



**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 30 AUGUST 2005**

APPLICATION TO VARY CLUB PREMISES CERTIFICATE

Applicant: Cargo Fleet Social Club

Ref.No.MBRO/PR0038/1018083

Premises: Cargo Fleet Social Club, Cargo Fleet Lane, Middlesbrough, TS3 8NN

Application received: 7 July 2005

Current Licensable Activities:

Supply of alcohol for members and guests for consumption on and off the premises

Current Hours of Licensable Activities:

11.00am – 11.00pm Monday to Saturday

12 noon – 10.30pm Sundays

Summary of proposed variation of Licensable Activities:

To include the following forms of regulated entertainment:

Live music, recorded music, performance of dance, provision of making music, dancing.

Summary of proposed variation to Hours for Licensable Activities to :

11.00am – 12.30am 7 days a week (Regulated Entertainment)

11.00am – 12midnight 7 days a week (Supply of alcohol)

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

Chief Fire Officer

Area Child Protection Group

Planning Manager

Trading Standards Manager

Environmental Health Manager (Public Safety and Public Nuisance)

2. Application advertised by the applicant: Herald and Post 15 June 2005.

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

The Licensing Authority must also have regard to its Licensing Policy and any guidance issued by the Secretary of State.

4. Background

The premises consist of a social club which has been in existence for over 90 years and which currently has approximately 1000 members. The premises previously held a Club Registration Certificate which has been converted to a Club Premises Certificate as part of this application.

5. The Representations

On 8 June 2005 a representation was received from Paul MacGregor, Environmental Health Officer which objects to the application on the grounds of prevention of public nuisance. (see Appendix 2).

6. The Licensing Policy

Members are referred to the following relevant sections of the Council's Licensing Policy.

Licensed Premises in residential areas	Page 10 (in particular para 42)
Prevention of nuisance	Pages 10 to 15 (in particular para 38)

And any other sections of the Policy which Members consider to be relevant.

7. Guidance to the Licensing Act 2003

Members are referred to the following relevant sections of the Guidance.

Public Nuisance	Starting at para 7.38 Annex G
-----------------	----------------------------------

And any other sections of the Guidance which Members consider to be relevant.

8. Members' Options

Members may consider the following options:

1. Grant the application subject to conditions consistent with the operating schedule and mandatory conditions if applicable.
2. Grant the application subject to the:-
 - removal of conditions
 - alteration of conditions

- addition of new conditions
 - Mandatory conditions if applicable
3. To reject the whole or part of the application to vary.

Members are reminded that any aggrieved party (i.e. Applicant, Responsible Authority, Interested Party) may appeal any decision of the Licensing Committee to the Magistrates Courts.

Contact Officer: John Hodgson
Senior Licensing Officer
Tel. 729693

Ed Chicken
Head of Community Protection
Date 30 August 2005

For admin use only:

Decision:

Reasons: