



**FOR THE CHAIR AND MEMBERS OF  
THE LICENSING SUB-COMMITTEE  
FOR 26 September 2005**

## **APPLICATION FOR PREMISES LICENCE**

**Applicant:** Abdul Rashid

**Ref.No.**MBRO/PR0322

**Premises:** Boro Pizza House, 180 Linthorpe Road, Middlesbrough TS1 3RB

**Application received:** 5 August 2005

### **Summary of proposed Licensable Activities:**

Provision of late night refreshment

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

11.00pm – 3.00am 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 10 August 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 take away situated on a parade of shops in Middlesbrough Town Centre. Prior to the introduction of the Licensing Act 2003 these premises were not required to be licensed.

#### **5. The Representations**

On 16 August 2005 a representation was received from Cleveland Police which objects to the application to vary the hours on the grounds of the prevention of crime and disorder and the prevention of public nuisance (see Appendix 2).

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

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

Crime and Disorder	Pages 17 and 18
Prevention of nuisance	Pages 10 to 15

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.

Crime and Disorder	Starting at para 7.20 Annex D
Public Nuisance	Starting at para 7.38 Annex G

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 26 September 2005

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**For admin use only:**

Decision:

Reasons: