

**Evidence presented by Middlesbrough Council, responsible authority for health, to support the review brought by Middlesbrough Council's Trading Standards against the premises licence held by Middis Market, 199 Borough Road, under the Licensing Act 2003**

The Director of Public Health, as the Responsible Authority for health, is making a representation on the grounds of Crime and Disorder, Public Safety and Protection of Children from Harm to support the application made by Cleveland Police Licensing Unit to review the premises licence of Middis Market, 199 Borough Road. Cleveland Police and Middlesbrough Council's licensing team has provided evidence in relation to the sale of alcohol to children, anti-social behaviour and breaches in conditions in accordance with the Premises Licence regarding 199 Borough Road, Middlesbrough. This representation is made to support their review application as it is our opinion that this premise is being operated in such a manner which undermines the Public Safety, Prevention of Crime and Disorder and Protection of Children from Harm licensing objectives.

Cleveland Police have provided evidence that in January 2015 alcohol was sold to two 15 year olds from Middis Market, 199 Borough Road, Middlesbrough. It is evident that there has been a clear lack of control and management of the sale of alcohol from this premises from both the Premises Licence Holder and Designated Premises Supervisor. The Police have been unable to trace both the DPS and Miss Balajeevani Sinnathurai, the Premises Licence Holder to hold them accountable for the offence.

The person present at the store at the time of the underage sale was not able to speak or understand English and unable to communicate and understand Police instructions, particularly in relation to viewing the CCTV from within the store, which the Police were unable to do.

Since March 2015 there have been concerns and some confusion about who owns the premises and who is in day to day control.

Licensed premises must operate in such a manner to uphold the licensing objectives and the DPS has an important role to ensure a premises operates within the law. It is a serious concern that alcohol was sold to children. The availability of alcohol to young people increases their vulnerability and the risks to their health and safety. Consumption of alcohol at an early age can have serious implications for long term health and wellbeing. It is also evident that the Police have identified breaches of licensing conditions in relation to the sale of "Perry" products. These products have been identified

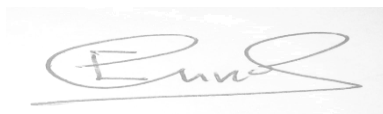
as being highly desirable to young people as they are cheap to buy and have quite a strong ABV content (7.5%).

Middis Market is located within the Central ward but also within close proximity to the boundary of North Ormesby. Both wards are listed as being the most deprived wards within Middlesbrough. There is high unemployment, low education attainments, a predominance of privately rented properties, some of the poorest in Middlesbrough, and a high prevalence of ill health. Alcohol arrest data shows that these wards are both hotspot areas for alcohol related crime and that a high number of cases involve people drinking in the home. Irresponsible sales and the availability of cheap alcohol fuel crime and disorder.

There are 30 off licensed premises situated within Central ward. Approximately 60% of off licensed premises are situated within 5 ward areas of Middlesbrough: Central, Newport, Park, Longlands and Beechwood and North Ormesby. During 2014/2015 a high proportion of the alcohol related crimes, wholly attributable hospital admissions and crime and disorder incidents were recorded from these ward areas. This, together with the high density of off licence premises prompted the need for a Cumulative Impact Policy to be included in Middlesbrough Council's Licensing Policy 2016-2021. This Policy ensures that further off licence premises applications do not add to existing crime and disorder issues within these wards. It will also assist in the promotion of all licensing objectives and responsible and effective retailing.

Alcohol related data and intelligence has been gathered for Central and North Ormesby wards. Central ward has the highest number of alcohol attributable admissions to James Cook University Hospital.

Licensed premises must ensure alcohol is sold responsibly. The premises licence holder has operated outside of the law in relation to the underage sale of alcohol and breaches in licensing conditions. It is very clear that this premise is being operated in such a way to undermine the licensing objectives of the prevention of crime and disorder, public safety and protection of children from harm.



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Dated: 11 December 2015