

**FOR THE CHAIR AND MEMBERS OF  
THE LICENSING SUB-COMMITTEE  
FOR 22 APRIL 2015**

**Agenda Item 5**

**APPLICATION TO VARY PREMISES LICENCE – CHANGE OF DESIGNATED  
PREMISES SUPERVISOR**

**Applicant:** Hassan Mahmood, 57/59 Cumberland Road, Middlesbrough    **Ref.No.** OL/15/3

**Premises:** 57-59 Cumberland Road Linthorpe Middlesbrough

**Application received:** 18 March 2015

**Current Designated Premises Supervisor:** Daud Bashir

**Proposed Designated Premises Supervisor:** Hassan Mahmood

**Full details of the application to vary the premises licence have been reproduced at Appendix 1. A copy of the current premises licence is reproduced at Appendix 2.**

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**1. Notification to Responsible Authorities:**

A copy of the application was submitted to Cleveland Police as required by the Licensing Act 2003.

**2. Legislation**

Where an application to vary a Premises Licence by change of designated Premises Supervisor is properly made in accordance with the requirements of the Licensing Act 2003, the application must be granted unless the application has been opposed by police giving notice that granting the application would undermine the crime prevention objective.

**3. Background**

The premises consist of a ground floor convenience store located in a residential area in close proximity to residential properties. The premises operated with the benefit of a premises licence following the introduction of the Licensing Act in 2005. Prior to the introduction of the Licensing Act the premises operated with the benefit of a justices licence. That premises licence was then surrendered in February 2011. A fresh application for a premises licence was submitted by the current licence holder on 9 May 2011. Cleveland Police initially made a representation in relation to the application; however, that representation was withdrawn following an agreement with the applicant in relation to the imposition of conditions upon the licence. That licence was then granted on 2011.

#### **4. Representation from Cleveland Police**

On 26 March 2015 a representation was received from Cleveland Police which objected to the application to vary the premises licence by changing Designated Premises Supervisor on the grounds of the prevention of crime and disorder. That representation is reproduced at Appendix 3.

#### **5. Guidance to the Licensing Act 2003**

Members are referred to the following sections of the Guidance:

Prevention of Crime and Disorder      Page 6

Members should also consider any other relevant section of the guidance.

#### **6. Middlesbrough Council's Licensing Policy**

Members are referred to the following sections of the Policy:

Prevention of Crime and Disorder      Pages 32-42

Members should also consider any other relevant section of the guidance.

#### **7. Members Options**

1. Members must refuse the application if they believe that granting it would undermine the crime prevention objective.
2. Members must grant the application if they do not believe that doing so would undermine the crime prevention objective

Members are reminded that any aggrieved party (i.e. Applicant for the review, holder of the premises licence) may appeal any decision of the Licensing Committee to the Magistrates Court.

Contact Officer:      John Hodgson  
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#### **For admin use only:**

Decision:

Reason: