

Middlesbrough Council
The Licensing Act 2003 - Responsible Authority (RA) Representation

Name of RA Representative: Caroline McNamara

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Licence holder details

Name and Address of Premises

European Deli Ltd

Address: 242-244 Linthorpe Road, Middlesbrough, TS1 3QP

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

N/A

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

N/A

Representation

It is my opinion that the application fails to adequately satisfy the following licensing objectives:

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

Evidence presented by Middlesbrough Council, responsible authority for Trading Standards, against the application for a premises licence in respect of premises situated at 242-244 Linthorpe Road under the Licensing Act 2003

This representation is being made by the Responsible Authority for Trading Standards on the grounds of Crime and Disorder and Protection of Children from Harm.

The application made is for the grant of a new premises licence from 0900 – 2200 hours seven days a week for the supply of alcohol. The application is made by European Deli Ltd who is the proposed Premises Licence holder. Mr Karim Samir Hassan Jafar Aidross the sole Director of the company is the proposed Designated Premises Supervisor.

There are a high number of licensed premises in the surrounding area. Historically there have been a high proportion of the alcohol related crimes, wholly attributable hospital admissions and crime and disorder incidents.

This, together with the high density of off licence premises prompted the need for a Cumulative Impact Policy to be included in Middlesbrough Council's Licensing Policy 2016-2021. This Policy ensures that further off licence premises applications do not add to existing crime and disorder issues within these wards. It will also assist in the promotion of all licensing objectives and responsible and effective retailing.

The Trading Standards Service is responsible for the enforcement of legislation controlling the sale of alcohol and tobacco products to persons under the age of 18 years. The high number of licensed premises in the area which led to the implementation of the CIP also impacts on these enforcement responsibilities.

Recent intelligence has been received in relation to youths gathering and drinking in an area close to this premises; in June 2017 a test purchasing exercise was conducted and a sale was made in a premises less than 100m away from the premises that is subject of this application.

A further test purchasing exercise was conducted in August 2018 and a sale was made to a young volunteer, again at a premises within 600m. Investigation is ongoing.

The premises subject to this application were formerly trading as Multi Culti and in August 2014 a quantity of illicit cigarettes and hand rolling were found hidden in a concealment; along with a large quantity of cash. A prosecution was sought and the alcohol licence was revoked.

It is our opinion that the granting of a new premises licence in respect of these premises would undermine the Crime and Disorder and Protection of Children from Harm licensing objectives and will exacerbate the problems already experienced.

On Tuesday 23 April 2019 a meeting was held with the applicant and director of European Deli Ltd, Mr Aidross. Representatives from Public Health, Cleveland Police, Trading Standards and Licensing were present. The meeting was to discuss this application due to the application failing to fully demonstrate how the proposed premises will not negatively impact on the licensing objectives.

During the meeting Mr Aidross confirmed that he was the Director of European Deli Ltd and was the proposed Designated Premises Licence Holder for the premises.

Mr Aidross said that he had recently passed a personal licence holders course and had been granted a Personal Licence by Middlesbrough Council's Licensing department. He had not previously run a similar business and has not association with the previous business and gave an assurance that the criminal activity that led to the revocation would occur under his management. He will be seeking experienced staff to manage and work in his business and full training will be provided to all staff regarding licensing legislation

relating to underage sales. Such training will be documented.

Whilst we completely accept the good intentions of the applicant and his commitment to the increase in the number of licensed premises will offer a further outlet where underage youths would attempt to purchase alcohol.

This premises is located within the Cumulative Impact Policy area and it is our opinion that the granting of this premises off licence will have a negative impact on the licensing objectives.