



**FOR THE CHAIR AND MEMBERS OF  
THE LICENSING SUB-COMMITTEE  
FOR 30 JANUARY 2006**

## **APPLICATION FOR PREMISES LICENCE**

**Applicant:** Crloss Ahmad

**Ref.No.**MBRO/PR0443

**Premises:** 4 Fosdyke Green, Middlesbrough, TS3 0RY

**Application received:** 12 December 2005

**Summary of proposed Licensable Activities:**

Provision of late night refreshment

**Summary of proposed Hours for Licensable Activities:**

11.00pm – 12 midnight      Daily

**Full details of the application and accompanying operating schedule have been reproduced at Appendix 1.**

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**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:** Herald & Post 21 December 2005

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### **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 take away situated in a residential area. Prior to the introduction of the Licensing Act 2003 these premises were not required to be licensed.

### **5. The Representations**

On 29 December 2005 a representation was received from Cleveland Police, who object to the application on the grounds of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm (see Appendix 2).

On 3 January 2006 a representation was received from Dr A Luke, Principal Environmental Protection Officer, who objects to the application on the grounds of the prevention of public nuisance (see Appendix 3).

### **6. The Licensing Policy**

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

Prevention of crime and disorder	Pages 17 to 19
Public safety	Pages 16 to 17
Prevention of nuisance	Pages 10 to 15
Protection of children from harm	Pages 19 to 22

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.

Prevention of crime and disorder	Starting at para 7.20 Annex D
Public safety	Starting at para 7.31 Annex E
Prevention of nuisance	Starting at para 7.38 Annex G
Protection of children from harm	Starting at para 7.47 Annex H

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:-
  - addition of new conditions
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: Tim Hodgkinson  
Principal Licensing Officer  
Tel. 729693

Ed Chicken  
Head of Community Protection

Date 30 January 2006

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**For admin use only:**  
Decision:

Reasons: