

**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 19 JANUARY 2016**

APPLICATION FOR VARIATION TO PREMISES LICENCE

Applicant: Rontec Watford Limited

Ref.No. OL/16/01

Premises: Coronation Service Station, Acklam Road, Middlesbrough

Application received: 18 November 2015

Summary of Current Licensable Activities:

Late Night Refreshment Monday to Sunday 11pm to 5am

Full details of the current licence and accompanying operating schedule have been reproduced at Appendix 1.

Summary of Proposed Variation of Licensable Activities:

To include the sale of alcohol between the hours of 8am and 11pm daily

Full details of the Application to vary the Premises Licence are attached 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. 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.

3. Background

The premises consist of a garage situated among other commercial premises on Acklam Road in Middlesbrough, close to residential housing. In November 2014 an application was submitted for a Premises Licence. At that time the licensable activities requested were Late Night Refreshment between the hours of 11pm and 5am and the Sale of Alcohol between the hours of 6am and 11pm. Following representations made in relation to the application, this matter was referred to a Licensing Sub Committee where Members subsequently chose to grant the Premises Licence, however, the sale of alcohol was excluded from the scope of the licence.

5. The Representations

On 1 December 2015 a representation was received from Lodore Residents Association, a locally based community group. This representation expressed concern regarding the need for a further outlet for the sale of alcohol in the Acklam area. As the need for any further outlets is not a consideration for an application made under the Licensing Act, that section of the representation is not considered relevant to this application. The representation does however express concern regarding the levels of anti social behaviour and under age drinking within the area, the representation is therefore accepted on the grounds of the prevention of public nuisance and the protection of children from harm. The representation is attached at Appendix 3.

On 16 December 2015 a representation was submitted by Cleveland Police which objected to the application on the grounds of the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. That 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	Section 7.0
Public Safety	Section 8.0
Prevention of Crime and Disorder	Section 9.0
Protection of Children from Harm	Section 10.0

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
Public Safety	Starting at paragraph 2.6

Public nuisance Starting at paragraph 2.14

Protection of Children from Harm Starting at paragraph 2.21

Licensing of Garages and Service Stations Starting at paragraph 5.21

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

8. Members' Options

Members may consider the following options:

Grant the application subject to conditions consistent with the operating schedule and mandatory conditions if applicable.

Grant the application subject to the addition of new conditions.

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:

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For admin use only:

Decision:

Reasons: