

**FOR THE CHAIR AND MEMBERS OF  
THE LICENSING SUB-COMMITTEE  
FOR 16 NOVEMBER 2015**

## **APPLICATION FOR PREMISES LICENCE**

**Applicant:** Nisa Local

**Ref.No.** OL/15/11

**Premises:** 1 Newbridge Court Middlesbrough TS5 7NQ

**Application received:** 30 September 2015

### **Summary of proposed Licensable Activities:**

Sale of Alcohol from 6am to 11pm daily in line with the opening hours of the proposed convenience store.

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

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### **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 – 5 October 2015

### **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 ground floor unit situated in a parade of other retail units located close to residential properties. The premises is currently disused, however it was previously the location of a convenience store that traded with the benefit of a premises licence between the introduction of the Licensing Act in 2005 and the subsequent surrender of that licence on 19 December 2007. The Licensing Section do not have any record pertaining to the use of the premises and any alcohol licence in place at the premises prior to the introduction of the Act in 2005. A location plan is attached at Appendix 2.

#### **5. The Representations**

On 28 October 2015 a representation was received from Councillor Shamal K Biswas, a local ward Councillor who objected to the application on the grounds of the protection from children from harm. A copy of this representation is attached at Appendix 3.

On 26 October 2015 a representation was received from Councillor Sheila Dean, a local ward Councillor who was objecting on behalf of local residents. Councillor Dean's representation objected to the application on the grounds of the prevention of public nuisance. A copy of the representation is attached at Appendix 4.

On 12 October 2015 a representation was received from Carole Taylor, a local resident, who objected to the application on the grounds of 18 July 2013 documentation in support of the application was received from the Applicant. Copies of this correspondence are attached at Appendix 5.

On 5 October 2015 a representation was received from Acklam Community Council objecting to the application on the basis of the prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm. A copy of that representation is attached at Appendix 6.

On 2 October 2015 a letter was received from Stella Rodgers, a local resident, which supported the application. That letter of support is attached at Appendix 7.

Following consultation with Cleveland Police the Applicant agreed to place additional conditions upon the licence. Should the licence be granted the conditions attached at Appendix 8 will be placed upon that licence.

#### **6. The Licensing Policy**

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

Prevention of Public Nuisance	Pages 23 to 29
Prevention of Crime and Disorder	Pages 32 to 42
Protection of Children from Harm	Pages 43 and 44

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
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. 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:        John Hodgson  
                                  Senior Licensing Officer  
                                  Tel. 728716

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#### **For admin use only:**

Decision:

Reasons:

