



**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 17 APRIL 2008**

APPLICATION FOR PREMISES LICENCE

Applicant: Harde Mhauden Karum

Ref.No.MBRO/PR0199

Premises: Princes Food Store, 39 Princes Road, Middlesbrough , TS1 4BE

Application received: 25 February 2008

Summary of proposed Licensable Activities:

Sale by retail of alcohol for consumption off the premises

Summary of proposed hours for Licensable Activities:

8.00am – 10.00pm	Monday to Saturday
9.00am – 10.00pm	Sunday

Full details of the application and accompanying operating schedule have been reproduced at Appendix 1. In addition the applicant has agreed additional conditions with Cleveland Police following concerns raised by Police Licensing Officers. These conditions are appended at Appendix 2.

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 5 March 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 a Food Store situated in close proximity to residential premises.

5. The Representations

On 4 March 2008 a representation was received from Councillor K Walker, Ward Councillor, on behalf of local residents and Gresham Community Council, who object to the application on the grounds of the prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm (see Appendix 3).

6. The Licensing Policy

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

Prevention of Public Nuisance	Pages 10 to 16 (in particular paras 38,41,42,50 & 51)
Crime and Disorder	Pages 17 to 20
Protection of Children from Harm	Pages 20 to 23
Off Sales	Pages 27 to 28

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 from Harm	Starting at para 2.41 Annex D (Pool of Conditions)

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
 - modification of conditions
 - exclusion of any of the licensable activities
 - refusal to specify a person in the licence as the premises supervisor
3. Reject 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: Tim Hodgkinson
Principal Licensing Officer
Tel. 728720

Ed Chicken
Head of Community Protection
Date 17 April 2008

For admin use only:

Decision:

Reasons: