

**FOR THE CHAIR AND MEMBERS OF  
THE LICENSING SUB-COMMITTEE  
FOR 2 JUNE 2016**

## **APPLICATION FOR PREMISES LICENCE**

**Applicant:** Mark Pickering

**Ref.No.** OL/16/09

**Premises:** 21 Shelton Court, Thorntree, Middlesbrough

**Application received:** 15 April 2016

### **Summary of Proposed Activities:**

Supply of Alcohol Off the Premises 10am to 10pm daily

**Full details of the Application to vary the Premises Licence are attached at Appendix 1.**

---

### **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 – 18 April 2016

### **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 commercial property located among other commercial premises in a primarily residential area of Thorntree in Middlesbrough. A location plan is attached at Appendix 2.

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

On 22 April 2016 a representation was received from Mrs J W Naylor, a local resident, who objects to the application on the grounds of the prevention of public nuisance and the protection of children from harm. Mrs Naylor's representation indicated that she was expressing the views of a number of residents; an officer therefore sought clarification as to who Mrs Naylor was representing. As no further correspondence was received in relation to this issue Members are advised that this representation relates to Mrs Naylor and should not be considered as a representation made by a number of residents. A copy of that representation is attached at Appendix 3.

On 3 May 2016 a representation was received from F T Whitfield, a local resident, who objects to the application on the grounds of the prevention of public nuisance. A copy of that representation is attached at Appendix 4.

On 22 April 2016 a representation was received from a local resident which objects to the application on the grounds of the prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm. The resident requested that their details not be published within the report as she feared repercussions. That representation is attached at Appendix 5.

On 3 May 2016 a representation was received from Mr J Iley who objects to the application on the grounds of the prevention of public nuisance. That representation is attached at Appendix 6.

On 3 May 2016 a representation was received from G Thompson which objects to the application on the grounds of the prevention of public nuisance and the protection of children from harm. That representation is attached at Appendix 7.

On 9 May 2016 a representation was received from J Timperley which objects to the application on the grounds of the prevention of public nuisance. That representation is attached at Appendix 8.

On 9 May 2016 a representation was received from N Abbas which objects to the application on the basis of the prevention of public nuisance, the protection of children from harm and the prevention of crime and disorder. That representation is attached at Appendix 9.

On 9 May 2016 a representation was received from Nikolaos Kaltzis which objects to the application on the grounds of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. That representation is attached at Appendix 10.

On 11 May 2016 a representation was received from Zaheer Abbas that objected to the application on the grounds of the prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm. Mr Abbas has also been identified as the lead signatory for a petition submitted to the Licensing Section which objects to the

application on the grounds of the prevention of public nuisance. The representation and petition are attached at Appendix 11.

On 11 May 2016 a representation was received from Maqbool Shah which objects to the application on the grounds of the prevention of public nuisance. The representation is attached at Appendix 12.

On 11 May 2016 a representation was received from J Youngs which objects to the application on the grounds of the prevention of public nuisance and the protection of children from harm. The representation is attached at Appendix 13.

On 13 May 2016 a representation was received from J Holden which objects to the application on the grounds of the prevention of public nuisance. That representation is attached at Appendix 14.

Two further representations were received, however, these representations did not include details of the representors addresses and have therefore not been included within this report.

## **6. Responsible Authorities**

Following consultation with the Council's Public Health Officer the Applicant amended conditions on the application as detailed at Appendix 15.

Following consultation with Cleveland Police the Applicant amended conditions on the application as detailed at Appendix 16.

## **7. The Licensing Policy**

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

Prevention of Crime and Disorder	Page 20
Prevention of Public Nuisance	Page 25
Protection of Children from Harm	Page 27

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

## **8. 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
Prevention of Public Nuisance	Starting at paragraph 2.14
Protection of Children from 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:

1. Grant the application subject to conditions consistent with the operating schedule modified to such extent as is considered appropriate for the promotion of the licensing objectives and mandatory conditions if applicable. (A condition is deemed to be modified if altered, omitted or added)

2. 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. 728719

---

**For admin use only:**

Decision:

Reasons: