



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

Please note that a full copy of your representation (including your personal details) will be sent to the Applicant and will be a public document at any hearing of this matter. Reports to the Licensing Committee and accompanying documentation will be published on the Council's website.

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)

Sinead Upton

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

60 Byelands Street

Post Town
Middlesbrough

Post Code
TS4 2HP

Name of premises licence holder or club holding club premises certificate (if known)

N/A

Number of premises licence or club premise certificate (if known)

N/A

PART 2 – DETAILS OF PERSON MAKING REPRESENTATION

Please Tick

- 1) Individual (please complete (a) below)
- Representative of Residents Association (please complete (b) below)
- Ward Councillor (please complete (b) below)
- Parish Council (please complete (b) below)
- MP (please complete (b) below)
- Trade Association (please complete (b) below)
- Other (please specify and complete (b) below)

Please supply details of those you represent e.g. residents of The Grove

TS1 9FZ

Telephone Number (If any)

01642 728231

E-Mail address (optional)

Sinead_upton@middlesbrough.gov.uk

PART 3 - REPRESENTATION

This representation relates to the following licensing objective(s)

	Please Tick
1. the prevention of crime and disorder	x
2. public safety	<input type="checkbox"/>
3. the prevention of public nuisance	<input type="checkbox"/>
4. the protection of children from harm	x

Please state the ground(s) for representation. (Please read guidance note 5)

This premise is situated in a cumulative impact zone. It is located in a densely populated residential area with a high proportion of licensed premises, deemed to be at saturation point. The area suffers from crime and antisocial behaviour, and poor health, much of which is alcohol related.

The applicant Farah Hussain has not demonstrated that she will uphold the licensing objectives particularly in relation to Crime and Disorder and Protection of Children from harm.

In a meeting held with Farah Hussain on 19th September 2017, at which Emma Price from the Police, Fiona Helyer, Public Health officer and Tim Hodgkinson, Licensing Manager were also in attendance, the applicant displayed and indeed confirmed that she had very little knowledge of alcohol. She advised that had attended training on licensing and had applied for her personal licence but had no retail experience of selling alcohol and neither did her proposed staff. The applicant was unable to answer many queries about the information in her application and gave a limited explanation of the products which she intended to sell. She showed limited knowledge and understanding of the problems in the area relating to health and crime and disorder linked to alcohol.

In her application the applicant has stated that staff training would be provided and that a challenge 25 scheme would be operated. In the meeting Farah Hussain could provide no details about this training apart from the fact it would be carried out by her. Given that Farah Hussain displayed very little knowledge of alcohol, the systems that would be in place in the business, and the products that she would sell this did not provide any confidence in the training, control and operation of the business. In addition there was concern that the shop was placing a great reliance on alcohol sales with the applicant acknowledging that the shop needed to sell alcohol in order for it to be viable. When asked what quantity of the stock alcohol would account for she said 30%. There was further concern that the applicant did not seem to be aware of the requirements for alcohol to be bought from premises registered with the Alcohol Wholesalers registration scheme. HM Revenue and Customs (HMRC) introduced the scheme in April 2017 to tackle alcohol fraud

and it is mandatory.

It is the view of Trading Standards that if this premise is granted a licence the licensing objectives of "Prevention of Crime and Disorder" and "Protection of Children from Harm" will be undermined. It is paramount that licensed premises are managed in a responsible manner to ensure that alcohol is only sold to those who are over 18 years or not under the influence of alcohol. This premises is situated in a cumulative impact area where there are already concerns about alcohol related crime and disorder, anti social behaviour and health issues. There is concern that this premises will add to the existing problems in this area.

Please provide as much information as possible to support the representation. (Please read guidance note 5)

Underage drinking is a major source of anti social behaviour within Middlesbrough. A risk taking behaviour roadshow of 299 Middlesbrough School children aged 13-14 years in 2015-16 identified that 27% had drunk alcohol and 14.6% had got drunk on alcohol more than once a month. In addition 38.7% believed that most people their age got drunk at least once a week. Central ward is a hotspot area for alcohol related crime and disorder. Currently, Middlesbrough has the highest rate within the Northeast region of alcohol related hospital admissions for 2015/2016 at 2,439 per 100,000, which is 23.9% higher than the regional average and 48.8% higher than the national average.

Have you made any representation relating to these premises before?


NO

If Yes, please state the date of that representation

Day		Month		Year			

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

PART 4 – SIGNATURES

Signature		Date	3/10/17
Capacity	Principal Trading Standards Officer ,		

Licensing Act 2003
Guidance on Making a Representation

1. Purpose

The purpose of this guidance is to offer assistance to members of the public wishing to make representations about licensing applications e.g. applications for new Premises Licences or applications to vary existing Premises Licences and Club Premises Certificates made under the Licensing Act 2003.

This guidance explains who is entitled to make representations and how such representations should be made. It also explains the process which follows once representations have been received by the Council.

Further details about the Licensing Act 2003 can be found at www.middlesbrough.gov.uk and www.gov.uk/alcohol-licensing

2. Licensing Act 2003

Under the Licensing Act 2003 Middlesbrough Council is the Licensing Authority for the borough of Middlesbrough. The Licensing Authority issues Premises Licences and Club Premises Certificates which allow businesses to carry out the following licensable activities.

- Sale/Supply of Alcohol
- The Provision of Regulated Entertainment
- The Provision of Late Night Refreshment

This affects pubs, bars, clubs, restaurants, supermarkets, off licences, cinemas, theatres, community premises and late night takeaways.

Under the Licensing Act 2003 the Licensing Authority must publish a Statement of Licensing Policy showing how it will promote the licensing objectives which are:

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

This document is available at www.middlesbrough.gov.uk

The licensing objectives have equal weight and form the entire basis of the Licensing Act 2003.

3. Applications made under the Licensing Act 2003

A Premises Licence can authorise one or more licensable activities. Some premises, such as takeaways, will just have Late Night Refreshment while other venues such as hotels and nightclubs may have a combination of all activities.

At any time the holder of a Premises Licence or Club Premises Certificate can make application to the Licensing Authority to vary their licence. These variation applications, as well as brand new Premises Licence applications, must be advertised and can be subject to public representations.

4. Advertising of Applications

A blue notice will advertise an application for a new licence or a variation to an existing licence, a white notice will be used for a minor variation. The notice must be prominently displayed on the premises, in a place that is accessible by the public.

The notice will provide a final date for representations as well as brief details of the application.