

**FOR THE CHAIR AND MEMBERS OF  
THE LICENSING SUB-COMMITTEE  
FOR 9 MAY 2016**

## **APPLICATION FOR VARIATION TO PREMISES LICENCE**

**Applicant:** John Grimes and James Joyce

**Ref.No.** OL/16/08

**Premises:** The Lord Byron, 20-22 Bridge Street , Middlesbrough

**Application received:** 22 March 2016

### **Summary of Current Licensable Activities:**

Sale of Alcohol 10am to 2am daily

Late Night Refreshment 11pm to 2am daily

Live Music, Recorded Music and other licensable activities 9am to 2am daily

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

### **Summary of Proposed Variation of Licensable Activities:**

To amend the current licence to offer an alcohol delivery service 10pm to 8am daily

**Full details of the Application to vary the Premises Licence are attached at Appendix 2.**

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### **1. Notification to Responsible Authorities:**

The following Responsible Authorities have all received notification of the application:

Chief Constable

Chief Fire Officer

Area Child Protection Group

Environmental Health Manager

(Public Safety and Public Nuisance)

Planning Manager

Trading Standards Manager

Director of Public Health

### **2. Application advertised by the applicant:** Evening Gazette – 25 March 2016

### **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 that has traded with the benefit of a premises licence since 3 June 2009. The premises are located on Bridge Street East close to Middlesbrough College.

### **5. The Representations**

On 31 March 2016 a representation was received from Councillor Linda Lewis and Councillor Zafar Uddin objecting to the application on the grounds that granting the application would undermine the four licensing objectives. A copy of that representation is attached at Appendix 3.

### **6. Additional Information**

On 30 March 2016 Joanne Lloyd, a Planning Officer with Middlesbrough Council contacted the Licensing Section and advised that there would be no representation submitted in relation to the application as the alcohol delivery service was secondary use only with the main use of the premises remaining as a public house. If however that changed in future, then a further planning application would be required.

On 8 April 2016 following consultation with a Trading Standards Officer the Applicant agreed a number of additional conditions to be placed on the operating schedule should the application be granted. Those conditions are attached at Appendix 4.

On 15 April 2016 following consultation with Cleveland Police the Applicant agreed a number of additional conditions to be placed on the operating schedule should the application be granted. Those additional conditions are as follows:

1. The sale by retail of alcohol will remain Monday to Sunday 10.00am to 2.00am for the licensed area of the venue. The alcohol delivery service will operate between the hours of 10.00pm and 8.00am Monday to Sunday
2. There will be CCTV coverage of the storage area and all ingress/egress from it. This will be maintained and stored in line with other CCTV conditions on the premises licence.

### **7. The Licensing Policy**

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

Prevention of Crime and Disorder	Page 19
Public Safety	Page 24
Prevention of Public Nuisance	Page 26
Protection of Children from Harm	Page 29

And any other sections of the Policy which Members consider to be relevant.

## **8. Guidance to the Licensing Act 2003**

Members are referred to the following relevant sections of the Guidance.

Prevention of Crime and Disorder	Starting at paragraph 2.1
Public Safety	Starting at paragraph 2.6
Prevention of Public Nuisance	Starting at paragraph 2.14
Protection of Children from Harm	Starting at paragraph 2.21

And any other sections of the Guidance which Members consider to be relevant.

## **9. Members' Options**

Members may consider the following options:

Grant the application subject to conditions consistent with the operating schedule and mandatory conditions if applicable.

Grant the application subject to the addition of new conditions.

Reject the whole or part of the application.

Members are reminded that any aggrieved party (i.e. Applicant, Responsible Authority, Other Person) may appeal any decision of the Licensing Committee to the Magistrates' Court.

Contact Officer: John Hodgson  
Senior Licensing Officer  
Tel. 728719

### **For admin use only:**

Decision:

Reasons: