



**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 20 SEPTEMBER 2005**

APPLICATION TO VARY PREMISES LICENCE

Applicant: Vincent Anderson

Ref.No.MBRO/PR0258/19585

Premises: Café Central Park, 337, Linthorpe Road, Middlesbrough

Application received: 25 July 2005

Summary of current Licensable Activities:

Live music, recorded music, dancing, late night refreshment and sale of alcohol for consumption on the premises.

Summary of current hours of Licensable Activities:

11.00am – 12 midnight Monday to Saturday
12 noon – 11.30pm Sunday

Summary of proposed variation of Licensable Activities:

As above

Summary of proposed variation to Hours for Licensable Activities:

11.00am – 12.30 am daily (sale of alcohol)
11.00am – 1.00 am daily (other licensable activities)

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

Planning Manager
Trading Standards Manager

2. Application advertised by the applicant: Evening Gazette 9 August 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 Restaurant in a residential area trading with the benefit of a Justices Restaurant Licence and Public Entertainment Licence. These licences have been converted to a Premises Licence as part of this application.

5. The Representations

On 17 August 2005 a representation was received from a number of residents at Constantine Court, Linthorpe Road which objects to the application to vary the premises licence on the grounds of the prevention of public nuisance. (see Appendix 2)

On 22 August 2005 a representation was received from the occupier of 1 Constantine Court, Linthorpe Road which objects to the application to vary the premises licence on the grounds of the prevention of public nuisance. (see Appendix 3).

On 22 August 2005 a representation was received from G M Maclure, a resident at Constantine Court, Linthorpe Road which objects to the application to vary the premises licence on the grounds of the prevention of public nuisance. (see Appendix 4).

On 25 August 2005 a representation was received from Councillor Joe Michna, Ward Councillor, acting on behalf of local resident, which objects to the application to vary the premises licence on the grounds of the prevention of public nuisance. (see Appendix 5)

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, 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.

