



**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 19 JUNE 2006**

APPLICATION FOR REVIEW OF PREMISES LICENCE

Applicant: Cleveland Police

Ref.No.MBRO/PR0182

Premises: The Grove Inn, 95 Broadwell Road, Easterside, Middlesbrough, TS4 3QU

Application received: 26 April 2006

Summary of current Licensable Activities:

Sale by retail of alcohol for consumption on and off the premises

Summary of current hours of Licensable Activities:

Sale of Alcohol	11.00am – 11.00pm	Monday to Saturday
	12noon – 10.30pm	Sunday
	12noon – 10.30pm	Good Friday
	12noon – 3.00pm and 7.00pm – 10.30pm	Christmas Day

1. Details of Application

On 26 April 2006 an application was received from Cleveland Police for a Review of the Premises Licence for The Grove Inn. The Police state that there is a history of crime and anti social behaviour at the premises and that they have received a number of concerns from local residents and Janice James, the current Designated Premises Supervisor at the premises regarding underage drinking, drug taking and nuisance to neighbours. Full details of the application have been reproduced at Appendix 1. The Police have also provided additional evidence in support of the application which has been sent to the Premises Licence Holder.

2. Notification to Responsible Authorities/Advertisement:

The Police have confirmed that copies of the application were served on all responsible authorities on 26 April 2006.

In addition, to fulfil the requirements of the Licensing Act 2003, Licensing Officers posted a notice on the premises and in the Council Offices on 26 April 2006 advertising the review application. At the end of the 28 day consultation period a further 5 representations were received.

3. Further Representations

On 3 May 2006 a representation was received from Mr R Harvey, a local resident, on the grounds of crime and disorder and public nuisance (see Appendix 2).

On 17 May 2006 a representation was received from Cleveland Fire Brigade, on the grounds of public safety (see Appendix 3).

On 22 May 2006 a representation was received from Mrs V W Dunnigan, a local resident, on the grounds of crime and disorder and public nuisance (see Appendix 4).

On 3 May 2006 an anonymous representation was received from a person claiming to be a resident of Dunsop Avenue, on the grounds of crime and disorder and public nuisance (see Appendix 5).

On 8 May 2006 an anonymous representation was received from a person claiming to be a resident of Easterside, on the grounds of crime and disorder and public nuisance (see Appendix 6).

Members may wish to determine how much weight to attach to the last 2 representations given their anonymity.

4. 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.

The Licensing Act 2003 provides a procedure for review of a premises licence by any responsible authority or interested party who consider that there are problems at a premises which would impact on any of the licensing objectives.

5. Background Information

The premises consist of a Public House situated in close proximity to residential premises. A map of the area surrounding the premises is attached at Appendix 7.

On 13 July 2005 an application was made in the name of Mr R J Scrimshaw, to convert the existing Justices Licence into a Premises Licence. The licence was granted on 19 July 2005.

On 20 January 2006 an application was made to transfer the Premises Licence to Mrs J James. The licence was granted on 21 February 2006.

On 26 April 2006 Cleveland Police made application for a review of the Premises Licence.

On 11 May 2006 an application was made to transfer the Premises Licence, with immediate effect, to Admiral Taverns (Pyramid) Limited, the Landlords of the premises. On 15 May 2006 Cleveland Police made representations against the Transfer of the Premises Licence to Admiral Taverns (Pyramid) Limited. This matter is also due to be considered by the Licensing Committee on 19 June 2006.

6. Guidance to the Licensing Act 2003

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

Reviews Starting at para 5.99

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

6. Members' Options

Members may consider the following options:

1. To modify the conditions of the licence.
2. To exclude a licensable activity from the scope of the licence.
3. To remove the designated premises supervisor.
4. To suspend the licence for a period not exceeding 3 months.
5. To revoke the licence.
6. Alternatively Members may consider that it is not necessary to take any of the above steps and may issue an informal warning/and or recommend improvement within a certain time period.

Members are reminded that any aggrieved party (i.e. Applicant for the review, Holder of the Premises Licence any other person who made a relevant representation) 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 19 June 2006

For admin use only:

Decision:

Reasons: