



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

APPLICATION TO VARY PREMISES LICENCE

Applicant: JD Wetherspoon plc

Ref.No.MBRO/PR0131/01826

Premises: Resolution (Lloyds No.1), 19 Newport Crescent, Middlesbrough

Application received: 5 July 2005

Summary of current Licensable Activities:

Sale by retail of alcohol for consumption on and off the premises
Recorded music, live music, dancing, performance of dance, making music, provision of late night refreshment

Summary of current hours of Licensable Activities:

Sale of Alcohol:
11.00am – 11.00pm Monday to Saturday
12 noon – 10.30pm Sundays

Public Entertainment:
10.00am – 2.00 am Monday to Saturday
12noon – 12.30am Sunday

Summary of proposed variation of Licensable Activities:

As above plus:
Films

Summary of proposed variation to Hours for Licensable Activities:

Supply of alcohol and late night refreshment:
09.00am to 02.00am Daily

Other regulated entertainment:
09.00am to 3.00am Daily

Premises to open for licensable activities for up to an extra hour on specified dates throughout the year.

Premises to open for licensable activities either from 06.00am or until 03.00am on no more than twelve occasions throughout the year.

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	Environmental Health Manager (Public Safety and Public Nuisance)

2. Application advertised by the applicant: 8 June 2005 Herald and Post.

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 Public House in Middlesbrough town centre trading with the benefit of a Justices 'On' Licence, Children's Certificate and Public Entertainment Licence. These licences have been converted to a Premises Licence as part of this application.

5. The Representations

On 13 July 2005 a representation was received from Cleveland Police who object to the application to increase the hours on the grounds of the prevention of crime and disorder (see Appendix 2).

6. The Licensing Policy

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

Crime and Disorder

Pages 17 and 18

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.

Crime and Disorder Starting at para 7.20
Appendix D

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: