatures (Please read guidance note 3)

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

Signature	PC 1841 Emma Price	Date	02/03/2016
Capacity	Police constable		

Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5) PC 1841 Price, Middlesbrough Police HQ, Bridge Street West,	
Post Town Middlesbrough	Post Code TS2 1AB

Telephone Number (if any)	01642 302360
E-mail Address (optional)	emma.price@cleveland.pnn.police.uk

Your Ref:
Our Ref:

When telephoning please use
(01642) 302360 to contact
Middlesbrough Licensing Unit

02/03/2016

Dear Mr. J. Taylor,

Re: Licensing Act 2003
Unit 1, 248 Linthorpe Road, Middlesbrough, TS1 3QP.

I understand that you are the applicant for a premises licence for the above premises. Please find attached a copy of the representations made by Cleveland Police, which has been forwarded to Middlesbrough Council.

I would be grateful if any response could be sent to Middlesbrough Police and copied to Middlesbrough Council.

You will be aware from the representations that I am of the view that your application form fails to address the following matters and therefore, I am presently recommending to the Licensing Authority that the following conditions be attached to your licence:

*A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.

The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with Data Protection legislation.

CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition.

Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs.

There will be a minimum of 31 days recording.

The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.

For the attention of:
Sgt Paul Higgins
Licensing Section
Middlesbrough Police
Bridge Street West
Middlesbrough
TS2 1AB

Licensing Act 2003
Great Greek Restaurants Ltd,
Unit 1,
248 Linthorpe Road,
Middlesbrough,
TS1 3QP.

Further to your recent correspondence concerning the above. I confirm that I wish to amend my operating schedule to include the following:

- *A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.
The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with Data Protection legislation.
CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition.
Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs.
There will be a minimum of 31 days recording.
The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.
The Digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images.
There will be at all times a member of staff on duty who is trained in the use of the equipment and upon receipt of a request for footage from a governing body, such as Cleveland Police or any other Responsible Authority, be able to produce the footage within a reasonable time, e.g. 24hrs routine or immediately if urgently required for investigation of serious crime.
- Alcohol to be sold as an ancillary to a table meal.
- An incident book will be kept and maintained on the premises at all times. The book will detail in brief, incident of injury/ejection/refusals/drug misuse/seizure/age challenge. Such matters shall be timed, dated and signed by the author and produced to Police/Authorised Licensing Officers on demand.
- All staff will be fully trained on a 3 monthly basis and must include the laws relating to the sale of alcohol to underage persons and persons appearing to be under the influence of alcohol. Staff will receive refresher training at least every 3 months.
- Training records will be signed by both the staff member and the Designated Premise Supervisor/Business Owner will be retained for future reference and shall be updated at least every 3 months. All staff training records will be made available to the Licensing Authority and/or Responsible Authorities upon request.