

**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 23 DECEMBER 2015**

APPLICATION FOR REVIEW OF PREMISES LICENCE

Applicant: Cleveland Police

Ref.No. OL/15/16

Premises: 199 Borough Road, Middlesbrough TS4 2BN

Application received: 28 October 2015

Summary of Current Licensable Activities:

Sale of Alcohol 8am to 11pm Daily

Full details of the application for review of the Premises Licence are attached at Appendix 1. The current Premises Licence and accompanying operating schedule have been reproduced at Appendix 2.

1. Notification to Responsible Authorities:

The Police confirmed that copies of the application were submitted to all other responsible authorities and the Premises Licence holder on 28 October 2015

2. Notice of Application:

A notice giving details of the application was displayed close to the premises by a Licensing Officer on 29 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 convenience store located close to residential properties which has traded with the benefit of a Premises Licence since 2010. A location plan is attached at Appendix 3

5. The Representations

On 18 November 2015 a representation was received from Councillors Linda Lewis and Zafar Uddin, Ward Councillors for the Central Ward. This representation supports the application to review the Premises Licence on the grounds of the prevention of crime and disorder and the protection of children from harm. This representation is attached at Appendix 4 and is accompanied by an email sent to the Councillors which outlines the concerns of a local community centre manager in relation to issues in this area.

On 25 November 2015 a representation was received from Middlesbrough Council Trading Standards which supports the application on the grounds of the protection from children from harm and the prevention of crime and disorder. This representation is attached at Appendix 5.

On 25 November 2015 a representation was received from the Director of Public health (Middlesbrough Council) supporting the application for a review of the premises on the basis of the prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm. This representation is attached at Appendix 6.

6. The Licensing Policy

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

Prevention of Crime and Disorder pages 32-42

Protection of Children from Harm 43-46

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

Protection of Children of Harm starting at paragraph 2.21

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

8. Members' Options

Members may consider the following options:

- Modify conditions in place on the premises licence.
- Exclude a licensable activity from the scope of the licence.
- Remove the designated premises supervisor.
- Suspend the licence for a period not exceeding three months.
- Revoke the licence.

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. 728719

For admin use only:

Decision:

Reasons: