

MIDDLESBROUGH COUNCIL

AGENDA ITEM

COMMITTEE REPORT

LICENSING COMMITTEE

22 MAY 2012

REPORT OF THE ASSISTANT DIRECTOR OF COMMUNITY PROTECTION

APPLICATION FOR PREMISES LICENCE

Applicant: Savers Health and Beauty Limited

Ref.No.PR/0252

Premises: 99-101 Linthorpe Road, Middlesbrough, TS1 5DD

Application received: 27 March 2012

Summary of proposed Licensable Activities:

Sale of Alcohol (Off Sales): 8am to 6pm Monday to Saturday
10am to 6pm Sundays

Seasonal variations – 8am to 8pm Monday to Saturday in December

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	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 - 30 March 2012

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 retail shop, located on Linthorpe Road between the junctions of Grange Road and Borough Road, selling a range of health and beauty products plus household goods and food. There are residential properties in close proximity to the premises.

An application for a Premises Licence was previously made by the applicant on 18 May 2011 and objections were received from Middlehaven Community Council and St Aidens Residents Association. A hearing was arranged for 6 July 2011, however the application was withdrawn prior to this date.

5. The Representations

On 17 April 2012, a representation was received from Cleveland Police objecting to the application on the grounds of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. This representation is attached at Appendix 2.

On 20 April 2012, a representation was received from Middlehaven Community Council objecting to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. This representation is attached at Appendix 3.

On 23 April 2012, a representation was received from Central Mews Residents Association objecting to the application on the grounds of the prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm. This representation is attached at Appendix 4.

6. The Licensing Policy

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

Prevention of Public Nuisance	Pages 23 to 29
Prevention of Crime and Disorder	Pages 32 to 42
Protection of Children from Harm	Pages 43 to 46

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.

Prevention of Crime and Disorder	Starting at para 2.1
Prevention of Public Nuisance	Starting at para 2.33
Protection of Children from Harm	Starting at para 2.41

Conditions attached to premises licences and club premises certificates	Starting at para 10.1
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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 addition of new conditions.
3. Refuse to specify a person in the licence as the premises supervisor.
4. Reject the whole or part of the application.

Members are reminded that any aggrieved party (i.e. Applicant, Responsible Authority, other persons making a representation) may appeal any decision of the Licensing Committee to the Magistrates' Court.

Contact Officer: Sarah Morris
Senior Licensing Officer
Tel. 728720

Ed Chicken
Head of Community Protection
Date: 22 May 2012

For admin use only:

Decision:

Reasons: