FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 15 August 2005

APPLICATION TO VARY PREMISES LICENCE

Applicant: JD Wetherspoon Plc   **Ref.No**.MBRO/PR0067/018212

Premises: Isaac Wilson, 61 Wilson Street, Middlesbrough

Application received: 21 June 2005

Summary of current Licensable Activities:
Sale by retail of alcohol for consumption on and off the premises
Provision of Late Night Refreshment

Summary of current hours of Licensable Activities:
11.00am – 11.00pm Monday to Saturday
12 noon –10.30pm Sundays

Summary of proposed variation of Licensable Activities:
None

Summary of proposed variation to Hours for Licensable Activities:
9.00am – 12.30am   Sunday to Thursday
9.00am – 1.00am   Friday and Saturday
To extend the hours on various notable dates throughout the year

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: Evening Gazette 4 July 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 Public House located in Middlesbrough Town Centre trading with the benefit of a Justices On licence and Children's Certificate. These licences have been converted to a Premises Licence as part of this application.

5. The Representations

On 5 July 2005 a representation was received from Shelly Vickers, Planning Officer which objects to the application to vary the hours on the grounds of the prevention of public nuisance (see Appendix 2).

On 27 June 2005 a representation was received from Cleveland Police which objects to the application to increase the hours on the grounds of the prevention of crime and disorder (see Appendix 3).

6. The Licensing Policy

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

Planning   Pages 22 to 24
Crime and Disorder   Pages 17 and 18

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.

Planning   Page 28, starting at para 3.51
Crime and Disorder   Starting at para 7.20
                                                      Appendix D

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:-
    *   removal of conditions
    *   alteration of conditions
    *   addition of new conditions
    *   Mandatory conditions if applicable
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 15 August 2005

For admin use only:

Decision:

Reasons: