

**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 11 AUGUST 2014**

APPLICATION TO VARY A PREMISES LICENCE

Applicant: Mr Mohan Palani Samy

Ref. No. PR0143

Premises: Tudor Lodge Service Station, Marton Road, Middlesbrough, TS4 3SE

Application received: 4 June 2014

Summary of existing Licensable Activities: Sale of Alcohol (Off Sales) - 6am to midnight Monday to Sunday. Late Night Refreshment - 11pm to 5am Monday to Sunday (restricted to the sale of hot drinks only)

Summary of proposed Licensable Activities: Sale of Alcohol (Off Sales) – 24 hours, daily

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

A copy of the existing Premises Licence is attached at Appendix 2.

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 – 6 June 2014

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 comprise of a convenience store operated in association with a petrol filling station and are located at the junction of Marton Road and Ladgate Lane in close proximity to residential properties. A location plan is attached at Appendix 3.

The premises have had the benefit of a Premises Licence since November 2005, and prior to that time, a Justices 'Off Licence'. On 9 July 2013 the Premises Licence was transferred to the Applicant.

On 28 November 2013, Members considered an application to vary the Premises Licence to extend the hours for the Sale of Alcohol from 6am to 11pm each day, to 24 hours each day, to extend the provision of Late Night Refreshment from 11pm to 12 midnight to 11pm to 5am each day and to include a number of conditions.

On this occasion Members determined to grant the variation for the Sale of Alcohol until 12 midnight daily and to grant the variation to provide Late Night Refreshment until 5am, subject to late night refreshments being restricted to the sale of hot drinks only. Members also modified a number of the proposed conditions to ensure that the conditions were clear, enforceable and appropriate to promote the licensing objectives. The conditions are reflected on the existing Premises Licence attached at Appendix 2.

5. The Representations

On 25 June 2014 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, public safety and the protection of children from harm. A copy of 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 Crime and Disorder	Pages 32 to 42
Public Safety	Pages 30 and 31
Prevention of Public Nuisance	Pages 23 to 29
Protection of Children from Harm	Pages 43 to 45

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 paragraph 2.1
Public Safety	Starting at paragraph 2.8
Public Nuisance	Starting at paragraph 2.18
Protection of Children from Harm	Starting at paragraph 2.25

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 Person) may appeal any decision of the Licensing Committee to the Magistrates' Court.

Contact Officer: Sarah Morris
Senior Licensing Officer
Tel. 728716

For admin use only:

Decision:

Reasons:

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mohan Palani Samy

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number MBRO/PR0143/019137

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description			
Tudor Lodge Service Station			
Marton Road			
Middlesborough			
Cleveland			
Post town	Middlesborough	Post code	TS4 3SE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£22000

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post Town	Postcode

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	
↓	↓	↓	↓	↓	↓

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

The retailer wishes to vary his licence in order to sell alcohol from the premises 24 hours a day, and allow late night refreshment from 23:00 hours until 05:00 hours to sell hot coffee through the night

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)			
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sun						

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	05:00	Please give further details here (please read guidance note 3) to allow the business to offer hot coffee through the night		
Tue	23:00	05:00			
Wed	23:00	05:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	05:00			
Fri	23:00	05:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	05:00			
Sun	23:00	05:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	24	hours			
Tue	24	hours			
Wed	24	hours			
Thur	24	hours			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	24	hours			
Sat	24	hours			
Sun	24	hours			

N

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</p> <p>None</p>

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	24	hours	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	24	hours	
Wed	24	hours	
Thur	24	hours	
Fri	24	hours	
Sat	24	hours	
Sun	24	hours	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

None

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence
The licence will be sent direct by the store

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The store will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection. The store is looking to trade for 24 hours and would like the licence to be available during all the trading hours of the store. ALL CURRENT CONDITIONS TO REMAIN ON THE LICENCE.

b) The prevention of crime and disorder

An extensive CCTV system will be in operation to provide security and identify any culprit who is intent in causing trouble in store. There will be a monitor on the shop floor as well as a monitor on the Managers office. All images are stored for a period of 31 days after which they can be erased or saved at the request of the police. All current security measures will remain in operation. All staff will be fully trained in the operation of the CCTV system. Images will be made available to the police or authorised licensing officer from the council on request. all sales from 23:00 hours and 06:00 hours will be made through a secure service hatch. No customers will gain access to the store during these times

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly difuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a store of this size.

d) The prevention of public nuisance

Given this is a forecourt site, no one will be permitted to hang around outside the premises thus having the potential of causing nuisance to customers, either in requesting they purchase alcohol on their behalf, or general intimidating behaviour. The entrance to the store is also visible from the till point area, and so can be monitored by the staff. CCTV cameras will also pick up any disturbance in this area. The business has external cameras to assist with any potential problem.

--

e) The protection of children from harm

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction. If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused.


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	 S. W. GIBSON
Date	02/06/2014
Capacity	Licensing Agent as appointed by the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
-----------	--

Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

T
H
S

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

Middlesbrough
Council



PREMISES LICENCE

Part A

Premises licence number MBRO/PR0143/019137

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Tudor Lodge Service Station Marton Road	
Post town	Post code
Middlesbrough	TS4 3SE
Telephone number	
01642 328930	

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
Late Night Refreshment Sale of Alcohol

The times the licence authorises the carrying out of licensable activities
LATE NIGHT REFRESHMENTS
Monday to Sunday - 11pm to 5am subject to late night refreshments being restricted to the sale of hot drinks only.
SALE OF ALCOHOL OFF PREMISES
Monday to Sunday - 6am to Midnight

We hereby certify this to be
a true copy of the original

Winckworth Sherwood LLP
Minerva House
5 Montague Close
London SE1 9SB

The opening hours of the premises
24 hours daily

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Alcohol sales permitted OFF the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Mohan Palani Samy

Registered number of holder, for example company number, charity number (where applicable)

Not Known

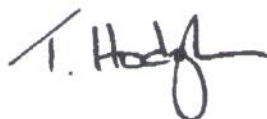
Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Srinivasa Jaibharath Talari

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

07/00568/LAPER issued by Crawley Borough Council

Granted on 28 November 2013



Authorised Officer

We hereby certify this to be
a true copy of the original

WS
Winckworth Sherwood LLP
Minerva House
5 Montague Close
London SE1 9EB

Annex 1 - Mandatory conditions

Mandatory conditions in accordance with Section 19 of the Licensing Act 2003:

Where a premises licence authorises the supply of alcohol:

- (i) No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (ii) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

We hereby certify this to be
a true copy of the original

Winckworth Sherwood LLP
Minerva House
5 Montague Close
London SE1 9SB

Annex 2 - Conditions consistent with the operating Schedule

LICENSING OBJECTIVES

GENERAL - ALL FOUR LICENSING OBJECTIVES

None

THE PREVENTION OF CRIME AND DISORDER

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will be capable of being recorded digitally on to CD/DVD or other equivalent medium.
3. Any recording shall be retained and stored in a suitable and secure manner for a minimum of 28 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The CCTV system will incorporate a camera covering the entrance door, alcohol display areas, forecourt and night pay window and will be capable of providing an image regarded as identification standard.
5. The system will display, on any recording, the correct time and date of the recording.
6. A system will be in place to maintain the quality of the recorded image.
7. The CCTV system will be maintained so as to be fully operational throughout the hours that the premises are open for any licensable activity.
8. Also see Annex 3.

PUBLIC SAFETY

The applicant will at all times maintain adequate levels of staff. Such levels will be disclosed, on request, to the licensing authority and police.

THE PREVENTION OF PUBLIC NUISANCE

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

THE PROTECTION OF CHILDREN FROM HARM

1. Staff must require ID in the form of a current ten year passport, photo card driving licence or PASS logo Identity card from any customer who appears to be under the age of 25 and verify the customer is over 18 before any sale of alcohol is made.
2. All sales tills shall prompt the member of staff making the sale to verify the customer is aged 18 or over.
3. Also see Annex 3.

We hereby certify this to be
a true copy of the original

Winckworth Sherwood LLP
Minerva House
5 Montague Close
London SE1 9BB

Annex 3 - Conditions attached after a hearing by the licensing authority

1. Training in relation to Challenge 25 policy, underage sales, sales to adults purchasing alcohol on behalf of a minor (proxy sales), sales to intoxicated persons, refusal registers, incident records and all other conditions on the Premises Licence must be provided and undertaken by all members of staff (whether paid or unpaid) before he / she makes a sale, supply or delivery of alcohol and at least every six months thereafter.
2. Documented training records must be completed in respect of every member of staff (whether paid or unpaid) and must include the name of the member of staff trained, date, time and content of the training and must be signed by the member of staff who has received the training, Designated Premises Supervisor and the Premises Licence Holder.
3. Documented training records must be kept at the Premises and made available to the police, trading standards or licensing officers on request and / or during an inspection.
4. A Refusals Register must be kept at the premises and maintained up to date at all times recording the date, time, reason for every refusal to sell alcohol to a customer, details of the alcohol the person attempted to purchase and the identity of the staff member refusing the sale.
5. The Refusals Register must be made available to police, trading standards or licensing officers on request and / or during an inspection.
6. An incident register must be kept at the premises and maintained up to date at all times recording the time, date and details of all incidents of crime and disorder at the premises or directly outside of the premises and details of occasions when the police are called to the premises.
7. The incident book must be made available to the police, trading standards and licensing officers on request and / or during an inspection.
8. There shall be no sale of single cans of beer, lager, cider or Perry and single bottles of beer, lager or cider in vessels of less than 500 ml from the Premises.
9. No super-strength beer, lagers or Perry of 5.5% ABV (alcohol by volume) or above shall be sold at the Premises.
10. There shall be no self-service of spirits.
11. The entrance door to the shop will be closed to customers between the hours of 11pm and 6am. Any sales between these hours will be made through the night pay window.


We hereby certify this to be
a true copy of the original

Winckworth Sherwood LLP
Minerva House
5 Montague Close
London SE1 9EB

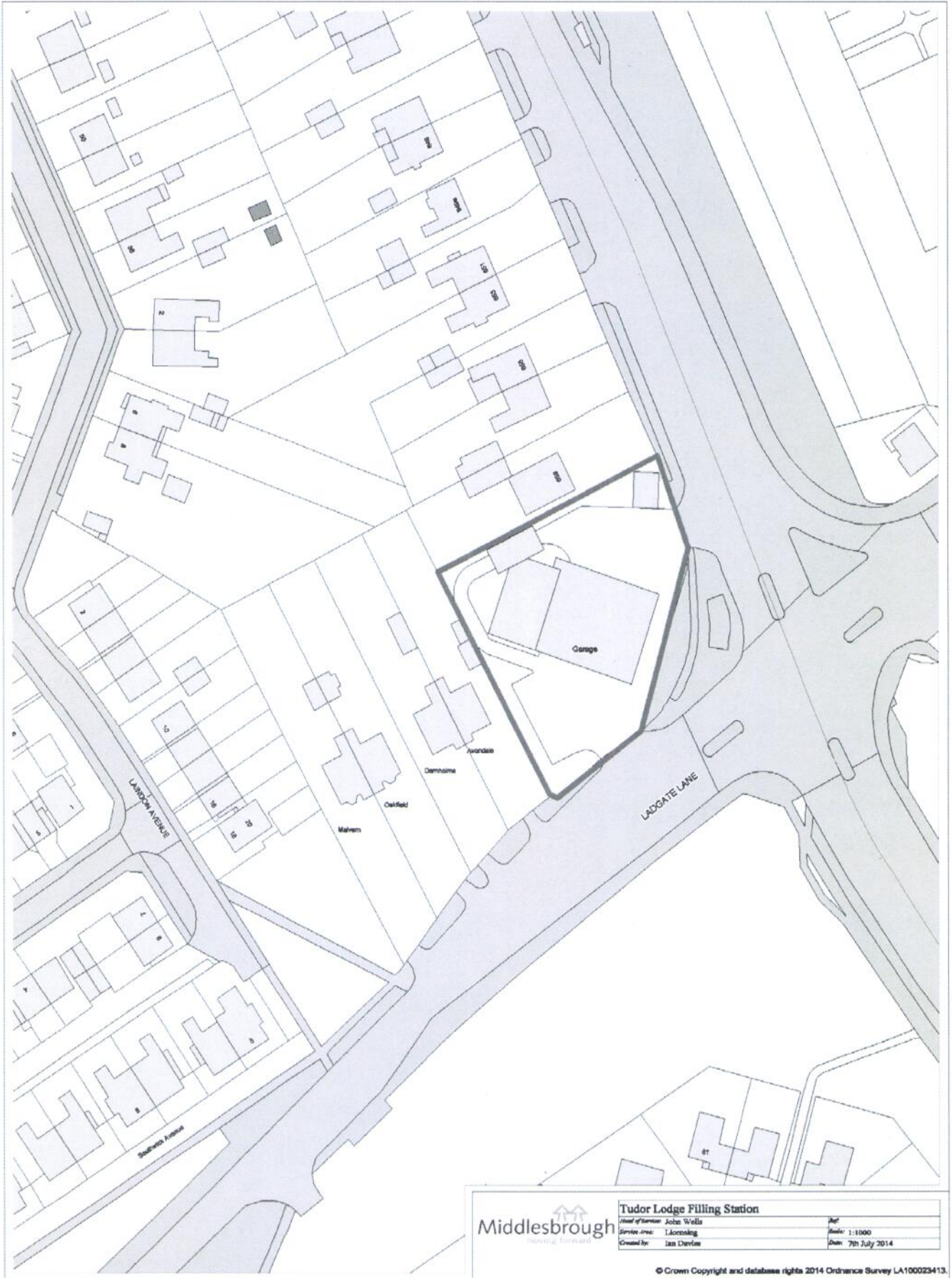
Annex 4 - Plans

As per plan submitted on 30 August 2012 Plan No: 120481-ALC

We hereby certify this to be
a true copy of the original



Winckworth Sherwood LLP
Minerva House
5 Montague Close
London SE1 9BB



Middlesbrough
moving forward

Tudor Lodge Filling Station

Chief Officer: John Wells
Service Area: Licensing
Created by: Iain Dwyer

Ref:
Scale: 1:1000
Date: 7th July 2014

Middlesbrough Council

www.middlesbrough.gov.uk

COMMUNITY PROTECTION SERVICES

Licensing

PO Box 65, Vancouver House, Gurney Street,
Middlesbrough TS1 1QP
Tel: (01642) 245432



Representations On A Current Application For A Grant/Variation of a Premises Licence Or Club Premises Certificate Under The Licensing Act 2003

Before Completing This Form Please Read The Guidance Notes At The End Of The Form

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I (Insert name)

Jayne Bryan

Wish to make representation about the application for variation/grant for a premises licence/club premises certificate (delete as applicable)

PART 1 – PREMISES OR CLUB PREMISES DETAILS

Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description

Tudor Lodge Service Station, Marton Road,

Post Town

Middlesbrough

Post Code

TS4 3SE

Name of premises licence holder or club holding club premises certificate (if known)

Number of premises licence or club premise certificate (if known)

PART 2 – DETAILS OF PERSON MAKING REPRESENTATION

I am

Please Tick ✓

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this representation relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL MAKING REPRESENTATION (fill in as applicable)

Mr Mrs Miss Ms Other Title (for example, Rev)

Surname

First Names

I am 18 years old or over Yes (Please Tick)

Current Address	<input type="text"/>		
Post Town	<input type="text"/>	Post Code	<input type="text"/>

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER PARTY MAKING REPRESENTATION (e.g. Body or Business)

Name and Address	<input type="text"/>
------------------	----------------------

Telephone Number (If any)	<input type="text"/>
E-Mail address (optional)	<input type="text"/>

(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION

Name and Address	CHIEF CONSTABLE OF CLEVELAND POLICE C/O POLICE SERGEANT 944 HIGGINS MIDDLESBROUGH POLICE HQ BRIDGE STREET WEST MIDDLESBROUGH TS2 1AB
------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------

Telephone Number (If any)	01642 303175
E-Mail address (optional)	

This representation relates to the following licensing objective(s)

- | | Please
Tick ✓ |
|-----------------------------------------|----------------------------|
| 1. The prevention of crime and disorder | <input type="checkbox"/> X |
| 2. Public safety | <input type="checkbox"/> X |
| 3. The prevention of public nuisance | <input type="checkbox"/> X |
| 4. The protection of children from harm | <input type="checkbox"/> X |

Please state the ground(s) for representation. (please read guidance note 1)

This is an application to vary a premises licence currently selling alcohol Monday to Sunday 06:00 hours to 00:00 hours to 00:00 – 24:00 (24 hours daily) and the provision of late night refreshment Monday – Sunday 23:00 – 05:00 hours to allow the sale of hot drinks through the night.

Cleveland Police make representations for the following reasons:

The premises is situated in an area which already suffers from anti social behaviour and crime and disorder, During a six month period, there were numerous incidents of anti social behaviour of which, a large proportion were alcohol related and disorder occurred in the vicinity surrounding the premises.

In addition to this, the premise is situated close to residential and recreational areas. It is of concern that should the premises be allowed to sell alcohol 24 hours daily, the problems already encountered will increase, therefore undermining the above licensing objectives resulting in a detrimental effect on the lives of nearby residents.

Cleveland Police refer to Middlesbrough Council Licensing Policy Statement, paragraph 7.5 of Public Nuisance which states:

“In predominantly residential areas the Licensing Authority will normally expect all licensable activities to cease at 11pm, with the premises to close no later than 11:30pm”.

For the above reasons, Cleveland Police have no alternative but to make representations to this application.

Please provide as much information as possible to support the representation. (Please read guidance note 2)
In the event that the above application is not agreed, further evidence will be provided in the near future by Cleveland Police.

Please Tick ✓

Have you made any representation relating to these premises before?

X

If Yes, please state the date of that representation

Day		Month		Year			
3	1	0	8	2	0	1	2

If you have made representation before relating to these premises please state what they were and when you made them.

Representations were made for exactly the same reason as with this application when an application for 24 hours sale of alcohol was submitted. On this occasion the application was submitted under the name of Marton Road Service Station.

A further representation was made for exactly the same reasons as the current application regarding the 24 hour sale of alcohol. These representations were made on 29/10/2013.

i How We Collect And Use Information

By completing this document you give Middlesbrough Council the authority to collect and retain information about you for the purpose of the application. In order to process the application we may need to check this information with other enforcement agencies, local authorities or government departments.

We must protect the public funds we handle and so we may use the information you have provided on this form to prevent and detect fraud. We may also share this information with other enforcement agencies including those organisations which handle public funds. Middlesbrough Council will not disclose information about you unless the law permits.

Middlesbrough Council is the Data Controller for the purposes of the Data Protection Act. If you want to know more about the information the Authority holds about you or the way the Authority uses that information please contact the Information Security Officer, PO Box 17, Melrose House, 1 Melrose Street, Middlesbrough, TS1 2YW.

Part 3 – Signatures (Please read guidance note 3)

Signature of representative or representative's solicitor or other duly authorised agent. (See guidance note 4) If signing on behalf of the representative please state in what capacity.

Signature		Date	25 th June 2014
Capacity			

Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5)

Post Town	Post Code
Telephone Number (if any)	
E-mail Address (optional)	

Notes for Guidance

1. The ground(s) for representation must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for representation, if applicable.
3. The representation form must be signed.
4. A representative's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address, which we shall use to correspond with you about this representation.
6. Information on the Licensing Act 2003 is available at www.middlesbrough.gov.uk and you are advised to read any relevant guidance leaflets before completing this form.