FOR THE CHAIR AND MEMBERS OF THE LICENSING SUB-COMMITTEE FOR 3 OCTOBER 2005

APPLICATION FOR PREMISES LICENCE

Applicant: Ali Akhtar

Ref.No.MBRO/PR0363

Premises: Amigo's, 49 Eastbourne Road, Middlesbrough, TS5 6QN

Application received: 10 August 2005

Summary of proposed Licensable Activities:

Provision of late night refreshment

Summary of proposed Hours for Licensable Activities:

11.00pm – 12 midnight Daily Premises to remain open to the public until 12.15am

Full details of the application and accompanying operating schedule have been reproduced at Appendix 1.

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 Planning Manager Trading Standards Manager Environmental Health Manager (Public Safety and Public Nuisance)

2. Application advertised by the applicant: Evening Gazette 4 August 2005

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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 hot food take away situated on the ground floor of 49 Eastbourne Road which is situated on a parade of shops and has the facility of a large car park at the front of the premises. Prior to the introduction of the Licensing Act 2003 these premises were not required to be licensed.

5. The Representations

On 5 September 2005 a representation was received from Mrs M Robinson, a local resident who has submitted a petition from numerous local residents who object to the application on the grounds of 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.

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.

Public Nuisance	Starting at para 7.38
	Appendix 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 3 October 2005

For admin use only: Decision:

Reasons: