

**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 27 JANUARY 2015**

APPLICATION TO VARY A PREMISES LICENCE

Applicant: Mr Mehson S Ahmed and Mr Mobeen H Ahmed **Ref. No.** PRO463

Premises: Soprano's, 39 Wilson Street, Middlesbrough, TS1 1SA

Application received: 1 December 2014

Summary of existing Licensable Activities:

Late Night Refreshment – Monday to Sunday 11pm to 4am, Christmas, New Year and Bank Holidays until 5am

Summary of proposed Licensable Activities:

Late Night Refreshment – Monday to Sunday 11pm to 5am

A copy of the existing Premises Licence is attached at Appendix 1.

Full details of the application and accompanying operating schedule have been reproduced 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 – 2 December 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 consist of a late night hot food takeaway located on Wilson Street, Middlesbrough, an area included in the Council's Cumulative Impact Policy. A location plan is attached at Appendix 3.

Council records show that the premises have had the benefit of a Premises Licence since 20 November 2006.

5. The Representations

On 29 December 2014 a representation was received from Cleveland Police 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.

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 |

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 Public Nuisance | Starting at paragraph 2.18 |
| Prevention of Crime and Disorder | Starting at paragraph 2.1 |

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. 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:

Middlesbrough
Council



PREMISES LICENCE

Part A

Premises licence number

MBRO/PR0463/022568

Part 1 - Premises details

| | |
|---|------------------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| 39 Wilson Street | |
| Post town | Post code |
| Middlesbrough | TS1 1SA |
| Telephone number 01642 222068 | |

| |
|--|
| Where the licence is time limited the dates |
| N/A |

| |
|--|
| Licensable activities authorised by the licence |
| Late Night Refreshment |

| |
|---|
| The times the licence authorises the carrying out of licensable activities |
| LATE NIGHT REFRESHMENTS |
| Monday to Sunday : 11pm to 4am |
| Christmas, New Year and Bank Holidays until 5am |

| |
|---|
| The opening hours of the premises |
| Monday to Wednesday : 7pm to 3am |
| Thursday to Saturday : 6pm to 4am |
| Sunday : 8pm to 3am |
| Christmas, New Year and Bank Holidays until 5am |

| |
|--|
| Where the licence authorises supplies of alcohol whether these are on and/or off supplies |
| N/A |

Part 2

| | |
|--|--|
| Name, (registered) address, telephone number and email (where relevant) of holder of premises licence | |
| Mr Mehson Shoaeb Ahmed 1 Adcott Road Acklam Middlesbrough TS5 7ER | Mr Mobeen Hasan Ahmed 1 Adcott Road Acklam Middlesbrough TS5 7ER |

| |
|---|
| Registered number of holder, for example company number, charity number (where applicable) |
| N/A |

| |
|---|
| Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol |
| N/A |

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

Granted on 28 April 2011

Authorised Officer

Annex 1 - Mandatory conditions

Annex 2 - Conditions consistent with the operating Schedule

Embedded Restrictions

LICENSING OBJECTIVES

GENERAL - ALL FOUR LICENSING OBJECTIVES

None

THE PREVENTION OF CRIME AND DISORDER

1. The premises must be fitted with internal and external digital, colour CCTV. All footage must be kept for a minimum of 31 days and kept in a locked and secure cabinet.
2. Notices will be displayed throughout the premises notifying patrons that CCTV is in operation 24 hours a day.
3. An incident book will be used to record all incidents of crime and disorder.
4. On every Friday and Saturday evening between Midnight and the premises closing at least 1 SIA registered door supervisor shall be employed.
5. All children must be accompanied by a responsible adult after 10pm.

PUBLIC SAFETY

Structural alterations to the premises to conform with the Building Regulations 2000 and any Cleveland Fire Brigade report relating to a Building Regulation application.
Health and Safety and Fire Regulations will be followed.

THE PREVENTION OF PUBLIC NUISANCE

1. No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.
2. Where there are any offensive smells created on the premises, provision shall be made for such smells to be vented from the premises so that they do not cause a nuisance to nearby premises.
3. There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.
4. Where the premises provide food to the public for consumption on or off the premises there shall be provided at or near the exits, sufficient waste bins to enable the disposal of waste food, food containers, wrappings, etc.
5. Safety notices to be displayed.

THE PROTECTION OF CHILDREN FROM HARM

None

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

Not Applicable

Annex 4 - Plans

Attached

APPLICATION TO VARY A PREMISES LICENSE UNDER THE LICENSING ACT 2003 FOR THE
SALE OF HOT FOOD UNTIL 0500HRS FOR CONSUMPTION OFF THE PREMISES

STATEMENT OF CASE

Applicant : Mr Mehson Shoaeb Ahmed
Mr Mobeen Hasan Ahmed

Registered
Address of holders: 1 Adcott Road
Acklam
Middlesbrough
TS5 7ER

Premises : Soprano's
39 Wilson Street
Middlesbrough
TS1 1SA

Date : 1st December 2014

CONTENTS:

1. Introduction
2. Background
3. The Relevant Policies
4. Licensing Objectives
5. Operating Schedule
6. Conclusion

INTRODUCTION

- 1.1 This variation application is made under the Licensing Act 2003 for the sale of hot food to be consumed on the premises after 2300hrs until 0500hrs Monday to Sunday.
- 1.2 The premises at present has Premises Licence (ref.MBRO/PR0463/022568) for opening hours Monday to Sunday 11pm to 4am (Christmas, New Year and Bank Holidays until 5am). The application aims to bring into line the opening hours of the Hot Food Takeaway with nearby hot food premises and to maintain economic longevity of its own business, whilst upholding licencing objectives.
- 1.3 The host premise is known as Soprano's, No.31 Wilson Street, Middlesbrough which is an established Hot Food establishment since 2006. The host building is located on the corner point of Albert Road and Wilson Street, directly behind public house known as 'Flares' at 7 Albert Road. This street contains several terraced block of commercial properties to the east, west and on the opposite side of the road.
- 1.4 This premise is seperated by the adjacent highway to the front and to the side. This section of street forms the backbone of the shopping centre, which is classified as the principal town centre within the Borough, with no residential flats nearby the site.
- 1.5 Other hot food establishments within the vicinity of the application site have been highlighted along with their allowed licencing hours, for clarity purposes;
 - Malones at 43 Wilson Street, Middlesbrough
Weekdays 5pm till 5am & Friday and Saturday till 5am
 - Might Bite at 2 Wilson Street, Middlesbrough
6pm till 5am every day
 - Hot Oven at 9 Albert Road, Middlesbrough
Monday to Sunday 11pm till 5am
- 1.6 The premise has a wide pedestrian footpath outside its entrance door along with security bollards. The adjacent highway has double yellow lines along this stretch with allocated taxi rank bays located outside nearby 'Malones' pizza shop, which operates from 12pm till 5am each day. This is mirrored further down the road on the opposite side of 'Mighty Bite' premise, with further rank bays located along Albert Road.

BACKGROUND

- 2.1 This premise was granted planning permission on 26th June 2006 (app.ref M/FP/0810/06/P) for change of use to hot food take away (A5) new shop front and ducting to side. The decision granted provided no restrictive planning condition with respects to opening hours (see attached decision notice in Appendix 1).

Therefore, no variation of opening hours is required in respects to Town Planning Legislation; predominately due to its non-residential location.

- 2.2 For reference, the present licensee holders have stated that they have adhered to the main licensing objectives from their initial premise licence being granted (albeit recent breach of opening till 5am), and have assisted the Council's licensing department and the Police with all matters related to the operational activities of the premise and provided support with local disturbance matters with customers of this establishment and nearby public houses etc.
- 2.3 Due to the recent breach, which was erroneous error on their behalf and not a persistent issue but a first event; they seek to submit the following application to regularise the whole matter and seek consistent opening hours as other nearby premises.

THE RELEVANT POLICIES

- 3.1 **Licensing Act 2003:** establishes a new single integrated scheme for licensing premises and variations that are used for the supply of alcohol and hot food after 11pm. The Act transfers responsibility for licensing of clubs and pubs and hot food take away's to local authorities and takes account of the impact of licensed premises on the wider community. Local authorities are asked to be mindful of thriving night time local economies which are important for investment and employment. It replaces a national closing time with local decisions about flexible closing times. One of the key objectives of the Act is to balance the needs of businesses with those of residents and local communities. The Act provides a framework for local authorities in developing licensing policies and assessing licensing applications. In undertaking these functions the authority should promote the licensing objectives:
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 3.2 The **Guidance issued under section 182 of the Licensing Act 2003** and revised in 2006 sets out guidance to which the licensing authority must have regard when carrying out their licensing functions.
- 3.3 **The Crime and Disorder Act 1998** introduced a requirement for local authorities, police and Primary Care Trusts to work together to conduct and publish an audit of local crime and disorder problems, consult locally on the findings of the audit and develop and implement a strategy for reducing crime and disorder. It placed an obligation on local authorities and the police to consider crime and disorder implications in all activities and to do all they can to prevent crime and disorder. Following a review of the Crime and Disorder Act in 2004/2005, the white paper on police reform 'Building Communities, Beating Crime' highlighted the joint approach to tackling local crime and disorder problems and issues around the misuse of drugs and alcohol and anti-social behaviour.
- 3.4 **Anti-Social Behaviour Act 2003:** The White Paper 'Respect and Responsibility: Taking a Stand against ASB' and the Anti-Social Behaviour Bill were published in March 2003, introducing new powers and practice and outlining government policy (supporting the use of Anti-Social Behaviour Orders and Fixed Penalty Notices for Disorder). The Act required all local authorities, police and other key agencies to enforce clear standards of behaviour and gave them the tools to do so. The Act

widens the powers available to shut down establishments that create noise nuisance and powers to disperse groups in designated areas suffering persistent and serious anti-social behaviour.

LICENSING OBJECTIVES

- 4.1 As at present the licencees will continue to provide a track record in maintaining the main four licence objectives whilst operating their hot food establishment in Middlesbrough, without having a detrimental impact on the amenities of the local area.
- 4.2 The Government feels that it is necessary to protect revellers, other business users and local residents, as premises which serve late night refreshment, can be used by customers who may have been drinking at other establishments earlier in the evening, thereby creating the potential for disorder on and near the premises. Also, because large numbers of customers may gather at places serving late night refreshments, there is a potential for nuisance and disturbance for local residents. The regulation of late night refreshment tackles these issues and allows residents and other interested parties and responsible authorities to make representations about new, and seek reviews of existing licences where they are concerned that the licensing objectives below will be or have been affected.
- 4.3 The four licensing objectives as laid out in the Licensing Act 2003 are as follows;
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance;
 - The protection of children from harm.
- 4.4 These 4 objectives are extremely important which the licencees have strictly adhered to from the initial granting of premise licence. The holders seek to maintain their business longevity against other establishments and provide a valuable service, as it does at present.
- 4.5 This section of street can be described as being the outer part of the town centre with a high concentration of public houses, nightclubs and food establishments, with allocated taxi rank bays and being situated along a main highway thoroughfare.
- 4.6 The analysis of this location provides a character of this locality of being a busy commercial environment, which differs from that of a traditional suburban environment; therefore a certain degree of noise and disturbance is to be expected and tolerated.
- 4.7 Currently, the majority of the surrounding late opening facilities are open to the public until the hours of 0500hrs during the week, so it is considered that the opening of this premise until 0500hrs (Friday and Saturday only) is considered reasonable and would not lead to a proliferation of antisocial behaviour or noise in the area.
- 4.8 In fact, this consistent approach in allowing an additional hour over the weekend, would alleviate the congregation of revellers, waiting for food orders at nearby premises, which could in turn create anti-social unrest; instead this variation of

operating hours, would allow customers to obtain food and egress from the area by taxi, reducing the possibility of any noise and disturbance matters.

OPERATING SCHEDULE

- 5.0 In order to further reduce the impact of anti-social behaviour and to protect the local environment, the following operating schedule and previous imposed conditions will be adhered to as at present;

The prevention of Crime and Disorder

- Dynamic 4 Full Colour HD quality CCTV cameras and associated Colour LED monitor; Four cameras positioned in the shop (internally and externally) with appropriate Digital Video Recording system with date stamp with 1TB hard drive
- CCTV will continue to record 24 hours a day and will retain the footage for a period of 31 days. The recording equipment will be able to produce copied footage on a disc which will be made available on request by the police or other responsible authorities. A member of staff who can operate and make copies of the footage will always be on duty when the premise is open for business.
- An incident book will be used to record all incidents of crime and disorder
- On every Friday and Saturday evening between Midnight and the premises closing, the employment of 1 SIA registered door supervisor will continue.
- The number of staff at the front of the shop will be doubled late at night
- Previous members of the public who have caused problems will not be allowed into the premises and told politely to leave the premise.
- No children under the age of 16 will be allowed into the premises unaccompanied after 10pm

Public Safety

- The premise currently meets Building regulation legislation and there have been or will be any structural changes to premise.
- Health and Safety and First Aid training to members of staff
- All members of staff will be trained in Fire Safety and appropriate fire precautions are in place i.e. fire extinguishers, fire blankets, hard wired smoke and heat detectors and fire exit signs.

The Prevention of Public Nuisance

- Signs will be placed in the shop asking people to leave the premises quietly
- Staff will be trained to communicate and respond accordingly with customers showing anti social behaviour mannerisms in a polite and calming manner
- Entrance door shall be remained closed to suppress the egress of noise from premise
- Customers will be advised to disperse of litter in allocated bins outside or in the premise and refuse storage will be kept in rear part of building

- Staff members will clean premise thoroughly and maintain a record in writing
 - Staff members will remove any associated litter from the establishment found outside the business premise to avoid vermin infestation
 - Regular maintenance of extraction flue systems and carbon filters to control odour nuisance
 - No alcohol will be served on premise or brought onto premise by customers.
 - Supervisor and employees will be notified where all registry documents and licence details are kept for disclosure upon request from Licence officer visiting the premise.
 - Safety notices to be displayed
- 5.1 It is to be addressed once more, that the licensee will provide a good track record maintaining a clean bill of health in achieving the licensing objectives as at present
- 5.2 For transparency the applicant is willing to accept additional protection measures such as a higher number of inspection visits to ensure that the premise is not a high risk, which will show that the premise is well managed and maintained.
- 5.3 It is therefore considered that the proposed variation of opening hours will not have an adverse impact on the amenity of the neighbouring properties and will bring this commercial premise in line with similar uses in the immediate area.

CONCLUSION

- 6.0 As demonstrated above, the variation of one additional hour on Friday and Saturday only would not have an adverse impact on any of the four licensing objectives;
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance;
 - The protection of children from harm.
- 6.1 The operating schedule highlights how crime and disorder will be prevented, how public safety will be protected, how noise and disturbance will be kept to a minimum and how children will be protected from harm.
- 6.2 It is considered that it has been demonstrated that allowing variation of existing hours for the sale of hot food to be consumed of the premises would fully accord with;
- The Crime and Disorder Act 1998
 - Licensing Act 2003
 - Anti-Social Behaviour Act 2003
 - Planning and Compulsory Purchase Act 2010
- 6.3 It is therefore respectfully requested that permission be granted to enable the applicant to open his hot food takeaway till 5am every day of the week.

Public Notice

Application in respect of vary a Premises Licence Certificate at *Soprano's, 31 Wilson Street, Middlesbrough TS1 1SA*

Notice is hereby given that I, *Mr Mehson Shoaeb Ahmed & Mr Mobeen Hasan Ahmed*, have applied on *1st DECEMBER 2014*, to **Middlesbrough Council for the variation of a Premises Licence Certificate in respect of the above mentioned premises.**

The licensable activities applied for are:
SALE OF HOT FOOD AND LATE NIGHT REFRESHMENT

The licensable hours applied for are:
2300HRS TO 0500HRS MONDAY TO SUNDAY

Anyone wishing to make representations in respect of this application should write to Middlesbrough Council at the address stated below. Representations must be made in writing and no later than 28 consecutive days from the date of application.

It is an offence to knowingly or recklessly make a false statement in connection with this application. The maximum fine for which a person is liable on summary conviction for this offence is £5,000.

A record of this application can be inspected at:
Middlesbrough Council
Licensing Office
Vancouver House, Central Mews
Gurney Street, Middlesbrough

Site Notice

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MIDDLESBROUGH COUNCIL

Application No. **M/FP/0810/06/P**

TOWN & COUNTRY PLANNING ACT 1990 Town & Country Planning (General Development Procedure) Order 1995

PERMISSION TO DEVELOP SUBJECT TO CONDITIONS

Application Submitted by:

Mr N Poulter
139 Acklam Road
Middlesbrough

TS5 5HR

Acting on behalf of:

Mr M Ahmed
40 Lothian Road
Middlesbrough

In accordance with the conditions/reasons set out below (as recorded in the minutes of the Planning and Development Committee of 23rd June 2006) Middlesbrough Borough Council HEREBY PERMIT the development proposed by you, in your application received on the 11th May 2006, namely

CHANGE OF USE TO HOT FOOD TAKE AWAY (A5) NEW SHOP FRONT AND DUCTING TO SIDE

39 Wilson Street Middlesbrough

and shown on the accompanying plan(s) subject to due compliance with the Building Regulations and general statutory provisions in force in the district, and subject to the development to which this permission relates being carried out in complete accordance with the approved plans and specifications and the conditions specified hereunder.

1. Details of a ventilation and fume extraction system suitable for all hot food takeaway uses within Class A3, including a full technical specification by a suitably qualified technical professional person, specifying the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment to be installed and used at the premises in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before the development hereby permitted commences and thereafter shall be retained in full accordance with the approved details.

The ventilation and extraction system referred to in this condition shall be operated and maintained in accordance with the manufacturers recommendations including the frequency of replacement of filters.

Reason: In order to ensure satisfactory ventilation is provided at the site in the interests of amenity.

2. A scheme for the storage and removal of refuse from the development shall be submitted to and approved in writing by the Local Planning Authority and

MIDDLESBROUGH COUNCIL

implemented in accordance with the approved scheme/details before the use commences.

Reason: To ensure a satisfactory form of development.

3. REASON FOR APPROVAL

The proposed hot food takeaway is designed so that its appearance is complimentary to the existing streetscene and will not have a detrimental impact on the amenity of nearby properties.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations which would indicate that the proposal should be refused.

4. GUIDANCE NOTES

Interference or alteration of the highway requires a licence under the Highway Act 1980. Connections to public sewers in the highway require a licence under NRSWA 1991. The applicant should contact the Highway Authority (Tel: 01642 728156) before any work commences on site, allowing a minimum of 7 days notice, or 30 days in the case of a NRSWA licence, if either or both of these licences are required.

5. GUIDANCE NOTES

If a scaffold/hoarding is required to facilitate the work, or a skip is required for the disposal of waste, a licence is required from the Highway Authority (Tel: 01642 728156) before any work commences on site.

6. GUIDANCE NOTES

The applicant is reminded that building materials shall not be deposited on the highway without the specific consent of the Highway Authority.

Dated 26th day of June 2006



Planning Services Manager

MIDDLESBROUGH COUNCIL

NOTES FOR APPLICANTS

This permission refers only to that required under the Town and Country Planning Act 1990 and does not include any consent or approval under any other enactment, byelaw, order or regulation. Any other statutory consent necessary e.g. Building Regulations approval must be obtained from the appropriate authority.

Failure to adhere to the details of approved plans or to comply with conditions attached to this permission is a contravention of the provisions of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken.

If you are aggrieved by the decision of the Local Planning Authority to refuse permission or approval of the proposed development, or to grant permission or approval subject to conditions you may appeal to the Secretary of State for the Environment in accordance with Sections 78 & 79 of the Town & Country Planning Act 1990 within six months of the date of the Council's decision (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the District in which the land is situated a purchase notice requiring that Council to purchase his interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Section 92 of the Town and Country Planning Act provides that where outline planning permission is granted for development existing in or including the carrying out of building or other operations, it shall be granted to conditions to the following effect:-

- a) that, in the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission.

MIDDLESBROUGH COUNCIL

b) that the development to which the permission relates must be begun not later than whichever is the later of the following dates:-

- i) the expiration of three years from the date of the grant of the planning permission, or
- ii) the expiration of two years from the final approval of the reserved matters or, in the case of the approval on different dates the final approval of the last such matter to be approved.

Under the provisions of Section 76 of the Town and Country Planning Act 1990 the Local Planning Authority is required to draw your attention to the provisions of the Chronically Sick and Disabled Persons Act 1970 which makes provisions for the needs of disabled people.

Your proposal may also be subject to Building Regulations and the provisions of section 5 of the County of Cleveland Act 1987. You are advised to check this before progressing the development with the Councils' Building Control Section.

Planning Appeals : Addendum Information

Appeals should be made on forms obtainable from:-

Customer Support Unit
The Planning Inspectorate
Room 3/15 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

In order to improve the speed and efficiency of the planning appeals system, a new procedure for the submission of appeals has been introduced by the Department of the Environment.

As from 7th April 1986; when an appeal is lodged with the Department of the Environment, a copy of the appeal documents must also be sent to the Local Planning Authority. These documents will normally include a copy of the appeal form, additional information, correspondence and plans or drawings relating to the appeal. There is no need to send to the Local Authority plans etc. which have already been submitted as part of the application which is subject of the appeal.

All correspondence regarding such an appeal should be sent to:-

Head of Legal Services
Middlesbrough Council
Town Hall
Middlesbrough
TS1 2QQ

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 Mr Mehson S Ahmed & Mr Mobeen H Ahmed

(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/PR0463/022568 |
|--|

Part 1 – Premises Details

| | | | |
|---|---------------|------------------|---------|
| Postal address of premises or, if none, ordnance survey map reference or description 39 WILSON STREET | | | |
| Post town | MIDDLESBROUGH | Post code | TS1 1SA |

| | |
|---|--------------|
| Telephone number at premises (if any) | 01642 222068 |
| Non-domestic rateable value of premises | £8200 |

Part 2 – Applicant details

| | | | |
|--|-------------------------|-----------------|---------|
| Daytime contact telephone number | 01642 222068 | | |
| E-mail address (optional) | | | |
| Current postal address if different from premises address | 1 ADCOTT ROAD ACKLAM | | |
| Post Town | MIDDLESBROUGH | Postcode | TS5 7ER |

Part 3 - Variation

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

Please tick yes

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)
SEE STATEMENT OF CASE

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

| |
|-----|
| N/A |
|-----|

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

B

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

F

| Recorded music Standard days and timings (please read guidance note 6) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2) | |
|--|-------|--------|---|--------------------------|
| Day | Start | Finish | Indoors | <input type="checkbox"/> |
| Mon | | | Outdoors | <input type="checkbox"/> |
| | | | Both | <input type="checkbox"/> |
| Tue | | | Please give further details here (please read guidance note 3) | |
| | | | | |
| Wed | | | State any seasonal variations for the playing of recorded music (please read guidance note 4) | |
| Thur | | | | |
| | | | | |
| Fri | | | 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 (please read guidance note 5) | |
| Sat | | | | |
| | | | | |
| Sun | | | | |
| | | | | |

G

| Performances of dance Standard days and timings (please read guidance note 6) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
|---|-------|--------|---|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | Both | <input type="checkbox"/> |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <u>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</u> (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

H

| | | | | | |
|--|-------|--------|---|----------|--------------------------|
| <p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p> | | | <p><u>Please give a description of the type of entertainment you will be providing</u></p> | | |
| Day | Start | Finish | <p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p> | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| Tue | | | <p><u>Please give further details here</u> (please read guidance note 3)</p> | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | <p><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)</p> | | |
| Sat | | | <p><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)</p> | | |
| 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) | |
| Day | Start | Finish | Indoors | <input type="checkbox"/> |
| | | | Outdoors | <input type="checkbox"/> |
| | | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | |
| Tue | | | | |
| Wed | | | <u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) | |
| Thur | | | | |
| Fri | | | <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) | |
| Sat | | | | |
| Sun | | | | |

J

| | | | | |
|---|-------|--------|---|--------------------------|
| Provision of facilities for dancing Standard days and timings (please read guidance note 6) | | | Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2) | |
| | | | Indoors | <input type="checkbox"/> |
| | | | Outdoors | <input type="checkbox"/> |
| | | | Both | <input type="checkbox"/> |
| | | | Please give a description of the facilities for dancing you will be providing | |
| Day | Start | Finish | | |
| Mon | | | Please give further details here (please read guidance note 3) | |
| Tue | | | | |
| Wed | | | | |
| Thur | | | State any seasonal variations for providing dancing facilities (please read guidance note 4) | |
| Fri | | | | |
| Sat | | | 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 (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 | <u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | Both | <input type="checkbox"/> |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | <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) | | |
| 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 | 1800 | 0500 | Please give further details here (please read guidance note 3) SEE ATTACHED STATEMENT | | |
| Tue | 1800 | 0500 | | | |
| Wed | 1800 | 0500 | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) AS BEFORE | | |
| Thur | 1800 | 0500 | | | |
| Fri | 1800 | 0500 | 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) N/A | | |
| Sat | 1800 | 0500 | | | |
| Sun | 1800 | 0500 | | | |

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 type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| | | | | | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | 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) | | |

N

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)

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 | | | |
| Tue | | | |
| Wed | | | |
| Thur | | | |
| Fri | | | |
| Sat | | | |
| Sun | | | |

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)

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

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

Please tick yes

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

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)

SEE STATEMENT OF CASE

b) The prevention of crime and disorder

SEE STATEMENT OF CASE

c) Public safety

SEE STATEMENT OF CASE

d) The prevention of public nuisance

SEE STATEMENT OF CASE

e) The protection of children from harm

SEE STATEMENT OF CASE

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 | |
| Date | 28/11/2014 |
| Capacity | LICENCEE |

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 | 28/11/2014 |
| Capacity | LICENCEE |

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

1 ADCOTT ROAD
ACKLAM

| | | | |
|---|---------------|------------------|---------|
| Post town | MIDDLESBROUGH | Post code | TS5 7ER |
| Telephone number (if any) | 01642 286530 | | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) | | | |

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.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

PREMISES LICENCE

Part A

Premises licence number MBRO/PR0463/022568

Part 1 - Premises details

| | |
|--|-----------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| 39 Wilson Street | |
| Post town | Post code |
| Middlesbrough | TS1 1SA |
| Telephone number 01642 222068 | |

| |
|---|
| Where the licence is time limited the dates |
| N/A |

| |
|---|
| Licensable activities authorised by the licence |
| Late Night Refreshment |

| |
|--|
| The times the licence authorises the carrying out of licensable activities |
| LATE NIGHT REFRESHMENTS |
| Monday to Sunday : 11pm to 4am |
| Christmas, New Year and Bank Holidays until 5am |

| |
|---|
| The opening hours of the premises |
| Monday to Wednesday : 7pm to 3am |
| Thursday to Saturday : 6pm to 4am |
| Sunday : 8pm to 3am |
| Christmas, New Year and Bank Holidays until 5am |

| |
|---|
| Where the licence authorises supplies of alcohol whether these are on and/or off supplies |
| N/A |

Part 2

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

Mr Mehson Shoaeb Ahmed
1 Adcott Road
Acklam
Middlesbrough
TS5 7ER

Mr Mobeen Hasan Ahmed
1 Adcott Road
Acklam
Middlesbrough
TS5 7ER

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

N/A

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

N/A

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

Unrestricted

Granted on 28 April 2011



Authorised Officer

Annex 1 - Mandatory conditions

Annex 2 - Conditions consistent with the operating Schedule

Embedded Restrictions

LICENSING OBJECTIVES

GENERAL - ALL FOUR LICENSING OBJECTIVES

None

THE PREVENTION OF CRIME AND DISORDER

1. The premises must be fitted with internal and external digital, colour CCTV. All footage must be kept for a minimum of 31 days and kept in a locked and secure cabinet.
2. Notices will be displayed throughout the premises notifying patrons that CCTV is in operation 24 hours a day.
3. An incident book will be used to record all incidents of crime and disorder.
4. On every Friday and Saturday evening between Midnight and the premises closing at least 1 SIA registered door supervisor shall be employed.
5. All children must be accompanied by a responsible adult after 10pm.

PUBLIC SAFETY

Structural alterations to the premises to conform with the Building Regulations 2000 and any Cleveland Fire Brigade report relating to a Building Regulation application.
Health and Safety and Fire Regulations will be followed.

THE PREVENTION OF PUBLIC NUISANCE

1. No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.
2. Where there are any offensive smells created on the premises, provision shall be made for such smells to be vented from the premises so that they do not cause a nuisance to nearby premises.
3. There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.
4. Where the premises provide food to the public for consumption on or off the premises there shall be provided at or near the exits, sufficient waste bins to enable the disposal of waste food, food containers, wrappings, etc.
5. Safety notices to be displayed.

THE PROTECTION OF CHILDREN FROM HARM

None

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

Not Applicable

Annex 4 - Plans

Attached

PREMISES LICENCE SUMMARY

Part B

Premises licence number MBRO/PR0463/022568

Part 1 - Premises details

| | |
|--|-----------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| 39 Wilson Street | |
| Post town | Post code |
| Middlesbrough | TS1 1SA |
| Telephone number 01642 222068 | |

| |
|---|
| Where the licence is time limited the dates |
| N/A |

| |
|---|
| Licensable activities authorised by the licence |
| Late Night Refreshment |

| |
|--|
| The times the licence authorises the carrying out of licensable activities |
| LATE NIGHT REFRESHMENTS |
| Monday to Sunday : 11pm to 4am |
| Christmas, New Year and Bank Holidays until 5am |

| |
|---|
| The opening hours of the premises |
| Monday to Wednesday : 7pm to 3am |
| Thursday to Saturday : 6pm to 4am |
| Sunday : 8pm to 3am |
| Christmas, New Year and Bank Holidays until 5am |

| |
|---|
| Where the licence authorises supplies of alcohol whether these are on and/or off supplies |
| N/A |

Part 2

Name, (registered) address of holder of premises licence

Mr Mehson Shoaeb Ahmed
1 Adcott Road
Acklam
Middlesbrough
TS5 7ER

Mr Mobeen Hasan Ahmed
1 Adcott Road
Acklam
Middlesbrough
TS5 7ER

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

N/A

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

N/A

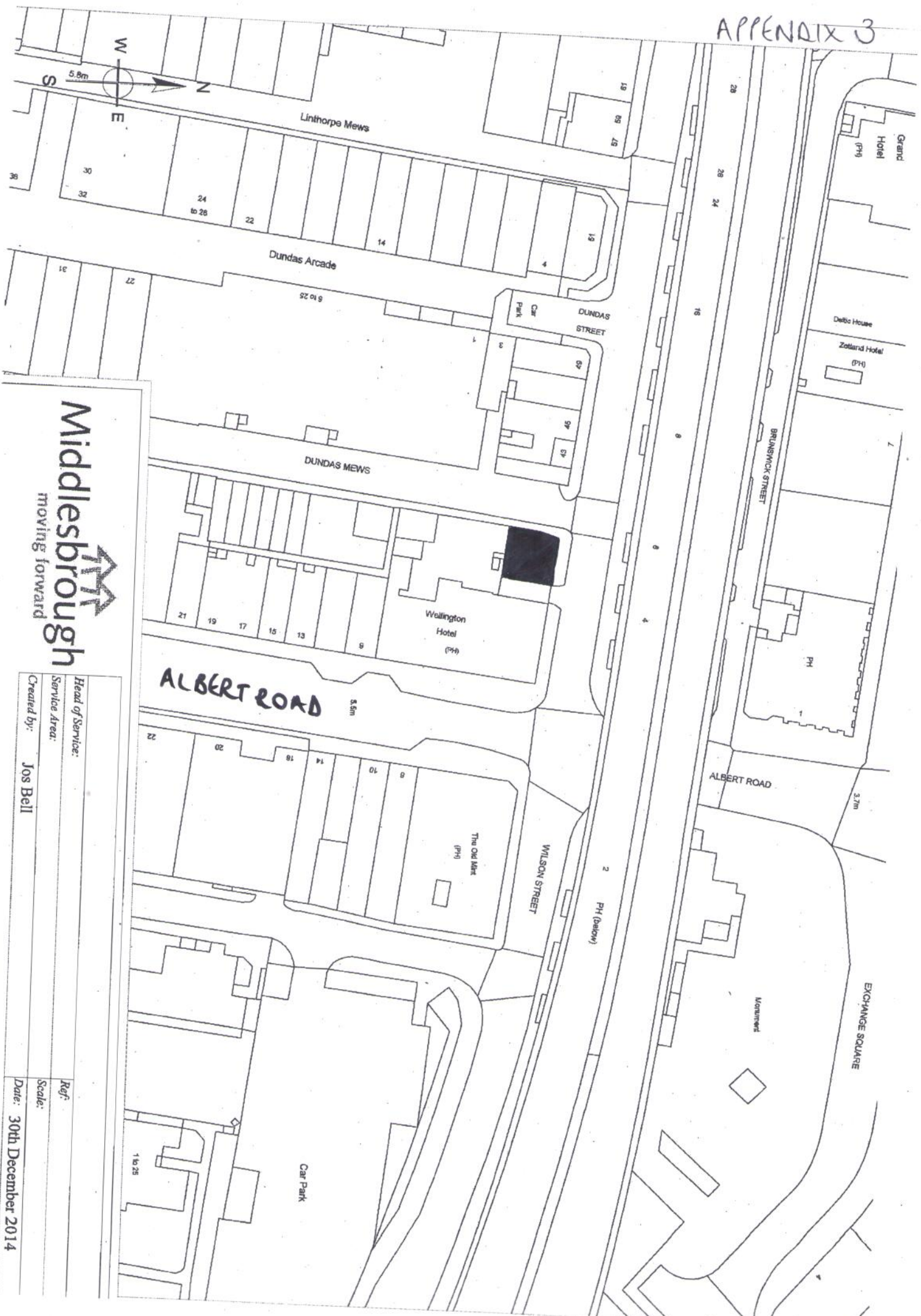
State whether access to the premises by children is restricted or prohibited

Unrestricted

Granted on 28 April 2011



Authorised Officer



Middlesbrough
moving forward

| | |
|----------------------|--------------------------|
| Head of Service: | Ref: |
| Service Area: | Scale: |
| Created by: Jos Bell | Date: 30th December 2014 |

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
39 Wilson Street

Post Town
Middlesbrough

Post Code
TS1 1SA

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 | | | |
| Post Town | | Post Code | |

Daytime contact telephone number

E-mail address (optional)

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

| |
|--|
| Name and Address |
| |

| | |
|---------------------------|--|
| Telephone Number (If any) | |
| E-Mail address (optional) | |

(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 checked="" type="checkbox"/> |
| 2. Public safety | <input type="checkbox"/> |
| 3. The prevention of public nuisance | <input type="checkbox"/> |
| 4. The protection of children from harm | <input type="checkbox"/> |

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

This is an application to vary the existing Premises Licence to allow the sale of hot food off the premises from 1800 hours – 0500 hours daily. This is an addition of three hours Monday to Wednesday, and an addition of one hour Thursday to Saturday.

Cleveland Police wish to make representations for the following reasons:

Due to the late opening hours suggested in this application, Cleveland Police are concerned that if granted, the venue will attract patrons from other premises closing at an earlier hour, and thus have an adverse impact on the public nuisance and crime and disorder objectives.

The premise is situated in an area which already suffers from alcohol related Crime and Disorder and anti social behaviour. Cleveland Police are of the opinion that if the variation to the licence is granted, this will result in undermining the licensing objectives. It is of concern to Cleveland Police if granted later hours there will be further incidents of violence and disorder in the area and impact further on current police resources.

The premise is situated within the area which has been declared saturated by Middlesbrough Council.

Please provide as much information as possible to support the representation. (Please read guidance note 2)

| |
|--|
| |
|--|

Please
Tick ✓

Have you made any representation relating to these premises before?

If Yes, please state the date of that representation

| Day | | Month | | Year | | | |
|-----|--|-------|--|------|--|--|--|
| | | | | | | | |

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

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 | Jayne Bryan | Date | 27/12/2014 |
| Capacity | Police Constable 1969 | | |

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.