



**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 4 MARCH 2008**

APPLICATION FOR PREMISES LICENCE

Applicant: Martin Hindmarsh

Ref.No.MBRO/PR0469

Premises: Unit 13, Victoria Street, Middlesbrough TS1 5Q2

Application received: 17 January 2008

Summary of proposed Licensable Activities:

Sale of Alcohol (Off Sales)	10.00pm – 5am	Monday to Sunday
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The sale of alcohol is to be made only by delivery.

Full details of the application and accompanying operating schedule have been reproduced at Appendix 1. This document includes additional conditions agreed with Cleveland Police during the consultation period.

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: Evening Gazette 23 January 2008.

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 an industrial unit in a non-residential area. The Applicant wishes to offer alcohol sales on a delivery only basis from these premises.

5. The Representations

On 7 February 2008 a representation was received from Sinead Upton, Principal Trading Standards Officer, who objected to the application on the grounds of the prevention of crime and disorder and the protection of children from harm (see Appendix 2).

On 14 February 2008 a representation was received from Gresham Community Council who object to the application on the grounds of the prevention of crime and disorder and 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 Nuisance	Pages 10 to 15 (in particular para 38)
Crime and Disorder	Pages 17 and 18
Protection of Children from Harm	Pages 19 to 21

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 2.32 Annex D (Pool of Conditions)
Crime and Disorder	Starting at para 2.1 Annex D (Pool of Conditions)
Protection of Children	Starting at para 2.41 Annex D (Pool of Conditions)

And any other sections of the Policy 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.

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. 728719

Ed Chicken
Head of Community Protection
Date 4 March 2008

For admin use only:

Decision:

Reasons: