

MIDDLESBROUGH COUNCIL

AGENDA ITEM

COMMITTEE REPORT

LICENSING SUB COMMITTEE

11 SEPTEMBER 2012

REPORT OF THE ASSISTANT DIRECTOR OF COMMUNITY PROTECTION

APPLICATION FOR PREMISES LICENCE

Applicant: Raheel Anjum Durrani

Ref.No. PR0330

Premises: North Ormesby Parmesan House, 18 Beaumont Road, North Ormesby, Middlesbrough

Application Received: 19 July 2012

Summary of Proposed Licensable Activities:

Provision of Late Night Refreshment – 11pm to 12 midnight Sunday to Thursday, 11pm to 1am Friday and Saturday

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	Director of Public Health
Environmental Health Manager (Public Safety and Public Nuisance)	

2. Application advertised by the applicant: Evening Gazette 19 July 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. Information

On 2 August 2012 correspondence was received from Cleveland Police and signed by the applicant, agreeing to a number of conditions being attached to the operating schedule. A copy of this correspondence is attached at Appendix 2.

5. Background

These premises consist of a hot food takeaway located on the junction of Beaumont Road and Coltman Street, North Ormesby. The premises are in close proximity to residential properties. A location plan is attached at Appendix 3.

6. The Representations

On 15 August 2012 a representation was received from Councillor Len Junier on behalf of the residents of North Ormesby and North Ormesby Community Council objecting to the application on the grounds of the prevention of crime and disorder and the prevention of public nuisance. A copy of this representation is attached at Appendix 4.

On 16 August 2012 correspondence was received from the applicant together with a petition containing approximately 160 signatories in support of the application. A copy of this correspondence and petition are attached at Appendix 5.

7. The Licensing Policy

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

Prevention of Nuisance	pages 23 - 29
Crime and Disorder	pages 32 – 42

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

8. Guidance to the Licensing Act 2003

Members are referred to the following relevant sections of the Guidance

Prevention of Public Nuisance	starting at paragraph 2.33
Crime and Disorder	starting at paragraph 2.1

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

9. 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. Reject the whole or part of the application.

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

Contact Officer: Sarah Morris
Senior Licensing Officer
Tel. 728716

Ed Chicken
Head of Community Protection
Date: 11 September 2012

For admin use only:

Decision:

Reasons: