

LICENSING SUB COMMITTEE A

Date: Wednesday 24th March, 2021
Time: 1.00 pm
Venue: Virtual Meeting

AGENDA

Please note: this is a virtual meeting.

The meeting will be live-streamed via the Council's [Youtube channel](#) at 1.00 pm on Wednesday 24th March, 2021

1. Apologies for Absence
2. Declarations of Interest
3. Licensing Act 2003 - Application for a Premises Licence - Go Local Convenience Store, 136 Marton Road, Middlesbrough, TS1 2ED, Ref: OL/21/02 3 - 116
4. Any other urgent items which in the opinion of the Chair, may be considered.

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Tuesday, 16 March 2021

MEMBERSHIP

Councillors R Arundale (Chair), S Dean and A Waters

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Joanne Dixon / Scott Bonner, 01642 729713 / 01642 729708, joanne_dixon@middlesbrough.gov.uk / scott_bonner@middlesbrough.gov.uk

This page is intentionally left blank

AGENDA ITEM 5

**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 24 MARCH 2021**

APPLICATION FOR PREMISES LICENCE

Applicant: Lisa Jane Enderwick

Ref.No. OL/21/02

Premises: Go Local, 136 Marton Road, Middlesbrough, TS1 2ED

Application received: 3 February 2021

Summary of Proposed Licensable Activities:

Sale of Alcohol (Off sales) 7.00am – 11.00pm Daily

Full details of the application and accompanying operating schedule have been reproduced 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	Home Office (Immigration Enforcement)
(Public Safety and Public Nuisance)	

2. Application advertised by the applicant: Evening Gazette – 8 February 2021

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 are situated on a main road in the Town Centre amongst other commercial and residential properties. The premises are within the ward boundary for Central Ward and therefore fall within the area covered by a Cumulative Impact Policy relating to off licences.

The building is currently in disrepair and undergoing renovation to house a printing business, office space and a convenience store. The applicant intends to supply a full range of fresh, frozen and ambient foods, together with a selection of alcoholic drinks. A location map is attached at **Appendix 2**.

On 8 March 2021 an email was received from the Applicant's agent amending the proposed Designated Premises Supervisor to Mr Azeem Sarwar and advising that Mr Sarwar has in excess of 10yrs experience in the convenience alcohol retail sector. A copy of this email is attached at **Appendix 3**.

5. The Representations

On 9 February 2021 a representation was received from Councillor Lewis on behalf of herself and the other Central Ward Councillors, Councillor Storey and Uddin, objecting to the application on the grounds of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. A copy of that representation is attached at **Appendix 4**.

On 24 February 2021 a representation was received from Mr Sritharan Balsasingham, a local business owner objecting to the application on the grounds of the prevention of crime and disorder and the prevention of public nuisance. A copy of that representation is attached at **Appendix 5**. Mr Balsasingham also submitted a petition which he organised in his shop. A copy of which is attached at **Appendix 6**.

On 2 March 2021 a representation was received from Fiona Helyer on behalf of the responsible authority for Public Health objecting to the application on the grounds of the prevention of crime and disorder and public safety. A copy of this representation is attached at **Appendix 7**.

On 3 March 2021 a representation was received from Sarah Morris acting on behalf of the Licensing Authority objecting to the application on the grounds of the prevention of crime and disorder, public safety and the protection of children from harm. A copy of this representation is attached at **Appendix 8**.

On 3 March 2021 a representation was received from Cleveland Police objecting to the application on the grounds of the prevention of crime and disorder. A copy of this representation is attached at **Appendix 9**.

6. The Licensing Policy

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

Prevention of Crime and Disorder
Public Safety

Page 20
Page 25

Prevention of Public Nuisance	Page 27
Protection of Children from Harm	Page 30
Cumulative Impact Policies	Page 41

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 2.7
Prevention of Public Nuisance	Starting at paragraph 2.15
Protection of Children from Harm	Starting at paragraph 2.22
Cumulative Impact Policies	Starting at paragraph 14.2

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 considered appropriate for the promotion of the licensing objectives.
2. To refuse to specify a person in the licence as the premises supervisor.
3. To reject the application.

Members are reminded that any aggrieved party (i.e. Applicant, Responsible Authority, Other Person) may appeal any decision of the Licensing Sub-Committee to the Magistrates' Court.

Contact Officer: Tim Hodgkinson
Licensing Manager
Tel. 728720

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

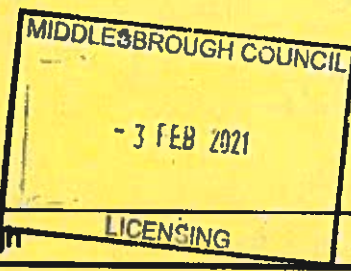
I/We Lisa Jane Enderwick

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Go Local Convenience Store. 136 Marton Road, Middlesbrough. TS1 2ED.			
Post town Middlesbrough		Post code TS1 2ED	



Telephone number at premises (if any)	07812384347
Non-domestic rateable value of premises	£ Not set

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

- Please tick yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
 - I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input checked="" type="checkbox"/>	Other Title (for example, Rev)	
Surname Enderwick			First names Lisa Jane		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		74, Cherryfield Drive, , Linthorpe, Middlesbrough.			
Post Town	Middlesbrough		Postcode	TS5 5QG	
Daytime contact telephone number			07812384347		
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone numbers (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? **ON GRANT**

Day		Month		Year	
				21	

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	

Please give a general description of the premises (please read guidance note1)
 The location of this property is situated on Marton Road in the Town Centre of Middlesbrough near to the junction with Grange Road. The building is a large premise which was in disrepair but is currently being brought up to date and being renovated to house a printing business, office buildings and a medium sized convenience store. When renovation work is complete this independent convenience store will offer for sale a full range of ambient, fresh and frozen foods together with an off licence selling beer, wines and spirits. Renovation work is due for completion around May 2021 and this is the target date for the opening of the convenience store. The store will operate under the brand name of "Go Local" which is controlled by the retail supply and support chain Parfett's who support in excess of 3,500 small retail convenience operators nationally. The proposed licence holder and DPS is currently waiting to obtain the relevant qualification to become a personal licence holder, however this process is temporarily suspended due to Covid 19 restrictions. Should this licence be granted no alcohol will be sold at or on the premises until proof of personal licence has been submitted to the responsible authorities.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

0

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dances (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)



In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) None		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indo ors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon			None		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) None
Day	Start	Finish	<u>State any seasonal variations for indoor sporting events (please read guidance note 4)</u> <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)</u>
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) None		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) None		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) None	
Mon				
Tue				
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) None		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u> None		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indo ors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> None		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)</u>	Indo ors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
			<u>Please give a description of the facilities for dancing you will be providing</u> None					
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>					
Mon								
Tue								
Wed						<u>State any seasonal variations for providing dancing facilities (please read guidance note 4)</u>		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat								
Sun								

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>	
			None	
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both - please tick (please read guidance note 2)</u>	Indo ors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here (please read guidance note 3)</u>	
Wed				
Thur				
Fri			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)</u>	
Sat				
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)</u>	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) None		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) None					
Mon	07.00	23.00						
Tue	07.00	23.00						
Wed	07.00	23.00						
Thur	07.00	23.00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) None		
Fri	07.00	23.00						
Sat	07.00	23.00						
Sun	07.00	23.00						

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Lisa Jane Enderwick	
Address 74 Chernfield Drive Linthorpe, Middlesbrough,	
Postcode	TS5 5QG
Personal Licence number (if known) Person Licence will be obtained when Covid 19 restrictions permit. (see general description above for further details)	
Issuing licensing authority (if known) To be Middlesbrough Borough Council	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
None

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	None
Mon	0700	23.00	
Tue	0700	23.00	
Wed	0700	23.00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) None
Thur	0700	23.00	
Fri	0700	23.00	
Sat	0700	23.00	
Sun	0700	23.00	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The management of the premises will be the responsibility of the applicant/ nominated Designated Premises Supervisor, supported by Go Local retailers supply chain.

In anticipation of this application being successful the applicant will train each member of staff introduced into the business in alcohol related legislation. A training record in the sale of alcohol and other restricted products will be maintained

Looking to the future, Induction training, refresher training and regular staff updates will be undertaken

b) The prevention of crime and disorder

Any incident of crime and disorder shall be reported to the Police and a record kept on the premises will be maintained and monitored by the Premise Licence Holder/DPS

No person who is drunk or disorderly will be served alcohol.

A challenge 25 proof of age policy shall be in operation to ensure no person under the age of 18 years is sold intoxicating liquor.

Any new member of staff within the business will receive induction training relating to the sale of alcohol and staff refresher training will be carried out on a regular basis. The CCTV system is to be a modern digital DVR system. An external camera will cover the entrance and glass front. A camera will focus on customers at the till area whilst other cameras will focus on the wine and beer fridge areas and ambient goods. The system will be a digital DVR with USB access to a backup video continuously recording for a minimum of 31 days. The applicant has knowledge of the area and is asking for a Premise Licence to sell alcohol off sales only, between the hours of 7.0am and 23.00 daily. In support of the licensing objectives the applicant will undertake not to sell any 5cl bottled spirits, single tins of beer, lager, cider or Perry and also undertake not to stock or sell any beer, lager, cider or Perry above 6.5% alcohol by volume. The applicant fully accepts these measures and is willing to have them written into any licence granted as conditions on the licence

c) Public safety

The applicant is adequately knowledgeable to ensure the safe evacuation of customers from the premises in the event of an emergency.

All fire escape routes shall be kept unobstructed and will be clearly identifiable

All escape doors and routes will be checked before premises are open for trading to the public and a record of checks shall be maintained

All fire exit doors shall be capable of being opened without the use of any key, card code or similar means.

All fire fighting equipment will be maintained in good working order and shall be available for immediate use

All emergency lighting and fire safety signage will be maintained in good order and will not be

altered without the approval of the Fire Authority.
The premises, entrance and shop aisles are of acceptable width and are well illuminated.
CCTV cameras covering all areas of the store.

d) The prevention of public nuisance

The DPS and subsequent members of staff will monitor customers whilst shopping and leaving the premises. Notices shall be displayed in a prominent position asking for customers to respect the needs of the local residents especially during the early morning and evening period. Litter and cleanliness issues will be addressed at the front and rear of his premises.

e) The protection of children from harm

Challenge 25 proof of age policy shall be in operation to ensure no person under the age of 18 years is sold intoxicating liquor. Signage to that effect will be placed throughout the store.

The applicant and future members of staff shall be trained to ensure that no person under the age of 18 years will be sold intoxicating liquor including the need for any person who looks under the age of 25 years to provide evidence of their age by producing an acceptable form of ID at the point of sale. A refusal register will be kept and maintained with integrity.

Training will be provided regarding the prevention of adult purchase and supply of alcohol and restricted products both to the Premise Licence Holder/DPS and any other staff who are introduced into the business. The Premise Licence holder will respond to any and all information supplied by the Police or other partnerships involved in the sale of alcohol, ie Licensing Forums.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application

- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	David Lester
Date	2 nd February 2021
Capacity	D&B Licensing Consultants. (Agent)

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Mr David Lester. D&B Licensing Consultants. The Cottage, Over Dinsdale Hall Near Neasham. North Yorkshire.			
Post town	Darlington	Post code	DL2 1PW
Telephone number (if any)	01621667202		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) dave.overdinsdale@btinternet.com			

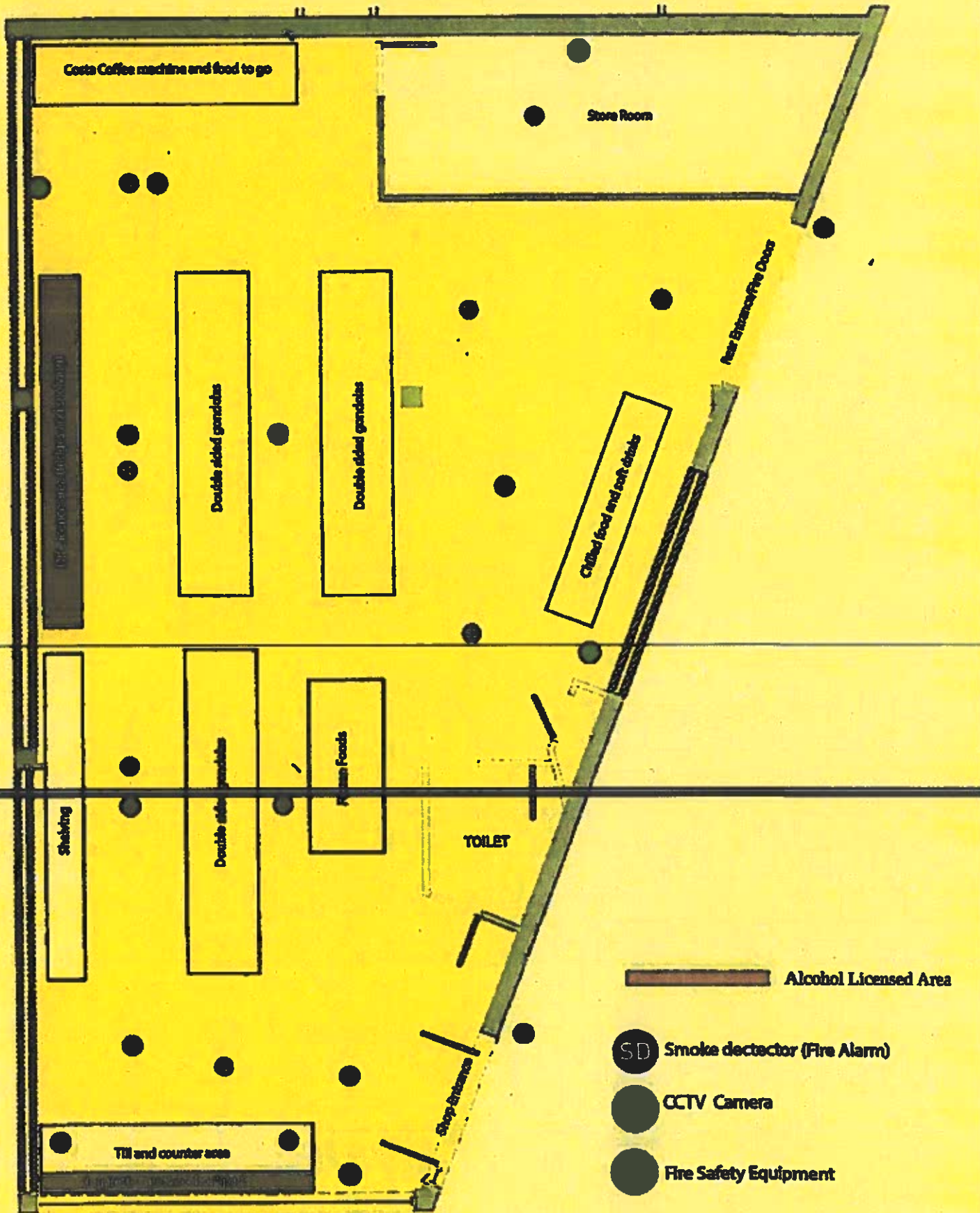
Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.

3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Proposed Store:

Go Local Convenience Store, 136 Marton Road, Middlesbrough. TS1 2ED



Consent of individual to being specified as premises supervisor

I **Lisa Jane Enderwick** b. **13/10/1969**

...[full name of prospective premises supervisor]

of...

74 Cherryfield Drive, Linthorpe, Middlesbrough TS5 5QG

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for **Premises Licence to sell alcohol by retail**

.....
[type of application]

by **Lisa Jane Enderwick**

.....
[name of applicant]

relating to a premises licence (New Application) Premises Licence applied for.

[number of existing licence, if any]

for... **Go Local Convenience Store, 136 Marton Road, Middlesbrough TS1 2ED**

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by .

Lisa Jne Enderwick.

name of applicant]

Concerning the supply of alcohol at **Go Local convenience Store. 136 Marton Road, Middlesbrough. TS1 2ED**

name and address of premises to which application relates].

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number .

..... Application for personal licence qualification is under way, however training is postponed temporarily due to Covid 19 restrictions

[insert personal licence number, if any]

Personal licence issuing authority

To be Middlesbrough Borough Council

[insert name and address and telephone number of personal licence issuing authority, if any]



.....signed

name (please print) **Lisa Jane Enderwick**

LISA JANE ENDERWICK..... Dated **28/1/21**



MIRRENIX 2

Map data ©2021 20 m

Sarah Morris

From: David Lester <dave.overdinsdale@btinternet.com>
Sent: Tuesday, 09 March 2021 07:55
To: Louise Romaine
Cc: Sarah Morris
Subject: Prem Licence App 136 Marton road Go Local
Attachments: Azeem go Local DPS Consent signed.docx; Azeem Go Local Passport.pdf

CYBER SECURITY WARNING: This email is from an external source - be careful of attachments and links. If in doubt contact the ICT Service Desk via the YourICT icon on your desktop.

D & B Licensing and Security Consultants

Authorised BIIAB Tutors – Centre No. C01699

dave.overdinsdale@btinternet.com

Dave Lester.

Home 01325 335516

Mobile 07521 887292

The Cottage Over Dinsdale Hall. Near Neasham.DL21PW

March 2021

9th

Dear Licensing/Louise/Sarah

With regard to the current Premise Licence application relating to Go Local 136 Marton Road, Middlesbrough which is currently pending a hearing.

I wish to inform you that we wish to withdraw Lisa Jane Enderwick from the position of proposed Designated Premise Supervisor and replace her with a new proposed DPS in the name of of Mr Azeem Sarwar born 5th February 1980, H/Address 13 Adcott Road, Middlesbrough, TS5 7ES, Personal Licence number MBRO/PL0769/064045. Mr Sarwar has in excess of 10yrs experience in the convenience alcohol retail sector.

Therefore, please find enclosed a copy of the photo page of Mr Sarwars British Passport to prove British Citizenship along with a signed Designated premise Supervisor Consent form in the name of Azeem Sarwar.

Kind regards.

Dave Lester.

D&B Licensing Consultants.

Consent of individual to being specified as premises supervisor

I **Azeem Sarwar** b. **5/2/1980**
...[full name of prospective premises supervisor]
of...

13 Adcott Road, Middlesbrough TS5 7ES

[home address of prospective premises supervisor]
hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for
Premises Licence to sell alcohol by retail

.....
[type of application]
by **Lisa Jane Enderwick**

.....
[name of applicant]
relating to a premises licence (New Application) Premise Licence applied for.
[number of existing licence, if any]
for... **Go Local Convenience Store, 136 Marton Road, Middlesbrough TS1 2ED**

[name and address of premises to which the application relates]
and any premises licence to be granted or varied in respect of this application made by
Lisa Jane Enderwick.

name of applicant

Concerning the supply of alcohol at **Go Local convenience Store. 136 Marton Road, Middlesbrough. TS1 2ED**
name and address of premises to which application relates].

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.
Personal licence number .

..... **MBRO/PL0769/064045**

[insert personal licence number, if any]

Personal licence issuing authority

Middlesbrough Borough Council

[insert name and address and telephone number of personal licence issuing authority, if any]

..........signed

name (please print) **Mr Azeem Sarwar**

.....**08-03-2021**..... Dated

Louise Romaine

From: Linda Lewis
Sent: Tuesday, 09 February 2021 11:36
To: Louise Romaine
Cc: Matthew Storey; Zafar Uddin
Subject: Re Objection, Premises license for 136 Marton rd

Good morning,

Cllr Story, Cllr Uddin and myself would like to object to another Off license application, this time for 136 Marton rd. We are in a cumulative impact area, one of 5 in Middlesbrough. The Off licenses that we have, far exceed the amount for the area.

This premises boundary's St Johns gate, Marton rd and also Elder & Hazel court.

Residents have expressed their concerns regarding Anti-social behaviour, added noise and un wanted litter.

The applicant wants to sell alcohol from 7 am to 11pm 7 days per week which we find unacceptable. There's also no mention of ABV, alcohol by volume that will be on sale, this including Perry products etc.

Public health have many times expressed their concerns regarding the poor health of residents in Central ward. Central ward has poor health, high levels of crime, high levels of premature mortality, high unemployment, high levels of drug misuse, low education attainment and high levels of alcohol misuse.

These do not make for good reading.

As we are now in the middle of a Covid pandemic alcohol misuse has become a way of escapism for many, storing up trouble for them without realising.

Alcohol dependency effects all age groups whether direct or indirect, these are the reasons why we are objecting to this application. I myself have lived in the ward for 38 years and see first-hand what alcohol misuse can do to residents.

We 3 Councillors for one of the most deprived wards in Middlesbrough feel that another Off license is not wanted or needed and ask that the application be refused on the grounds of the 4 license objectives;

The protection of children from harm, the protection of crime and disorder, the protection of public nuisance and the protection of public safety.

Yours faithfully

Linda Lewis
(Cllr and resident for Central ward)

Dear Sir/Madam

To whom it may concern, I am writing to object to the granting of alcohol licence at Go Local Convenience Store, 135 Marton Road, Middlesbrough, TS12ED. I believe if the license is granted it would have great effect on business nearby. I am one of those nearby business owners and my business is already struggling due to the pandemic and if the license is granted it could potentially cause me to close down my business.

I was very shocked after finding out that the council are considering this proposal as I recently read an article about the council rejecting plans for a convenience store at the Newcastle House pub in Berwick hill. The council declined the plans as they believed the store would affect nearby business at the Berwick Hill centre, please take this example into consideration and how this can affect nearby businesses such as mine. I also believe there will be issues with parking which cause traffic on the main road which is already very busy.

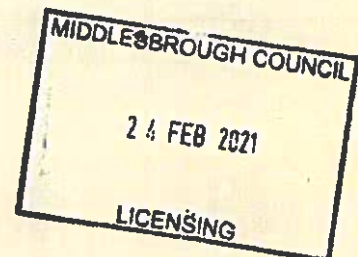
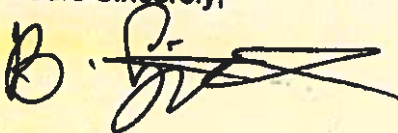
There is also problem with drugs and anti-social behaviour in this area and I believe having another store will increase this and cause disturbances for the nearby residences.

Please take into consideration all the points mentioned when making the decision and do think about the independent business that have been running in the area for many years and providing services for the local public during these difficult times.

My contact details are:

Sritharan Balsasingham
208 Grange Road
Middlesbrough
TS12AH
b.sritharan@icloud.com
07477228671

Yours Sincerely,



Dear Sir/Madam

To whom it may concern we the residents of Marton Road and other nearby surroundings, we would like to object to the granting of Premises Licence for the sale of alcohol on 136 Marton Road, Middlesbrough, TS1 2ED.

The objection is based on concerns that this new license may increase anti-social behaviour, criminal damage, robbery and public order, these are to name a few of the problems. After carrying out some research we have gathered numbers for previous incidents that occurred between the month of January and December 2020 within half a mile of Marton Road, these are listed below. Data screen shot added to the letter.

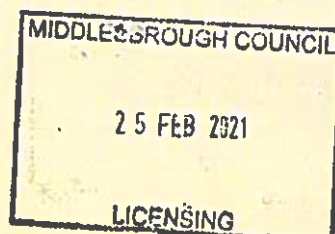
- Anti – social behaviour - 592
- Criminal Damage - 204
- Robbery - 7
- Public order – 145

Screen shot of the data have been added to the letter.

The main worrying factor is increase in anti – social behaviour as you can see from the data above it is already a main concern in the area. Granting a license will increase the problem of youngsters drinking and causing nuisance to the residential area.

Granting the licence to this property will also increase traffic congestion as cars will be parked on the side of the road. Marton Road is one of the busiest roads in the area as it is, this will increase traffic.

Please take these points into consideration before granting the premises license.



Objectors Name	Signature	Address
DAVID WILSON		52 RUTLAND COURT
JOSH DIMMICK		248 BOROUGH ROAD
A. PATTERSON		120 MARTON ROAD-
A. WHEAT		131 MISTAL Rd
R. WILLIAMS		5 RUTLAND CT.
N. MURTON	N. MURTON	40 Rutland ct
. 441 ARSDON		100 CORPORATION ROAD
PROF DAWSON		70A PARLIAMENT RD
Sam Barker		32 Rutland Court
M. Jones		17 CAMDEN ST
Imogen Johnson		XXXXXXXXXXXXXXXXXXXX !!! 24 Camden St.
Nar Shah	N. Shah	116 MURTON ROAD.
Dana Harvey	D. Harvey	40 Elder Court TSI
Sammy		55 HAZEL COURT
? Doree Bradwell		133 SURREY STREET TSI
JANNA MANDER		20 + 1A Zebra Court
JANNA MANDER		28 Rutland COURT TS1 2SL
re Anne Harvey		2 Elder Court
Nancy Harvey		2 Elder Court TSI

<p>Hans r Lapone</p>	<p>Papae</p>	<p>44 Peirse close St Johns Gate - TS4 2FQ</p>
<p>S. Jaskowicz 1 MILWAUKEE</p>	<p>S. Miller</p>	<p>40 Grange Rd TS1 2AH 30 Elder Court</p>
<p>S. Jaskowicz</p>	<p>S. Miller</p>	<p>222 Grange Road. TS1 2AA</p>
<p>S. Lee</p>	<p>S. Lee</p>	<p>178 Marton Road TS1 2ED</p>
<p>M. Gomez</p>	<p>M. Gomez</p>	<p>22 Elder Court TS1 2S3.</p>
<p>MUSARAT</p>	<p>M. Choler</p>	<p>210 Grange RD M-B-R-TS1 2AH</p>
<p>V. CARELL</p>	<p>M. Jam</p>	<p>6 FIFE ST TS1 2EE</p>
<p>J. McDONNELL</p>	<p>S. Mitchell</p>	<p>226 Grange RD, TS1 2AQ</p>
<p>J. JOCELYN</p>	<p>K. Woddy</p>	<p>25 HAZEL COURT</p>
<p>R. MITCHELL</p>	<p>R. Mitchell</p>	<p>33 ELDER</p>
<p>V. WILSON</p>	<p>M. Jam</p>	<p>2. PALZIN CLOSE</p>
<td data-bbox="399 1377 694 1444"> <td data-bbox="702 1377 1548 1444"> </td> </td>	<td data-bbox="702 1377 1548 1444"> </td>	
<td data-bbox="399 1456 694 1523"> <td data-bbox="702 1456 1548 1523"> </td> </td>	<td data-bbox="702 1456 1548 1523"> </td>	
<td data-bbox="399 1534 694 1601"> <td data-bbox="702 1534 1548 1601"> </td> </td>	<td data-bbox="702 1534 1548 1601"> </td>	
<td data-bbox="399 1612 694 1680"> <td data-bbox="702 1612 1548 1680"> </td> </td>	<td data-bbox="702 1612 1548 1680"> </td>	
<td data-bbox="399 1691 694 1758"> <td data-bbox="702 1691 1548 1758"> </td> </td>	<td data-bbox="702 1691 1548 1758"> </td>	
<td data-bbox="399 1769 694 1836"> <td data-bbox="702 1769 1548 1836"> </td> </td>	<td data-bbox="702 1769 1548 1836"> </td>	
<td data-bbox="399 1848 694 1915"> <td data-bbox="702 1848 1548 1915"> </td> </td>	<td data-bbox="702 1848 1548 1915"> </td>	

Change Month: December 2020

Anti-social behaviour (38) [Map] [Print] [Download] [Share] [Close]

Anti-social behaviour

There are 38 Anti-social behaviour crimes reported in December 2020 within half a mile of Milton Road, Middlesbrough. 134 SPs. Click the tabs above to view crimes in other categories.

Table with 2 columns: Date, Location. Rows include December 2020, December 22nd, December 23rd, December 24th, December 27th, December 28th, December 30th.

Change Month: October 2020

Anti-social behaviour (38) [Map] [Print] [Download] [Share] [Close]

Anti-social behaviour

There are 38 Anti-social behaviour crimes reported in October 2020 within half a mile of Milton Road, Middlesbrough. 154 SPs. Click the tabs above to view crimes in other categories.

Table with 2 columns: Date, Location. Rows include October 20th, October 21st, October 22nd, October 23rd, October 24th, October 25th, October 26th, October 27th, October 28th, October 29th, October 30th.

Change Month: August 2020

Anti-social behaviour (38) [Map] [Print] [Download] [Share] [Close]

Anti-social behaviour

There are 38 Anti-social behaviour crimes reported in August 2020 within half a mile of Milton Road, Middlesbrough. 134 SPs. Click the tabs above to view crimes in other categories.

Table with 2 columns: Date, Location. Rows include August 20th, August 21st, August 22nd, August 23rd, August 24th, August 25th, August 26th, August 27th, August 28th, August 29th, August 30th.

Change Month: June 2020

Anti-social behaviour (38) [Map] [Print] [Download] [Share] [Close]

Anti-social behaviour

There are 38 Anti-social behaviour crimes reported in June 2020 within half a mile of Milton Road, Middlesbrough. 134 SPs. Click the tabs above to view crimes in other categories.

Table with 2 columns: Date, Location. Rows include June 20th, June 21st, June 22nd, June 23rd, June 24th, June 25th, June 26th, June 27th, June 28th, June 29th, June 30th.

Change Month: November 2020

Anti-social behaviour (38) [Map] [Print] [Download] [Share] [Close]

Anti-social behaviour

There are 38 Anti-social behaviour crimes reported in November 2020 within half a mile of Milton Road, Middlesbrough. 134 SPs. Click the tabs above to view crimes in other categories.

Table with 2 columns: Date, Location. Rows include November 2020, November 21st, November 22nd, November 23rd, November 24th, November 25th, November 26th, November 27th, November 28th, November 29th, November 30th.

Change Month: September 2020

Anti-social behaviour (38) [Map] [Print] [Download] [Share] [Close]

Anti-social behaviour

There are 38 Anti-social behaviour crimes reported in September 2020 within half a mile of Milton Road, Middlesbrough. 134 SPs. Click the tabs above to view crimes in other categories.

Table with 2 columns: Date, Location. Rows include September 20th, September 21st, September 22nd, September 23rd, September 24th, September 25th, September 26th, September 27th, September 28th, September 29th, September 30th.

Change Month: July 2020

Anti-social behaviour (38) [Map] [Print] [Download] [Share] [Close]

Anti-social behaviour

There are 38 Anti-social behaviour crimes reported in July 2020 within half a mile of Milton Road, Middlesbrough. 134 SPs. Click the tabs above to view crimes in other categories.

Table with 2 columns: Date, Location. Rows include July 20th, July 21st, July 22nd, July 23rd, July 24th, July 25th, July 26th, July 27th, July 28th, July 29th, July 30th.

Change Month: May 2020

Anti-social behaviour (38) [Map] [Print] [Download] [Share] [Close]

Anti-social behaviour

There are 38 Anti-social behaviour crimes reported in May 2020 within half a mile of Milton Road, Middlesbrough. 134 SPs. Click the tabs above to view crimes in other categories.

Table with 2 columns: Date, Location. Rows include May 20th, May 21st, May 22nd, May 23rd, May 24th, May 25th, May 26th, May 27th, May 28th, May 29th, May 30th.

Change Month: April 2020

Anti-social behaviour (106) [View details](#) [Change page layout](#) [Print](#) [Download](#) [Feedback](#) [Help](#) [Home](#)

Anti-social behaviour

These are the 106 Anti-social behaviour crimes reported in April 2020 within half a mile of Market Road, Macclesfield, T94 2PB. Click the tabs above to view crimes in other categories.

Date	Location
April 2020	On or near Ardley Way
April 2020	On or near Arwick Court
April 2020	On or near Arwick Court
April 2020	On or near Ashton Close
April 2020	On or near Ashton Grove
April 2020	On or near Aspen Drive
April 2020	On or near Aspen Drive
April 2020	On or near Belmont Drive
April 2020	On or near Belmont Drive

Change Month: March 2020

Anti-social behaviour (70) [View details](#) [Change page layout](#) [Print](#) [Download](#) [Feedback](#) [Help](#) [Home](#)

Anti-social behaviour

These are the 70 Anti-social behaviour crimes reported in March 2020 within half a mile of Market Road, Macclesfield, T94 2PB. Click the tabs above to view crimes in other categories.

Date	Location
March 2020	On or near Almond Court
March 2020	On or near Almond Court
March 2020	On or near Almond Court
March 2020	On or near Belmont Drive
March 2020	On or near Belmont Court
March 2020	On or near Clapham Green
March 2020	On or near Coppice Road
March 2020	On or near Deer Court
March 2020	On or near Dene Road
March 2020	On or near Earton Street

Change Month: February 2020

Anti-social behaviour (46) [View details](#) [Change page layout](#) [Print](#) [Download](#) [Feedback](#) [Help](#) [Home](#)

Anti-social behaviour

These are the 46 Anti-social behaviour crimes reported in February 2020 within half a mile of Market Road, Macclesfield, T94 2PB. Click the tabs above to view crimes in other categories.

Date	Location
February 2020	On or near Arwick Court
February 2020	On or near Arwick Court
February 2020	On or near Belmont Drive
February 2020	On or near Belle Vue Green
February 2020	On or near Coppice Road
February 2020	On or near Deer Court
February 2020	On or near Eastbourne Road
February 2020	On or near Garsfield Road
February 2020	On or near Macclesfield Road
February 2020	On or near Westborough Lane

Change Month: January 2020

Anti-social behaviour (54) [View details](#) [Change page layout](#) [Print](#) [Download](#) [Feedback](#) [Help](#) [Home](#)

Anti-social behaviour

These are the 54 Anti-social behaviour crimes reported in January 2020 within half a mile of Market Road, Macclesfield, T94 2PB. Click the tabs above to view crimes in other categories.

Date	Location
January 2020	On or near Almond Court
January 2020	On or near Belmont Drive
January 2020	On or near Belmont Drive
January 2020	On or near Brighton Green
January 2020	On or near Chalfont Close
January 2020	On or near Clapham Green
January 2020	On or near Dene Road
January 2020	On or near Dene Road
January 2020	On or near East View Terrace

Miss Lisa Enderwick
74 Cherryfield Drive
Linthorpe
Middlesbrough
TS5 5QG

Tel: (01642) 728272

Date: 02.03.21

Ref: MAU/100928

Dear Madam,

LICENSING ACT 2003

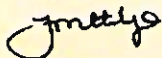
Premises: 136 Marton Road, Middlesbrough, TS1 2ED

With reference to your application for a licence under the Licensing Act 2003, and as a designated 'Responsible Authority', I wish to advise you that it is my intention to make a representation against your application. My reasons for making the representation are attached.

A Licensing Officer will contact you in due course regarding the arrangements for a hearing of your application before the Licensing Sub-Committee, as applicable.

If you would like to discuss this matter please do not hesitate to contact me.

Yours faithfully,



Public Health Officer
Alcohol Control

Middlesbrough Council
The Licensing Act 2003 - Responsible Authority (RA) Representation

Name of RA Representative: Fiona Helyer

Address: Public Health and Public Protection Service, Civic Centre, Middlesbrough.
Email: EHTS@middlesbrough.gov.uk **Tel** 01642 728272

Licence holder details

Name and Address of Premises

Address: Go Local, 136 Marton Road, Middlesbrough, TS1 2ED

Name of licence holder or club holding club premises certificate (if known)

Miss Lisa Enderwick

Number of premises licence or club premise certificate (if known)

Representation

It is my opinion that the application fails to adequately satisfy the following licensing objectives:

- | | |
|---|----------------------------------|
| x | Prevention of Crime and Disorder |
| | Prevention of Public Nuisance |
| x | Public Safety |
| | Protection of Children from Harm |

Grounds for representation (including details of any previous representations)

Evidence presented by Middlesbrough Council, Responsible Authority for Public Health, in relation to the application made by Miss Lisa Enderwick, the applicant and Premises Licence holder for premises situated at 136 Marton Road, Middlesbrough, under the Licensing Act 2003

As the representative of the Responsible Authority for Public Health, I make this representation against this Premises Licence application on the grounds of Crime and Disorder and Public Safety.

The application made is for the grant of a new premises licence from 07:00 – 23:00 hours seven days a week for the supply of alcohol. Miss Lisa Enderwick, the proposed Premises Licence holder and Designated Premises Supervisor for the business, makes the application.

There are a number of concerns regarding the current application made to Middlesbrough Council's Licensing Authority and it is our opinion that the granting of these premises off licence will have a negative impact on the Crime and Disorder and Public Safety licensing objectives.

Middlesbrough has two Cumulative Impact Policies (CIP). CIP 1 covers on licensed premises in a designated area of Middlesbrough Town Centre. CIP 2 covers off licence premises across 5 ward areas including Central, Newport, North Ormesby, Park and Longlands and Beechwood.

In both CIP areas there are high proportions of alcohol related crimes, wholly attributable hospital admissions and crime and disorder incidents recorded. This, together with the high density of licence premises in both areas has evidenced the need for Cumulative Impact Policies.

These premises are situated in Central Ward, just outside of the boundary for the CIP 1 area (Town Centre). The premises sits within the CIP 2 policy area as the Central ward is covered in the off licence policy.

The Licensing Act 2003 states that where a Cumulative Impact Policy (CIP) is in place, there is usually a presumption that applications for new premises licences or variations to existing premises licenses will be refused. This is unless it can be demonstrated that the granting of the licence will not negatively impact further on the licensing objectives.

It is our opinion that the granting of this licence will negatively impact on the licensing objectives

Currently, there are 27 off licensed premises operating in the Central ward of Middlesbrough.

Allowing another alcohol premises to operate between the hours of 7am – 11pm daily makes alcohol more readily available and will not only exacerbate some of the alcohol related issues already experienced in Middlesbrough but will also add unnecessary pressures to our emergency services including NHS Accident and Emergency departments, ambulance services and Police.

Throughout 2020, there has been an alarming rise in the numbers of people choosing to drink at home during the Covid-19 pandemic, which is having a knock-on effect on individuals, families and services.

The latest research shows that people are likely to be drinking more and at levels that can harm health because of pressures and anxiety brought on by the Covid-19 pandemic including impacts on employment, finances and the health of loved ones.

On Thursday 25 February 2021 and due to a number of concerns that were not addressed by the applicant in Part M of the application, a meeting was held. Mr Lester, a licensing consultant from D&B licensing was present to act on behalf of the applicant and her business partner, Mr Ishaq. Representatives from the Council's Licensing and Public Health Authority and Cleveland Police were also present

During the meeting, Mr Lester advised of the applicant's intentions to operate a local convenience store, serving local residents by offering groceries and other items including alcohol from the premises. During the meeting the following information was provided:

- Miss Enderwick is aware of the local issues and existing problems in the area and had received information from her licensing consultant around the Council's off licence Cumulative Impact Policy that covers 5 ward areas of Middlesbrough.
- She has limited experience of being in control and working in licensed premises however advised that a PLH and DPS of a nearby Go Local store will act as a mentor, advising and guiding Miss Enderwick in her duties.
- Miss Enderwick is yet to complete a personal licence holder's course and acknowledged that her licensing knowledge was limited.
- Miss Enderwick and Mr Ishaq are joint business partners of a local printing company that is also situated on Marton Road (same building). The printing business has operated for the past 20 years, originally situated in Linthorpe Road prior to moving to Marton Road in 2020.
- There will be three full time members of staff and four part time members of staff working alongside Miss Enderwick.
- There is a willingness to work with the Responsible Authorities and to consider any conditions suggested to her that will assist in the promotion of the licensing objectives including a reduction in times in which licensable activity can take place.

There are a number of concerns regarding this application

Alcohol is readily available in Middlesbrough and can be purchased from a number of different alcohol premises including off licences, supermarkets and premises offering alcohol delivery services.

Middlesbrough experiences a number of issues including incidents of alcohol related crime and disorder and anti-social behaviour that impact on many lives. Such issues also impact negatively on our local NHS services including James Cook Accident & Emergency departments, Police and ambulance services.

Throughout the Covid-19 pandemic, there has been an increase in the amount of people drinking from home, which has resulted in an increase on the levels of Domestic Abuse being reported. Such incidents not only affect an individual's physical and mental health but can also have a detrimental effect on those living in the same household, including children and families.

There are also high numbers of people in Middlesbrough who are classed as being vulnerable due to alcohol addiction. This premise is in very close proximity of Middlesbrough Council's commissioned alcohol recovery services.

It is our opinion that the granting of this licence would further undermine the Crime and Disorder and Public Safety licensing objectives and will exacerbate the problems already experienced.

Further evidence will be submitted prior to a licensing sub-committee hearing.

Middlesbrough Council

The Licensing Act 2003 - Responsible Authority (RA) Representation

Representation by the Licensing Department, Middlesbrough Council as a Responsible Authority, in respect of application made under the Licensing Act 2003 by Lisa Jane Enderwick for the grant of a Premises Licence.

Licence holder details

<p>Name and Address of Premises</p> <p>Go Local, 136 Marton Road, Middlesbrough, TS1 2ED</p>
--

<p>Name of Applicant</p> <p>Lisa Jane Enderwick</p>

<p>Number of premises licence or club premise certificate (if known)</p> <p>N/A</p>

It is my opinion that the grant of this premises licence would have a significant adverse impact on the promotion of the following licensing objectives:

- | | |
|---|----------------------------------|
| X | Prevention of Crime and Disorder |
| | Prevention of Public Nuisance |
| X | Public Safety |
| X | Protection of Children from Harm |

<p>Grounds for representation (including details of any previous representations)</p> <p>The application is for the sale of alcohol by off sale from 7am to 11pm daily.</p> <p>The Licensing Authority has agreed that a Cumulative Impact Policy should be applied to the area within which the premises is located for new premises licences for the sale of alcohol off the premises. Five ward area's of Middlesbrough are within this Cumulative Impact Policy; Central, Newport, North Ormesby, Park, Longlands and Beechwood.</p>
--

These ward areas already suffer from high levels of alcohol related crime and disorder and anti social behaviour and the Licensing Department believe that the granting of this licence will only exacerbate the existing problems.

Officers have concerns in relation to the applicant's lack of experience in running a licensed premises of this type and do not believe that they have proposed suitable and sufficient measures within the Operating Schedule to promote the licensing objectives, especially given that the premises is situated in an area contained within the Council's Cumulative Impact Policy.

Name of RA Representative: Sarah Morris, Principal Licensing Officer, Licensing Department, Middlesbrough Council
Address: Licensing Section, Ground Floor Civic Centre, Middlesbrough.
Email: Licensing@middlesbrough.gov.uk **Tel** 01642 728716

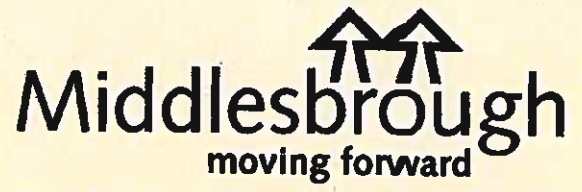
Middlesbrough Council

www.middlesbrough.gov.uk

COMMUNITY PROTECTION SERVICES

Licensing

PO Box 65, Vancouver House, Gurney Street,
Middlesbrough TS1 1QP
Tel: (01642) 245432



Representations On A Current Application For A Grant/Variation of a Premises Licence Or Club Premises Certificate Under The Licensing Act 2003

Before Completing This Form Please Read The Guidance Notes At The End Of The Form

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I (Insert name) .JASON ARBUCKI F

Wish to make representation about the application for variation/grant for a premises licence/club premises certificate (delete as applicable)

PART 1 – PREMISES OR CLUB PREMISES DETAILS

Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description	
GO LOCAL CONVENIENCE STORE 136 MARTON ROAD	
Post Town MIDDLESBROUGH	Post Code TS1 2ED

Name of premises licence holder or club holding club premises certificate (if known)
N/A

Number of premises licence or club premise certificate (if known)
N/K

PART 2 – DETAILS OF PERSON MAKING REPRESENTATION

I am

- | | Please Tick ✓ |
|--|-------------------------------------|
| 1) an interested party (please complete (A) or (B) below) | <input type="checkbox"/> |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |
| 2) a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 3) a member of the club to which this representation relates (please complete (A) below) | <input type="checkbox"/> |

(A) DETAILS OF INDIVIDUAL MAKING REPRESENTATION (fill in as applicable)

Mr Mrs Miss Ms Other Title (for example, Rev)

Surname

First Names

I am 18 years old or over

Yes (Please Tick)

Current Address			
Post Town		Post Code	

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER PARTY MAKING REPRESENTATION (e.g. Body or Business)

Name and Address

Telephone Number (If any)	
E-Mail address (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION

Name and Address CHIEF CONSTABLE OF CLEVELAND POLICE C/O POLICE CONSTABLE 1845 JASON ARBUCKLE MIDDLESBROUGH DISTRICT H/Q BRIDGE STREET WEST MIDDLESBROUGH TS2 1AB

Telephone Number (If any)	01642 303175
E-Mail address (optional)	

This representation relates to the following licensing objective(s)

- | | Please
Tick ✓ |
|---|--------------------------|
| 1. The prevention of crime and disorder | X |
| 2. Public safety | |
| 3. The prevention of public nuisance | <input type="checkbox"/> |
| 4. The protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for representation. (please read guidance note 1)

Cleveland Police have received an application made under the Licensing Act 2003 for a premises licence to be granted at Go Local Convenience Store, 136 Marton Road, Middlesbrough, TS1 2ED. The applicant is seeking the sale of alcohol from 07 00hrs until 23 00hrs, seven days a week.

Cleveland Police wish to make representation's to this application for the following reasons,

On Thursday the 25th of February 2021, a meeting was held at Middlesbrough Police station due to concern's about the application, the meeting involved Cleveland Police, members of staff from Middlesbrough council's public health and Licensing team, also present was the applicant, Lisa Enderwick and her partner Araf Ishaq and Mr Lester, a licensing consultant acting on behalf of the applicant.

Even though the applicant did show a willingness to work with the responsible authorities, it was concerning to hear that the applicant and her partner had a limited knowledge of the licensing act and had limited knowledge/experience of working in a licensed premise. They stated that they would be relying on a PLH from a nearby Go Local store to act as a mentor, who would guide and offer them advice.

It was also established at the meeting that the applicant has not yet completed her personal licence holder's course

Without being disrespectful to the applicant and even with a mentor, who I'm sure won't be present at the premise full time, it is concerning to Cleveland Police that a convenience store selling alcohol will be operated and managed by someone with such limited experience of the licensing act.

Middlesbrough has two cumulative impact policies in force at the moment, one for on licensed premises and one for off licensed premises. In both Cumulative impact policy

area's, there are already high levels of alcohol related crime and disorder and anti social behaviour. This proposed premise sits in the area that has the Cumulative impact policy in force for off licensed premises, as this premise will operate from Central ward, it is worthy of note that 5 ward area's of Middlesbrough are within this cumulative impact policy for off licensed premises, Central, Newport, North Ormesby, Park, Longlands and Beechwood.

As evidenced by the need for Cumulative Impact policies, Middlesbrough already suffers from high levels of alcohol related crime and disorder and anti social behaviour and Cleveland Police are firmly of the belief that another off licensed premise will only exacerbate the existing problems, by making alcohol more readily available to persons who have already partaken in alcohol and the vulnerable, this is particularly worrying considering more and more people are consuming more alcohol at home.

Please provide as much information as possible to support the representation. (Please read guidance note 2)

Further evidence/information will be provided if needed.

Please
Tick ✓

Have you made any representation relating to these premises before?

X

If Yes, please state the date of that representation

Day		Month		Year		

If you have made representation before relating to these premises please state what they were and when you made them.

By completing this document you give Middlesbrough Council the authority to collect and retain information about you for the purpose of the application. In order to process the application we may need to check this information with other enforcement agencies, local authorities or government departments.

We must protect the public funds we handle and so we may use the information you have provided on this form to prevent and detect fraud. We may also share this information with other enforcement agencies including those organisations which handle public funds. Middlesbrough Council will not disclose information about you unless the law permits.

Middlesbrough Council is the Data Controller for the purposes of the Data Protection Act. If you want to know more about the information the Authority holds about you or the way the Authority uses that information please contact the Information Security Officer, PO Box 17, Melrose House, 1 Melrose Street, Middlesbrough, TS1 2YW.

Part 3 – Signatures (Please read guidance note 3)

Signature of representative or representative's solicitor or other duly authorised agent. (See guidance note 4) If signing on behalf of the representative please state in what capacity.

Signature	PC 1845	Date	03/03/2021
Capacity	LICENSING SUPPORT CONSTABLE		

Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5)

Middlesbrough Police HQ,
Bridge Street West,

Post Town	Post Code
Middlesbrough	TS2 1AB

Telephone Number (if any)	01642 303175
E-mail Address (optional)	Jason.arbuckle@cleveland.pnn.police.uk

Notes for Guidance

1. The ground(s) for representation must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for representation, if applicable.
3. The representation form must be signed.
4. A representative's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address, which we shall use to correspond with you about this representation.
6. Information on the Licensing Act 2003 is available at www.middlesbrough.gov.uk and you are advised to read any relevant guidance leaflets before completing this form.

Additional Evidence presented by Middlesbrough Council, Responsible Authority for health, against the application for a premises licence in respect of premises named Go Local situated at 136 Marton Road, Middlesbrough the Licensing Act 2003

The application made is for the grant of a new premises licence from 07:00 – 23:00 hours seven days a week for the supply of alcohol. The application is made by Miss Lisa Enderwick, the proposed Premises Licence holder and originally the Designated Premises Supervisor for the business prior to the proposal for Mr Azeem Sarwar being received.

There are a number of concerns regarding the current application made to Middlesbrough Council's Licensing Authority and it is our opinion that the granting of these premises off licence will have a negative impact on the Crime and Disorder and Public Safety licensing objectives.

In Middlesbrough there are high levels of alcohol related crime and disorder and wholly attributable hospital admissions recorded. This, together with the high density of licensed premises evidenced the need for Cumulative Impact Policies.

Middlesbrough Council have two Cumulative Impact Policies (CIP). CIP 1 covers on licensed premises in a designated area of Middlesbrough Town Centre. CIP 2 covers off licence premises across 5 ward areas including Central, Newport, North Ormesby, Park and Longlands and Beechwood.

The premises are situated in Central Ward, just outside of the boundary for the CIP 1 area (Town Centre). The premises sits within CIP 2 policy area as the Central ward is covered in the off licence policy. Central ward borders with Newport, North Ormesby and Longland and Beechwoods wards all of which are covered within the CIP 2 policy. The premises are also situated in close proximity of Middlesbrough Council's commissioned alcohol recovery services.

The Licensing Act 2003 states that where a Cumulative Impact Policy (CIP) is in place, there is a presumption that applications for new premises licences or variations to existing premises licenses will be refused. This is unless it can be demonstrated that the granting of the licence will not negatively impact on the licensing objectives.

It is our opinion that the granting of this licence will negatively impact on the licensing objectives

The impact of alcohol misuse is broad, often hidden and adversely affects individuals, families and communities in many ways, with the harm being disproportionately greater for vulnerable and disadvantaged communities. It impacts upon a number of Council services as well as the NHS, Police, Criminal Justice System, Education, Voluntary and Community sector.

In 2017 the cost of alcohol misuse was estimated to cost the economy in England up to £25 billion per year and for Middlesbrough a total of £56.5 million which included costs relating to health, social care, crime and licensing.

Middlesbrough ranks 2nd across the North East region for alcohol related mortality. It also has one of the highest rates of hospital admissions in the North East which relate to the following alcohol related disorders -: cardio vascular disease, mental and behavioural disorders, self-poisoning and exposure and unintentional injuries. Such alcohol related illnesses/disorders have a huge impact on the National Health Service.

Alcohol misuse continues to present an area of concern in Middlesbrough affecting the lives of many individuals, families and communities.

Throughout 2020 and to date there has been an alarming rise in the numbers of people choosing to drink at home during the Covid-19 pandemic with an estimated half a million people across the region drinking above the Chief Medical Officers guidelines. It is believed that the rise in consumption is due to the pressures and anxiety brought on by the Covid-19 pandemic, including, financial pressures, unemployment, social isolation and daily routines being disrupted. For whatever reason, it is believed that alcohol in many cases is being used as a coping mechanism.

Deaths caused by alcohol have hit a new record high in England and Wales and high-risk drinking increased by almost 90% between February and September last year. It was estimated there were 8million people drinking at higher risk levels, with alcohol treatment services struggling to cope.

The table below shows some of the most recent deaths recorded in Middlesbrough between May and December 2020 where alcohol had been a contributing factor:

Date	Gender	Age	Ward	Local Authority	Substances linked	Number of arrests
01/05/2020	Male	20 - 24	Park End & Beckfield	Middlesbrough	Alcohol, cannabis	0
01/05/2020	Male	60+	Marton East	Middlesbrough	Alcohol, cocaine	14

25/05/2020	Male	40 - 44	Hemlington	Middlesbrough	Alcohol	7
09/08/2020	Female	60+	Berwick Hills & Pallister	Middlesbrough	Zopiclone, alcohol	20
18/08/2020	Male	45 - 49	Stainton & Thornton	Middlesbrough	Alcohol	83
23/09/2020	Male	50 - 54	Newport	Middlesbrough	Alcohol	24
22/10/2020	Male	30 - 34	Newport	Middlesbrough	Alcohol, other drugs	21
29/10/2020	Male	45 - 49	Brambles & Thorntree	Middlesbrough	Alcohol, tablets	1
18/11/2020	Male	45 - 49	Brambles & Thorntree	Middlesbrough	Alcohol, pregabalin, zopiclone	22

Some additional information relating to these statistics include:

- A proportion of individuals were alone in a property at time of death
- These deaths occurred during a period where pubs have been closed.
- The number of arrests of some individuals also indicate a potentially different user group/cohort.
- Cocaine or prescription medicines were often quoted alongside alcohol use. It's rare that a drug related death has a single substance detected so it is likely alcohol has been taken alongside other drugs.

Middlesbrough Council's Alcohol and Substance Misuse treatment services are currently working with approximately 1,360 clients. During 2020 there has been a steady increase in the numbers accessing services for the following reasons:

- Those that have been abstinent for a number of years have relapsed
- Those using opioids/non opioids where alcohol has also become a problem
- Those processed through the Criminal Justice System for alcohol related crime and issued an Alcohol Treatment Referral (ATR).

Middlesbrough experiences a number of issues including incidents of alcohol related crime and disorder and anti-social behaviour that impact on many lives. Such issues also impact negatively on our local NHS services including James Cook Accident & Emergency departments, Police and ambulance services.

Throughout the Covid-19 pandemic and over the past three years, there has been an increase in Domestic Abuse. Such incidents often result in violence being used against another and injuries being sustained that require a clinical intervention.

A review of alcohol treatment and recovery services in Middlesbrough has been completed and plans are underway for a new integrated service that includes specialist treatment and aftercare for those suffering with alcohol dependency whilst focusing around the hidden harms often associated with alcohol consumption including domestic abuse and homelessness.

Middlesbrough Council are also working with the South Tees CCG who have recently re-commissioned the hospital's intervention liaison team in James Cook University Hospital due to the levels of harm caused by alcohol related A&E attendances and hospital stays experienced in local departments.

It is fair to say that whilst we have seen increases in certain alcohol related issues in Middlesbrough over the last 12 months that on licensed premises/businesses have remained closed for a large part of 2020 and to date.

There are a number of concerns regarding this application

On Thursday 25 February 2021 and due to a number of concerns that were not addressed by the applicant in the application, a meeting was held. Mr Lester, a licensing consultant from D&B licensing was present to act on behalf of the applicant and her business partner, Mr Ishaq. Representatives from the Council's Licensing and Public Health Authority and Cleveland Police were also present

During the meeting, Mr Lester advised of the applicant's intentions to operate a local convenience store, serving local residents by offering groceries and other items including alcohol from the premises. During the meeting the following information was provided:

- Miss Enderwick is aware of the local issues and existing problems in the area and had received information from her licensing consultant around the Council's off licence Cumulative Impact Policy that covers 5 ward areas of Middlesbrough.
- She has limited experience of being in control and working in licensed premises however advised that a PLH and DPS of a nearby Go Local store will act as a mentor, advising and guiding Miss Enderwick in her duties.
- Miss Enderwick is yet to complete a personal licence holder's course and acknowledged that her licensing knowledge was limited.
- Miss Enderwick and Mr Ishaq are joint business partners of a local printing company that is also situated on Marton Road (same building). The printing business has operated for the past 20 years, originally situated in Linthorpe Road prior to moving to Marton Road in 2020.

- There will be three full time members of staff and four part time members of staff working alongside Miss Enderwick.
- There is a willingness to work with the Responsible Authorities and to consider any conditions suggested to her that will assist in the promotion of the licensing objectives including a reduction in times in which licensable activity can take place.

Alcohol is readily available in Middlesbrough and can be purchased from a number of different alcohol premises including off licences, supermarkets and premises offering alcohol delivery services making it easy for those who are vulnerable and suffering with alcohol addiction to access.

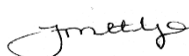
Responsibility in the operation of a licensed premises and the sale of alcohol are paramount in Middlesbrough. It is imperative that staff in control of any licensed premises act responsibly to ensure that their premises manage the sale of alcohol, their customers and any vulnerability issues accordingly.

The expectation of those wishing to operate a licensed premises is that they will have robust measures and procedures in place to ensure that the law is complied with and to prevent alcohol sales being made to those that are underage, drunk or who are vulnerable.

In our opinion the applicant has failed to demonstrate within the operating schedule and at the meeting held on 22 December 2020 of how they would not further undermine the licensing objectives.

It is also our opinion that the granting of this licence would further undermine the Crime and Disorder and Public Safety licensing objectives, exacerbating some of the alcohol related issues already experienced in Middlesbrough. This will undoubtedly add unnecessary pressures to our emergency services including NHS Accident and Emergency and Hospital departments, Ambulance Services and Police and impact on those already suffering the impact and harms caused by alcohol.

Signature:



Dated: 16.03.2021

This page is intentionally left blank

RESTRICTED (when complete)

CLEVELAND POLICE

WITNESS STATEMENT

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; MC Rules 1981, r70)

URN	17			
-----	----	--	--	--

Statement of **JASON ARBUCKLE**

Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **POLICE CONSTABLE**

This statement (consisting of _____ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature _____ Date: _____

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Pc 1845 Jason Arbuckle of Cleveland Police; I am currently attached to the Force Licensing unit and work at Middlesbrough Police station.

I am making this statement with regards to an application for a premises licence to be granted under the licensing act 2003. The proposed premise is Go Local Convenience Store, 136 Marton Road, Middlesbrough.

The application which has been submitted by the applicant’s agent, is seeking the provision of the sale/supply of alcohol between the hours of 07 00hrs and 23 00hrs, seven days a week.

Due to concerns with the application, a meeting was held at Middlesbrough Police station on Thursday the 25th of February 2021, involving the applicant, Lisa Enderwick, her partner/business partner Araf Ishaq and Mr Lester, a licensing consultant acting on behalf of the applicant, member’s of staff from Middlesbrough Council’s Public health and licensing team and I.

During the meeting, the applicant, (who is the proposed premise’s licence holder and designated premise’s supervisor) and her partner, did demonstrate a willingness to work with the responsible authority’s, however and by their own admission, the applicant and her partner have limited knowledge of the licensing act and have limited knowledge/experience of working in a licensed

Signature _____ Signature Witnessed by _____

RESTRICTED (when complete)

CLEVELAND POLICE

Continuation of Statement of **JASON ARBUCKLE**

premise.

Due to the lack of knowledge and experience of the licensing act, the applicant advised that a colleague from a nearby Go Local store that holds a Personal licence would be willing to act as a mentor offering advice and guidance when needed. It is of concern to Cleveland Police that owners of a licensed premises would be relying on a PLH/DPS of another licensed premises to support them.

A few days after Cleveland Police submitted representations to this application, the licensing Consultant acting on behalf of the applicant, contacted Middlesbrough Council seeking to remove Lisa Enderwick as the DPS and for her to be replaced with Mr Azeem Sarwar who was described as having in excess of 10 year’s experience of running licensed premises. I suspect the reasons for doing so was because Lisa Enderwick had not yet completed a Personal Licence Holders course.

Since receiving the information, I have conducted some checks with the local authority and have been informed by Stockton Borough Council’s Licensing team, that Mr Sarwar is currently the Premises Licence Holder and Designated Premise Supervisor’s of a premise in Thornaby. Whilst I fully accept that there is nothing in the Licensing Act that prevents a personal licence holder from being in day to day control of several licensed premises, it is concerning that this proposal has been made,

especially when knowing that the premises in question is situated in a CIP area where it is more imperative for the Designated Premises Supervisor to be in full control of the premises in order to monitor and deal with any situation that poses a threat to the licensing objectives being undermined.

The potential risks involved in selling alcohol are enormous, and as such, robust policies, procedures and measures with regards to dealing with underage sales, incidents of crime and

Signature _____ **Page 60** Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **3**Continuation of Statement of **JASON ARBUCKLE**

disorder and persons who have already consumed alcohol etc., need to be fully considered and implemented. I feel that this application undermines the licensing objectives.

Lisa Enderwick and her partner own and operate a printing business that has been in Middlesbrough for 20 years. They have advised that they are aware of the area and the issues faced by the local resident's however had limited knowledge of Middlesbrough's Cumulative Impact policy, as this had been brought to their attention by their licensing consultant, Mr Lester.

Middlesbrough has two cumulative impact policies, one of which directly relates to off licence premises and covers the Middlesbrough ward areas of Central, Newport, Park, Longlands and Beechwood and North Ormesby. This proposed premise will sit in the ward area of Central and is surrounded by the other ward areas listed.

Middlesbrough Council's current licensing policy states that a cumulative impact policy in relation to off licence premises should be applied to the ward area's of Central, Newport, Park, Longlands and Beechwood and North Ormesby, as the evidence shows that there is a relationship between the density of off licence premises, crime and disorder, anti social behaviour and alcohol attributable hospital admissions and that these ward area's have the highest levels of crime and anti social behaviour, the highest number of alcohol attributable hospital admissions and the highest number of off licence premises.

It was surprising to hear that the applicant and her partner had limited knowledge of the cumulative impact policy in place for Middlesbrough. The expectation is that prior to applying for a premises licence an applicant would carry out their own research to find out more about the area in which they were thinking of operating an alcohol premises and to have knowledge of Middlesbrough Council's Statement of Licensing policy which outlines the ward areas covered

Signature _____ ~~Page 01~~ Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **4**Continuation of Statement of **JASON ARBUCKLE**

within the Council's Cumulative Impact Policy. This would assist in providing help and support regarding the measures that can be taken to promote the licensing objectives.

Throughout the Covid 19 pandemic there has been a number of restrictions placed on licensed premises, more so for those offering on sales. This has led to an increase in alcohol consumption within the home. The pandemic has created a huge amount of fear, not only around the impact from suffering with the Coronavirus and the loss of loved ones but also the social impacts surrounding job security, finances, disruption to health and clinical services, frontline services, working from home and home schooling, poor mental health, the list goes on.

As a serving Police Officer with over 20 years experience, the fact that members of the public are consuming more alcohol at home concerns me greatly. Consumption of alcohol in on licensed Premises is often well controlled due to them being able to monitor the amount of alcohol customers consume and the behaviour's displayed by those consuming it. Quite often there are other measures adopted to ensure the promotion of the licensing objectives which include the use of registered door staff who monitor and control potential conflict and protect those that come into harm's way. This becomes more difficult when alcohol is being consumed in domestic settings. In my experience, the more alcohol consumed, the greater the risk that violence will occur. The impact is much greater when violence occurs in the home, as it not only impacts on the individuals involved but it impacts on others they live with including children.

Middlesbrough is a town that is well known for suffering high levels of alcohol related crime and disorder, anti social behaviour and violence. Research has been conducted with regards to the 5 ward area's subject of the cumulative impact policy for off licensed premises. The table below is representative of the number of alcohol related domestic crime's/incidents and violence incidents that occurred between 1st of January 2020 until 7th of March 2021.

Signature _____ Page 62 Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **5**Continuation of Statement of **JASON ARBUCKLE**

Ward area	No. of Alcohol related Domestic Crime	Alcohol related Domestic Incidents	Alcohol related violence against the person	Total Crimes/Incidents
Central	148	90	119	357
Newport	198	123	161	482
Park	73	55	57	185
Longlands & Beechwood	113	70	83	266
North Ormesby	79	43	59	181

Domestic abuse is often a hidden crime that is not always reported to the Police; therefore, data held by the Police only provides a partial picture of the actual level of domestic abuse experienced. Many cases will not enter the criminal justice process due to the under reporting to Police. As can clearly be seen, the figures for domestic incidents/crime in these 5 ward area's of Middlesbrough is already alarmingly high. More often than not, a major contributing factor in those domestic's is alcohol.

As an experienced Police Officer, I've spent many years working the streets in Hull and then Middlesbrough as a Uniformed Officer. During my career, I have attended and dealt with countless domestic incidents/crime, based purely on my experience, I would estimate that at least 90% of all domestic incidents are alcohol related and as we all know, alcohol is a major contributing factor in a high proportion of violent crime, not just domestic incidents. Alcohol and the availability of it also fuels other categories of crime, such as public order, public nuisance, anti social behaviour and criminal damage.

Research has been conducted on the immediate area this proposed premise will be situated in,

Signature _____ Witnessed by _____

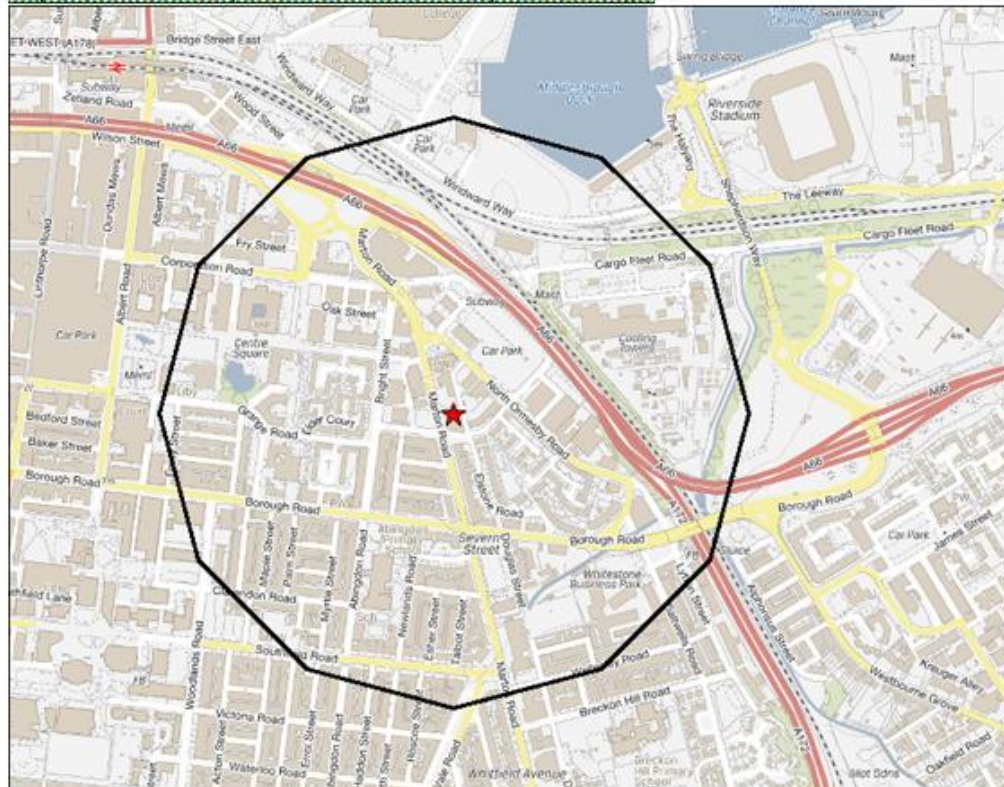
RESTRICTED (when complete)

CLEVELAND POLICE

Continuation of Statement of **JASON ARBUCKLE**

The map below illustrates the 500m radius that encompasses the 136 Marton Road and the surrounding area which analysis will focus upon.

Map 1: 500m Boundary around 136 Marton Road, Middlesbrough.



Within the 500m radius from the proposed premise, research was conducted with regards to all alcohol related offences since the 1st of January 2019 until the 19th of February 2021 with the following results:

Offence Type	2019	220	Total
Violence Against The Person	78	54	132
Criminal Damage	7	13	20
Theft and Handling Stolen Goods	11	8	19
Drug Offences	4	5	9
Robbery	7	0	7
Sexual Offences	3	3	6
Other Offences	2	1	3
Burglary	1	2	3
Total	113	86	199

Signature _____ Page 64 Witnessed by _____

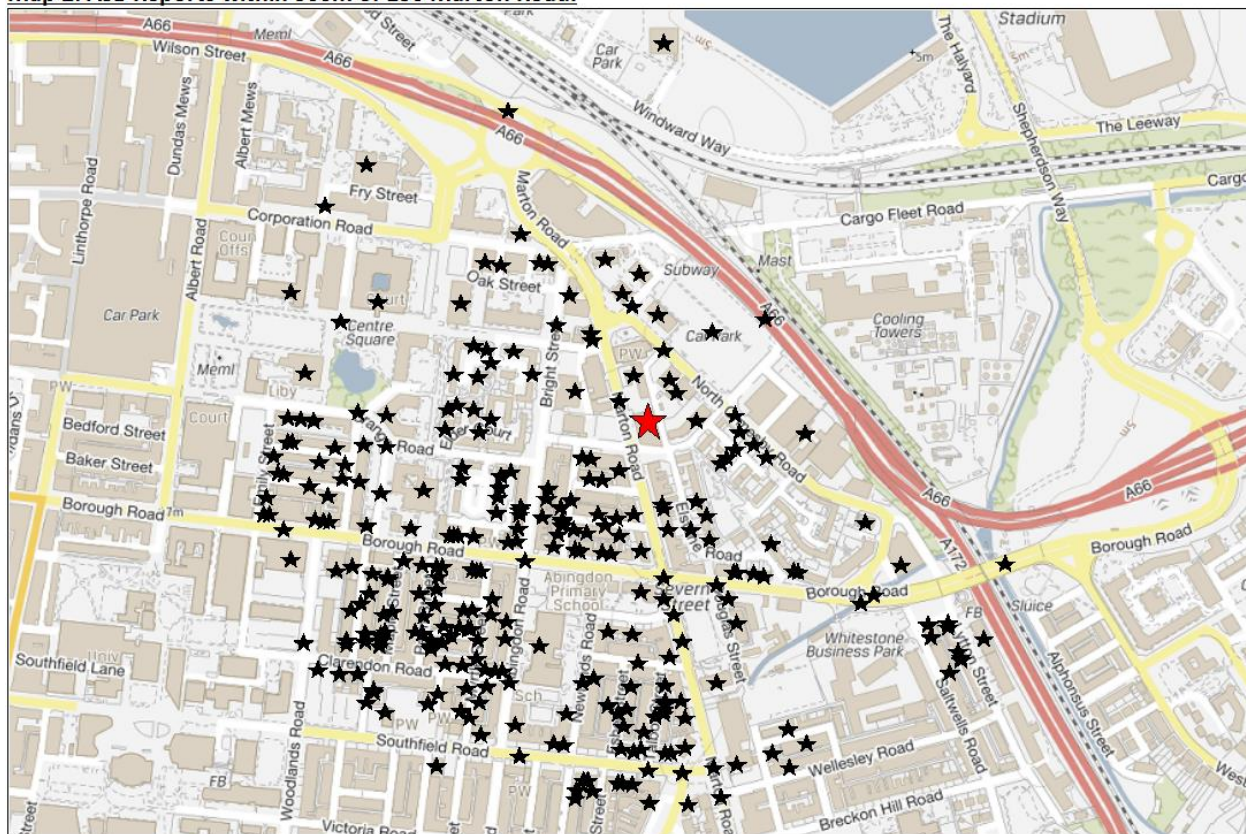
RESTRICTED (when complete)

CLEVELAND POLICE

Continuation of Statement of **JASON ARBUCKLE**

ASB Type	No.
Anti-Social behaviour - Nuisance	609
Anti-Social Behaviour Personal	134
Anti-Social Behaviour - Environmental	33
Total	776

Map 2: ASB Reports within 500m of 136 Marton Road.



The above map is a representation of ASB that has occurred within a 500m radius of the proposed premise since Jan 2020, a total of 330 incidents.

The figures clearly show that the area that these premises are situated in already suffers from high levels of alcohol related crime and anti social behaviour, as such, allowing another premise to sell alcohol in this area, which will make alcohol more readily available to persons who are vulnerable

Signature _____ Page 65 Witnessed by _____

RESTRICTED (when complete)

CLEVELAND POLICE

Continuation of Statement of **JASON ARBUCKLE**

and suffering from alcohol dependency and for those who are consuming alcohol at home, is concerning and in my opinion will further undermine the licensing objectives.

As this is only an application at this moment in time, the effects this licensed premise will have on the community cannot be measured, however, Cleveland Police firmly believe that another premise selling alcohol in this area will not promote the licensing objectives but undermine them and will only exacerbate the alcohol related issues already suffered in Middlesbrough and the local area and will add extra pressure and burden on the Emergency and support services.

Signature _____ **Page 66** Witnessed by _____

Hearing before Middlesbrough Sub-Licensing Committee
 Wednesday 24th March at 13:00

Go Local, 136 Marton Road, Middlesbrough, TS1 2ED

Applicants Information

INDEX

No.	Document	Page
1	Proposal – Amended Conditions, Proposal and New Plan	2-4
2	Photographs of the Premises	5-7
3	Information about the development of 134/136 Marton Road, with plans of units 1, 2, 3a, 3b, 4 and 5	8-10
4	Map of the Area	11
5	The DPS, Mr Azeem Sarwar	12-13
6	Heads Of Terms and Lease Extract	14-18
7	D&B Licensing training	19-32
8	Londis 66-70 Corporation Road – Decision and Premises Licence extract	33-39
9	B&M Store, Unit E Middlehaven Gateway – Premises Licence extract	40-44
10	Iceland The Food Warehouse, Unit B Gateway Retail Park – Premises Licence extract	45-48
11	Brewdog Case	49-50
12	Letters of Support (To Follow)	

GO LOCAL (EXTRA) 136 Marton Road

Conditions taken from application

1. The management of the premises will be the responsibility of the applicant/nominated Designated Premises Supervisor, supported by Go Local retailers supply chain.
2. The applicant will train each member of staff introduced into the business in alcohol related legislation. A training record in the sale of alcohol and other restricted products will be maintained. Induction training, refresher training and regular staff updates will be undertaken
3. Any incident of crime and disorder shall be reported to the Police and a record kept on the premises will be maintained and monitored by the Premise Licence Holder/DPS
4. No person who is drunk or disorderly will be served alcohol.
5. A challenge 25 proof of age policy shall be in operation to ensure no person under the age of 18 years is sold intoxicating liquor.
6. Any new member of staff within the business will receive induction training relating to the sale of alcohol and staff refresher training will be carried out on a regular basis.
7. The CCTV system is to be a modern digital DVR system. An external camera will cover the entrance and glass front. A camera will focus on customers at the till area whilst other cameras will focus on the wine and beer fridge areas and ambient goods The system will be a digital DVR with USB access to a backup video continuously recording for a minimum of 31 days.
8. There will be no sales of 5cl bottled spirits, single tins of beer, lager, cider or Perry and the premises will not stock or sell any beer, lager, cider or Perry above 6.5% alcohol by volume.
9. The applicant is adequately knowledgeable to ensure the safe evacuation of customers from the premises in the event of an emergency. All fire escape routes shall be kept unobstructed and will be clearly identifiable. All escape doors and routes will be checked before premises are open for trading to the public and a record of checks shall be maintained
10. All fire exit doors shall be capable of being opened without the use of any key, card code or similar means. All fire fighting equipment will be maintained in good working order and shall be available for immediate use. All emergency lighting and fire safety signage will be maintained in good order and will not be altered without the approval of the Fire Authority.
11. The premises, entrance and shop aisles are of acceptable width and are well illuminated.
12. CCTV cameras will cover all areas of the store.
13. The DPS and subsequent members of staff will monitor customers whilst shopping and leaving the premises. Notices shall be displayed in a prominent position asking for customers to respect the needs of the local residents especially during the early morning and evening period.
14. Litter and cleanliness issues will be addressed at the front and rear of his premises.
15. Challenge 25 proof of age policy shall be in operation to ensure no person under the age of 18 years is sold intoxicating liquor. Signage to that effect will be placed throughout the store.
16. The applicant and future members of staff shall be trained to ensure that no person under the age of 18 years will be sold intoxicating liquor including the need for any person who looks under the age of 25 years to provide evidence of their age by producing an acceptable form of ID at the point of sale.

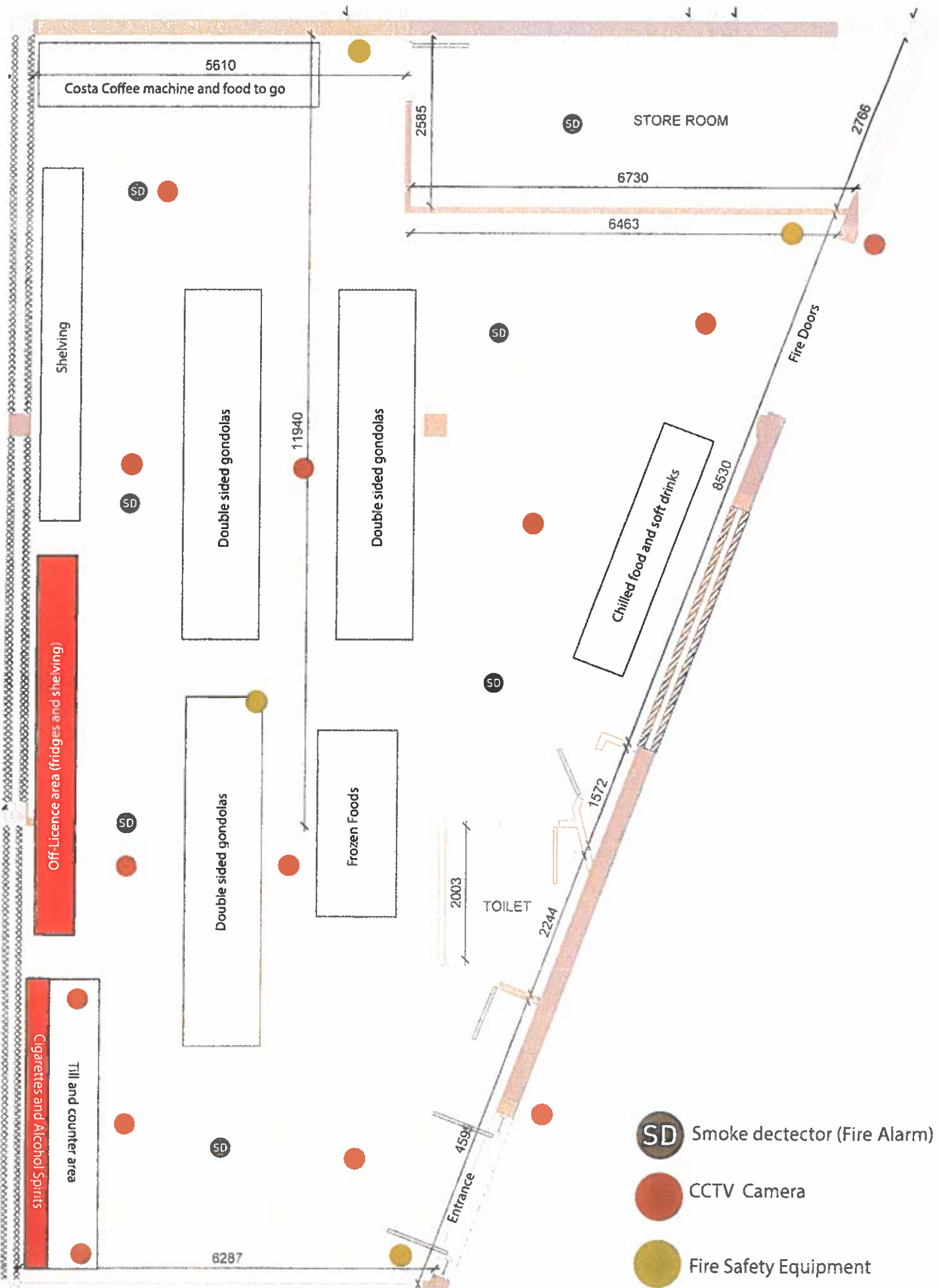
17. A refusal register will be kept and maintained with integrity.

18. Training will be provided regarding the prevention of adult purchase and supply of alcohol and restricted products both to the Premise Licence Holder/DPS and any other staff who are introduced into the business.

19. The Premise Licence holder will respond to any and all information supplied by the Police or other partnerships involved in the sale of alcohol. i.e. Licensing Forums.

Further Proposals

1. Hours for supply of alcohol will be varied to 08:00-22:00 (was 07:00 to 23:00)
2. The incident book and refusals register will be made available to Police, Licensing Officers and all other Responsible Authorities on request or during an inspection.
3. The premises will operate an Electronic Point of Sale computerised till which will notify the cashier when an age restricted product is rang through the till.
4. No alcohol must be stocked within 5 metres of the entrance/exit door, except for alcohol kept behind the counter.
5. Alcohol will only be displayed within a 5% area of the shop floor. Alcohol will be kept within the controlled area which will be in sight of the checkout area. The controlled area will be outlined on te plan in red in red on the map provided by the Premises Licence Holder (copy of which will be attached to the Premises Licence).
6. The Premises Licence Holder/ Designated Premises Supervisor will participate in any 'Responsible Retailing' scheme and any relevant training / campaigns which the Police or Local Authority provide or recommend.
7. There will be a personal licence holder on duty at all times.
8. The Premises Licence Holder/Designated Premises Supervisor will participate in any local Off Licence forums held by the Local Authority.
9. There must be a minimum of two signs in the premises visible at the points of sale stating that it is an offence (a) to sell alcohol to persons under 18 years of age. • to purchase alcohol on behalf of any person under 18 years of age; and (b)to sell alcohol to any persons who appear drunk or under the influence of other illegal substances



- SD Smoke detector (Fire Alarm)
- CCTV Camera
- Fire Safety Equipment

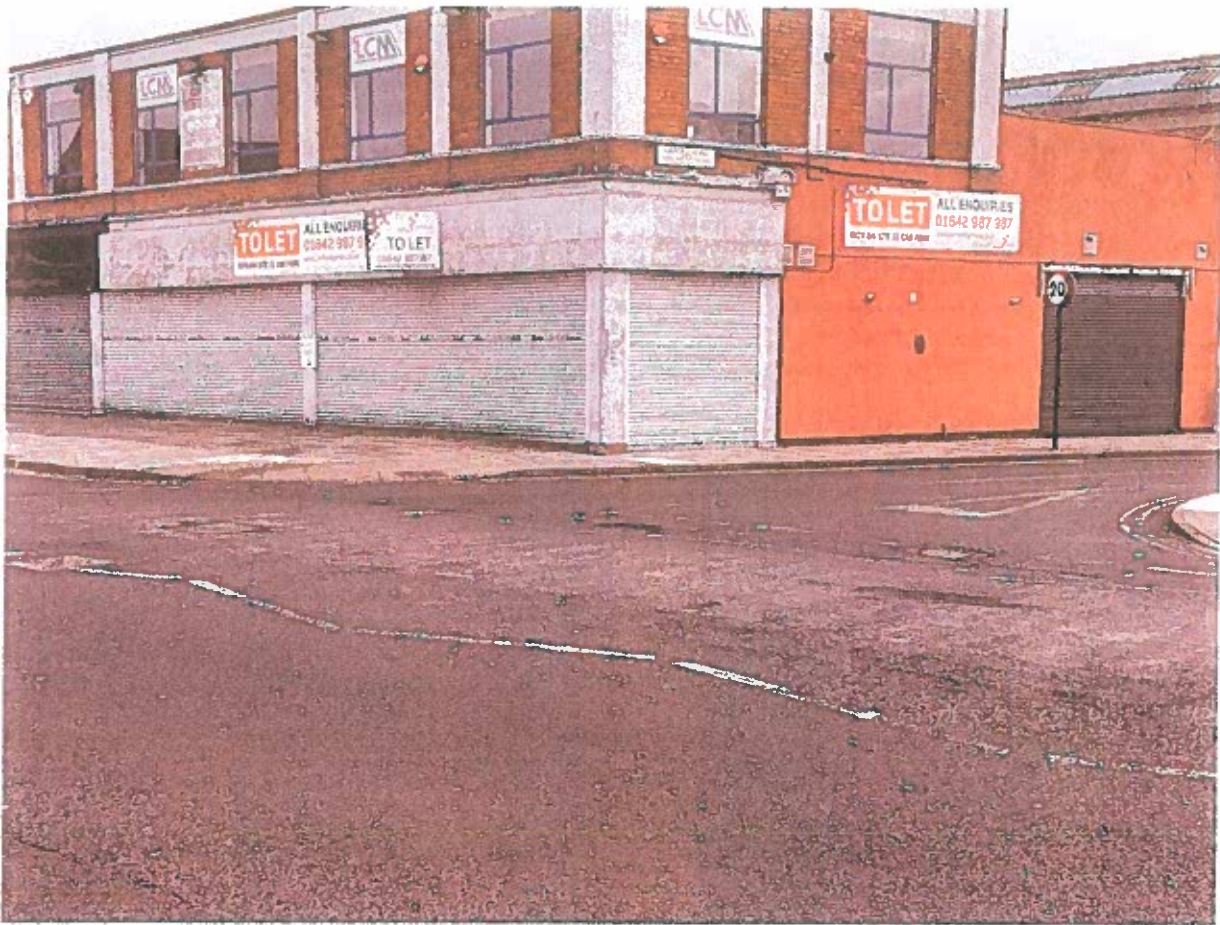
View of building looking towards Middlesbrough Retail Park



Closer view of the side of the premises



Close up side profile of proposed premises



Front profile of proposed Go Local at 136 Marton Road



New offices for Colour Box opened 2019



Side view of the building showing large car park to the side



Development of 134/136 Marton Road

Colour Box was established in 1991 when we opened our first shop in the Hill Street Shopping Centre in Mbro, selling photo enlargements, t-shirts, keyring, printed mugs etc. We then decided to expand our business and moved in 1997 to 218 Linthopre Road Mbro and started to do more B2B work which included work for the hospitality and leisure businesses. We supply a varied customer base from sole traders to international companies including the likes of AV Dawson, PD Ports, Darlington and Middlesbrough council, MFC and many local businesses.

During 2019 we saw a demand for internal, exterior signage and vehicle graphics. We decided to look for larger premises, after a while we came across 134/136 Marton Road and it seemed ideal, 1. Good location, 2. Car park, which can accommodate up to 35 cars. 3. Larger premises, 4. Good road links to dual carriage way, north and south. 5. Short distance from our previous location.

The building is approximately 20k sqft and was much larger than what we required to run our printing business. We had a vision of dividing the building into 5 units with the intention of leasing each unit to individual businesses. When we purchased the property, the building was in a very poor dilapidated state and we started a program of renovation and modernisation of Unit 4 and 5 on the upper floors of the building. Development cost was in the region of £12000

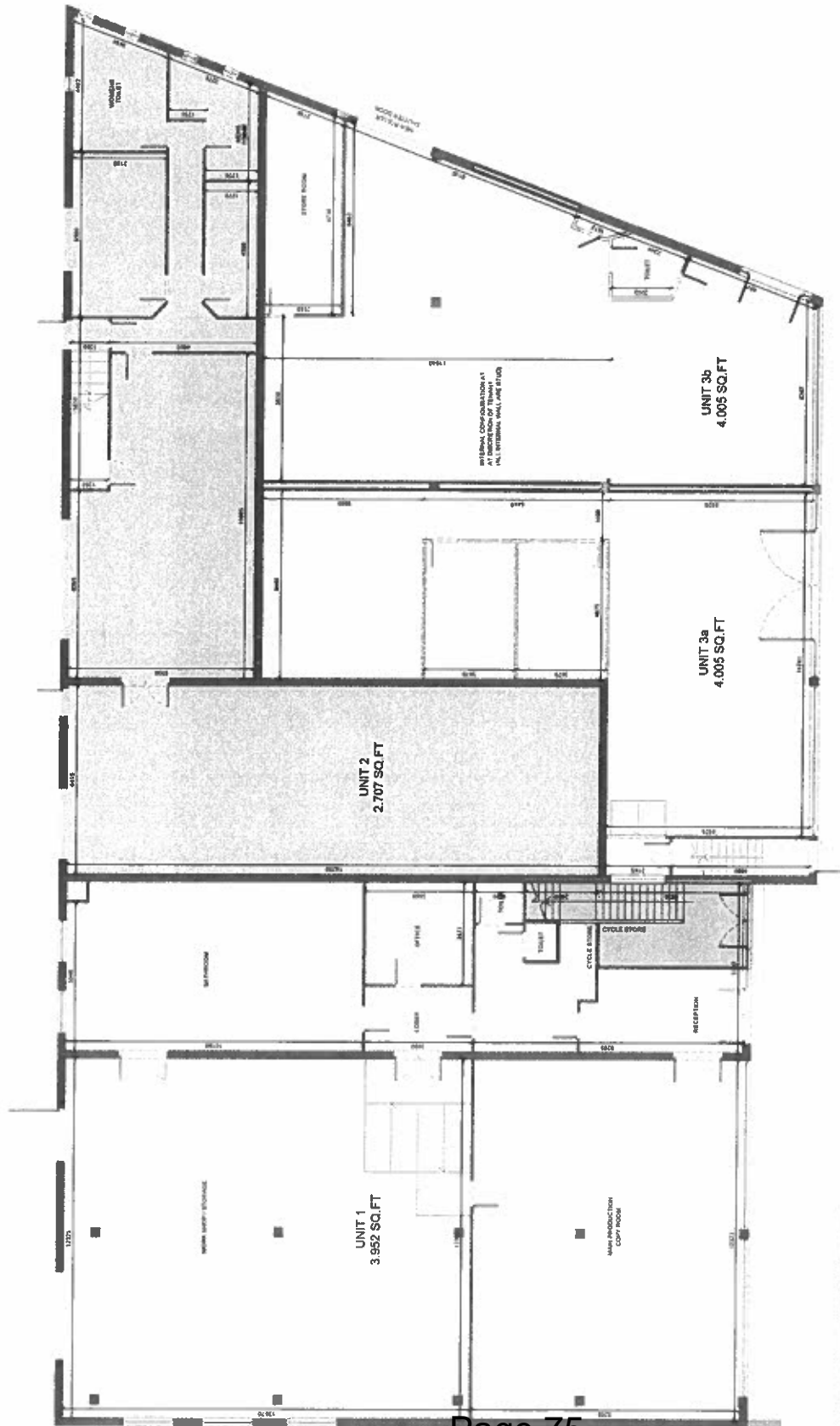
With this investment we made in renovating these two units it allowed us to find two business tenants. Unit 4 is now occupied by a sports therapist company and Unit 5 occupied by a performing arts, film studio company. Having these two businesses on board has created 10 new jobs for the local economy and community. Both tenants spent up to £120k between themselves on fixtures, fittings and equipment to establish their business.

We are also planning to complete some external works to enhance the look of the building which will include painting the outside of the building from red to grey, upgrading the cladding on the front of the building and also looking to illuminate the building with soft outdoor lighting.

We have spent a considerable amount of time and money (£15k) renovating Unit 3, having first gained planning permissions in September 2020 to convert unit 3 into 2 separate units to give unit 3a and unit 3b. Unit 3b is the proposed mini supermarket and Unit 3a possibly a flooring/furniture store. If we are granted the PL, £100k will be spent on the internal and external shop fitting for the mini supermarket including signage and associated equipment for the store. We also anticipate a new tenant for Unit 3b spending up to £30K on internal shop fitting and signage.

Unit 2 of the property is also being let to a local businessman for use as a sports centre for one-to-one fitness training, he recently applied for change of use and building regulation which were approved by the Middlesbrough Council but due to the Covid 19 pandemic there are delays, but we anticipate him opening for business by end of June 2021. This unit will also be renovated and modernised and we are expecting the investment by the tenant and ourselves to be in the region of £45k.

There will be an on going renovation program for this building over a period time and once all the work is complete we will have a fantastic looking building with 5 new businesses collectively creating up to 60 jobs plus. I have also researched on google earth, Unit 3a and 3b (where the roller shutter is) has been like this prior to June 2018 giving the appearance the building is unoccupied and with having the 4 Units occupied and the mini supermarket it will breathe some new life into this building and i am sure it will become an asset to Middlesbrough and look more attractive building than before.



PROPOSED GROUND FLOOR PLAN
SCALE 1/75

C

SCALE 1/75@A1
DATE 29/06/2020
DWG NO = 10



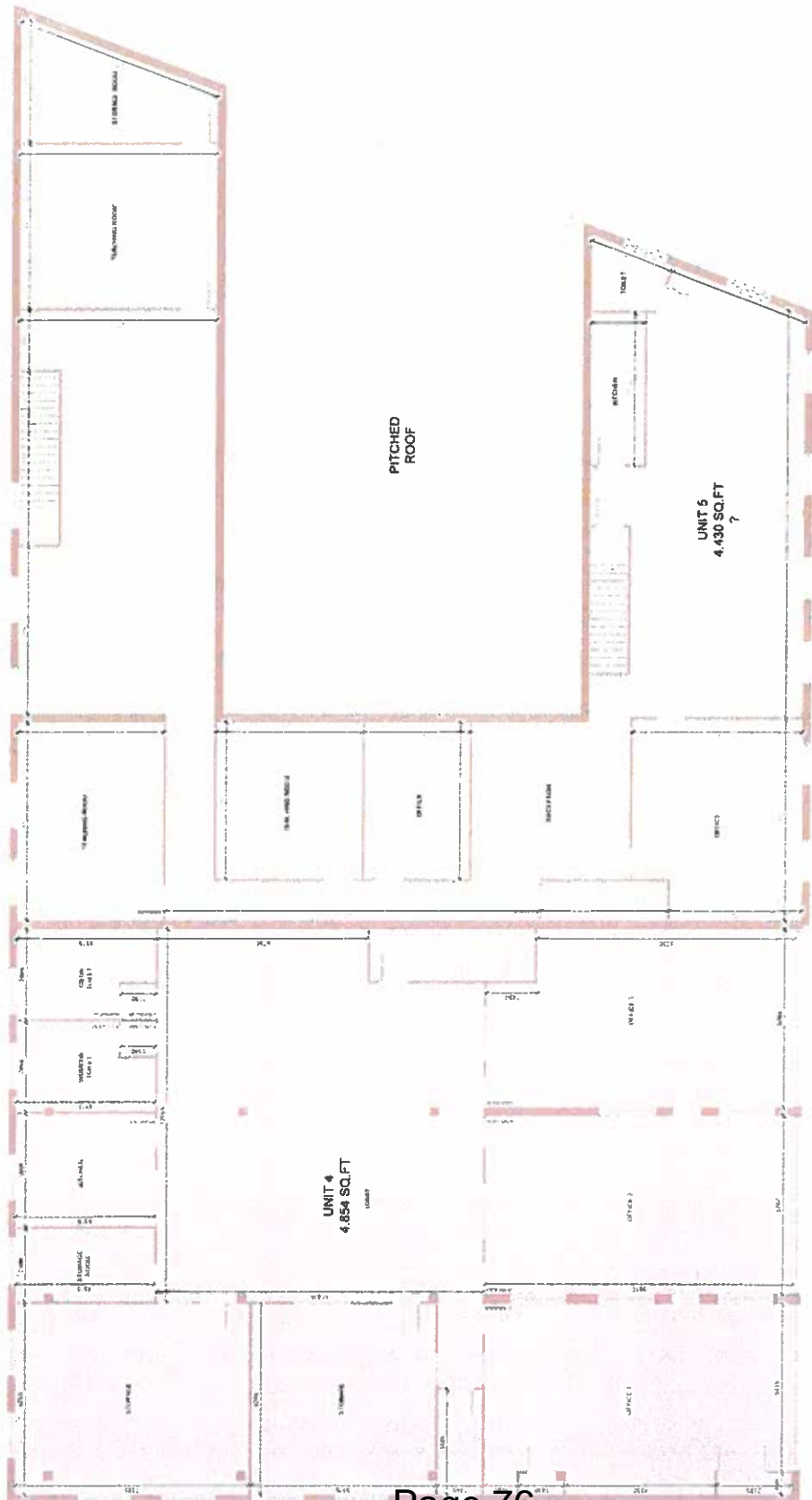
ALL RIGHTS RESERVED
THIS DRAWING MUST NOT BE REPRODUCED WITHOUT PERMISSION
DO NOT SCALE OFF DRAWINGS
ALL DIMENSIONS TO BE CHECKED BY CONTRACTOR ON-SITE
CONSTRUCTION MUST ONLY COMMENCE ONCE PLANNING, BUILDING CONTROL, AND ANY OTHER RELEVANT APPROVALS HAVE BEEN
OBTAINED
IT IS THE RESPONSIBILITY OF THE OWNER TO ENSURE APPROVALS HAVE BEEN GRANTED
ANY DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT IMMEDIATELY
THE CONTRACTOR IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE CDM REGULATIONS AND MANAGING THE RISK OF DEATH OR
PRECAUTIONS
THE CLIENT/BUILDING OWNER MUST OBTAIN THE NECESSARY PARTY WALL AGREEMENTS PRIOR TO COMMENCING WORKS ON SITE

DRAWING
PROPOSED
GROUND FLOOR PLAN

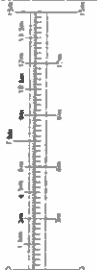
ADDRESS 134 MARTON ROAD -
MIDDLESBROUGH

DRAWN BY HH
CHECKED BY RW
EMAIL INFO@PYRAMIDDESIGNS.CO.UK
TEL 01642280339

WEBSITE
WWW.PYRAMIDDESIGNS.CO.UK



SCALE: 1:75@A1
 DATE: 29/06/2020
 DWG NO - 02



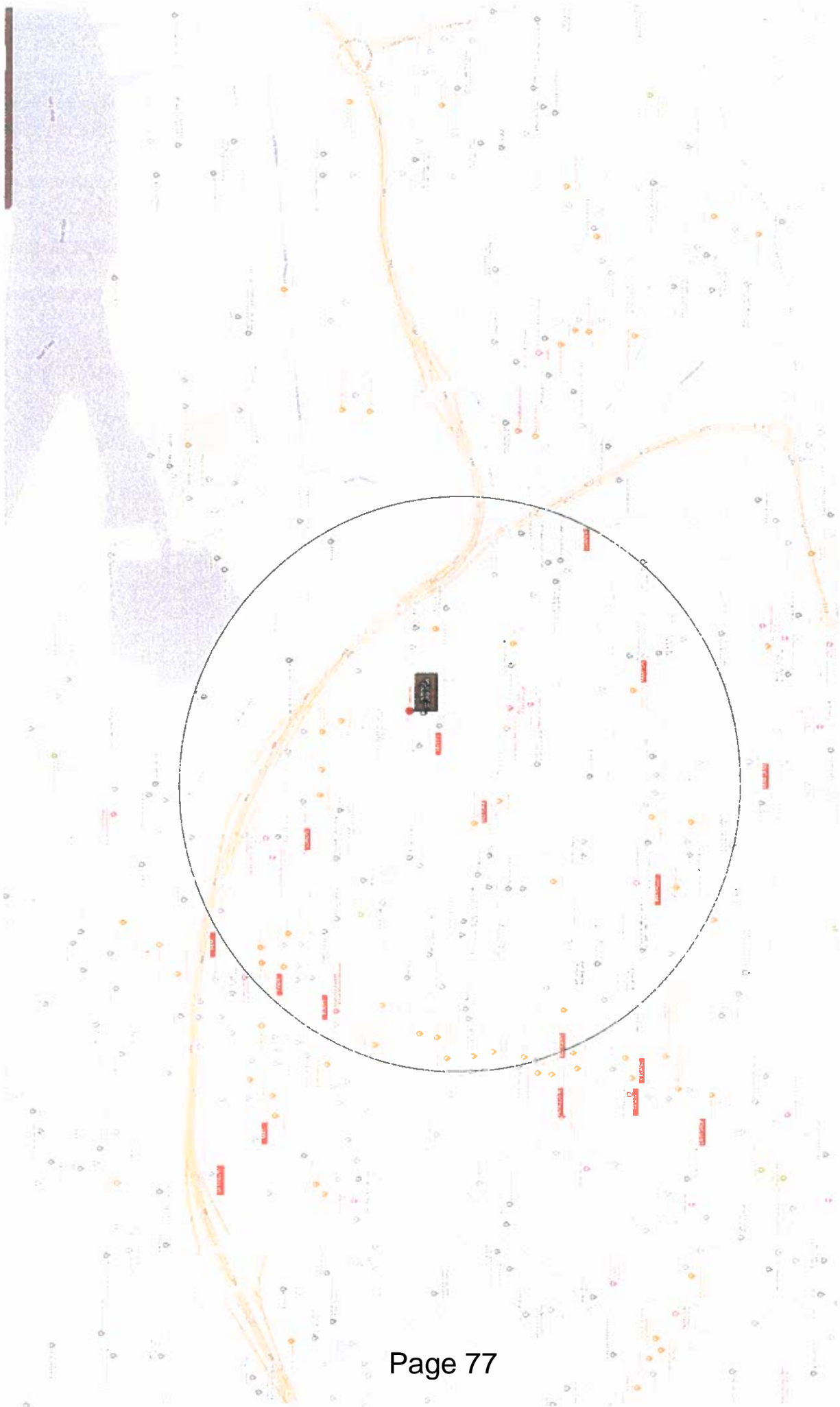
ALL RIGHTS RESERVED
 THIS DRAWING MUST NOT BE REPRODUCED WITHOUT PERMISSION
 IN ANY SCALE OR FORM
 ALL DIMENSIONS TO BE CHECKED BY CONTRACTOR ON-SITE
 CONSTRUCTION MUST ONLY COMMENCE ONCE PLANNING, BUILDING CONTROL, AND ANY OTHER RELEVANT APPROVALS HAVE BEEN OBTAINED
 THE ARCHITECT'S RESPONSIBILITY OF THE WORK IS TO ENSURE APPROVALS ARE OBTAINED IN TIME TO ALLOW CONSTRUCTION TO PROCEED
 ANY DISCREPANCIES MUST BE REFERRED TO THE ARCHITECT AS SOON AS POSSIBLE
 THE CONTRACTOR IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE CONSTRUCTION AND MANDATORY HEALTH AND SAFETY REGULATIONS
 THE CLIENT/BOILING DOWNER MUST OBTAIN THE NECESSARY PARTY WALL AGREEMENTS PRIOR TO COMMENCING WORK ON-SITE

DRAWING:
 EXISTING
 FIRST FLOOR PLAN

ADDRESS: 114 MARTON ROAD -
 MIDDLESBROUGH

DRAWN BY: FH
 CHECKED BY: BW
 EMAIL: INFO@PYRAMIDDESIGNS.CO.UK
 TEL: 01642280339

WEBSITE:
 WWW.PYRAMIDDESIGNS.CO.UK



Matt Foster

From: MOHAMMED SARWAR <sarwar.mohammed@btinternet.com>
Sent: 18 March 2021 14:57
To: Matt Foster
Subject: Azeem Sarwar

Hi Matt.

You have asked me for a little detail in terms of my experience in the retail sector. I have approximately 25 years' experience in licensed premises. I am a professional retailer.

I have owned my own shop at Lane House Convenience Store, 11-13 Lane House Road, Thornaby. TS17 8AF and have had a clean license there for 11 years. I have operated that store under Premier, Best ONE and NISA. When I operated under NISA Local our contract included mystery shoppers and test purchases and we never failed one. We have also had the Lottery for 8 years, and have never failed one of their test purchases. I have had no issues and have a good reputation. Before this I worked two and a half years for the Co-Operative group as a cashier. I left there only because I had the opportunity to buy my own store in Thornaby.

My father has also owned his own shop for 35 years, before he sold it. When I was old enough to sell alcohol I took over the running of that shop from 1996 to 2006.

Over the years we have had plenty of experience with anti-social behaviour and other issues. I feel we have dealt with these problems successfully by working with the individuals and the families, as we were a big part of the community we served. I have also worked closely with the council and the Police. I am an existing operator in Thornaby and work with Stockton Council and Cleveland Police, and feel that if any checks are made, then that can easily be confirmed.

As a business in Thornaby we have always passed test purchase operations when they have been carried out, and that much has been confirmed by the Police and Council afterwards. We always insist that our staff do not sell age related goods unless they are 100% sure the customer is old enough. WE operate Challenge 25. When ID can't be provided then a refusal is made. I am not interested in short term business that involves endangering my licence. I like to think we are in business for the long term which involves building relationships with the community and the authorities.

Within my business, if staff want to refuse a sale we are always supportive of them at all times. During staff training I always remind staff that a small sale lost because ID is better than getting a large fine or possible loss of licence and the loss of their job. I like to think I am responsible and respected retailer.

I have always had a good relationship with Police and Trading Standards.

I always work with the community I serve and support the local charities and school fates. I am also a regular donator to James Cook Hospital Children's ward from the shop I'm currently running and support food banks.

I like to think I'm not just a regular shop keeper. Many times I have stopped children for getting involved in gangs that are involved in the sale of drugs and crime by speaking to their parents I've prevented them from come to harm.

I understand that the Police and Council are concerned that I would be the DPS of two units and that this would not be an ideal scenario from their point of view. I am fully committed the this new shop and I am in the process of selling my existing shop, which should complete in early April. So long as we obtain a licence for this shop I am moving by family back to Middlesbrough, my home town, to operate this unit as a family business under the brand of Go Local Extra.

I have discussed some of the evidence presented in regard to this upcoming hearing with Lisa and Araf. I understand the concern about people drinking at home more. In the last 12 months there has been a massive growth in people ordering on line, and having items delivered. This has not limited to takeaway food but also alcohol with companies like Delivero and Uber etc. The drinking at home culture is probably due to the ease in which you can order on line. My experience tells me that at least with shop premises you can do more checks to ensure the proper procedure are being adhered to.

Before we open we will have training carried out by D&B licensing, who I have spoken to. I will also have all of my staff sit the personal licence course, although in our existing business we already have 2 personal licence holders which is me and my wife. I have spoken to Araf about the additional measures being proposed and I have no issue with them.

I have spoken to David Rogers the area manager for Parfett's, which operates Go Local. David used to be my area manager for Best One, so I know him quite well. I see this site as having a lot of grab and go type passing trade, doing well with fresh goods, coffees, snacks for the cinema (when it opens) without a massive focus on alcohol sales. So, although the size of the area for alcohol is small (and the range will be small as well), our focus will be away from alcohol. We need alcohol to complete the convenience range, but the predictions on sales from that are relatively low at maybe 20 % with a focus on high end spirits, wines and craft beers. This isn't necessarily a shop for local customers, but more a high end convenience store for commuters. The products that tend to worry the Police etc are low end products. I'm not interested in stocking that at this store, since the profit margin isn't attractive enough.

My experience tells me that 90% of the profits on this store will be non-alcohol related. The location of this premises is key to how we would design the layout and product range because it has excellent transport links and good parking.

Thank you

Azeem Sarwar

Heads of Terms for Mr Azeem Sarwar.

Terms for: Unit 3a, 136 Marton Road, Middlesbrough. TS1 2ED

Lease Terms : 10 years, full repair and insurance basis.

Rent : £18000 pa

Rent Review : upwards only rent review on the 4th anniversary of the lease.

Rent deposit : 3 month returnable deposit

Rent Free Period: 3 months from signed lease.

Sarwar Personal Guarantee

Rent payment by standing order, payment monthly on first of each month.

Payment of my legal fee

Fix and replace damaged ceiling tiles

Contribute to the cost of replacing light fittings

Tenant

Mr. Azeem Sarwar

Solicitors Details

Mr. Grant
Miles Huntchinson
68-70 Borough Road,
Middlesbrough TS1 2JH
01642 232488

DATED

LEASE

relating to

Unit 3b, 136 Marton Road, Middlesbrough

between

ALZA LIMITED

and

Mr Azeem Sarwar

CONTENTS

CLAUSE

1. Interpretation.....	6
2. Grant.....	15
3. Tenant covenants	15
4. Payment of Annual Rent	15
5. Payment method.....	15
6. No set-off	16
7. Interest.....	16
8. Rates and Taxes.....	16
9. Utilities	16
10. Common items	16
11. Costs.....	17
12. Prohibition of dealings	17
13. Assignments.....	17
14. Underletting.....	18
15. Sharing Occupation.....	20
16. Charging.....	20
17. Notification and registration of dealings	20
18. Repair	21
19. Decoration.....	21
20. Alterations	22
21. Signs	22
22. Window cleaning	22
23. Returning the Property to the Landlord.....	23
24. Use.....	23
25. Use of Parking Spaces	24
26. Regulations	25
27. Exercise of the Rights.....	25
28. Allow entry.....	25
29. Keyholders and emergency contact details	26
30. Compliance with laws	26
31. Energy Performance Certificates	27
32. Third Party Rights.....	28
33. Registration of this lease	28
34. Removal of entries in relation to this lease and easements granted by this lease.....	29
35. Encroachments and preservation of rights.....	29
36. Replacement guarantor	30

37.	Procure guarantor consent	30
38.	Indemnity.....	30
39.	Landlord covenants	31
40.	Quiet enjoyment	31
41.	Variation in extent of Building	31
42.	Designation of alternative areas, routes and facilities	31
43.	Guarantors Covenants	31
44.	Exercise of right of entry	32
45.	Scaffolding	32
46.	Re-entry and forfeiture.....	32
47.	Section 62 of the LPA 1925, implied rights and existing appurtenant rights	33
48.	Compensation on vacating	33
49.	No restriction on Landlord's use	33
50.	Limitation of liability	33
51.	Tenant's option to break	33
52.	Breach of repair and maintenance obligation.....	34
53.	Notices	34
54.	Consents and approvals.....	35
55.	Expert determination	36
56.	VAT	37
57.	Joint and several liability.....	38
58.	Entire agreement.....	38
59.	Contracts (Rights of Third Parties) Act 1999.....	38
60.	Governing Law	38
61.	Jurisdiction	38

SCHEDULE

Schedule 1	Property	39
Schedule 2	Rights.....	41
Schedule 3	Reservations	43
Schedule 4	Third Party Rights.....	45
Schedule 5	Rent review	46
Part 1	Definitions	46
Part 2	Assumptions	46
Part 3	Disregards	47
Part 4	Hypothetical Lease	47
Part 5	Review of the Annual Rent.....	48
Schedule 6	Insurance	50
Schedule 7	Service Charge	55

Part 1	Services.....	55
Part 2	Service Costs.....	56
Part 3	Excluded Service Costs	58
Part 4	Service Charge administration and obligations	59
Schedule 8	Guarantee and indemnity	64

ANNEX

ANNEX A	Property Plan.....	69
	Building Plan.....	66

D & B Licensing and Security Consultants

Authorised Grade One BIIAB Tutors - Centre No. C01699

E mail barriehodgson@ntlworld.com Home 01642 510820 Mobile 07533831728

dave.overdinsdale@btinternet.com 01325 335516 07521887292

Registered Office 161 Castle Road Redcar, Cleveland.

Licensing course contents.

- Introductions
- Aims of the course
- Guess the age section
- What should we accept as proof of age?
- Why a premises licence is important
- Licensable activities
- Test purchasing
- What actions can be taken to prevent under-age sales?
- Proxy sales/ Buy and supply
- Refusal register.
- Incident report forms.
- Partnership working Police/Trading Standards/Licensing Authority/Local community.
- What is alcohol? How does it affect the body?
- Safe weekly limits of alcohol intake.
- Licensing objectives
- Irresponsible promotions
- Moral and legal obligations
- Offences under the licensing Act and penalties including persistently selling
- How to deal with refusals of possible underage sales.
- Difficult situations.
- Child exploitation/Grooming
- New mandatory conditions
- CCTV
- Due diligence. Training records and refusal register.
- 20 Question multi choice tests
- Course Certificate.
- (Menthol cigarettes banned by 20th May 2020)

PREMISE LICENCE PROTECTION AND DUE DILIGENCE MANUAL

Malton International
XXXXXXXXXX .
XXXXXXXX



Licence Protection & Due Diligence Manual

Training File Contents List

- **Useful telephone numbers**
- **Premise Licence Part 'A'**
- **Personal licences.**
- **Authorised members of staff**
- **Sale of Alcohol Policy**
- **Certificates of training by D&B Licensing Consultants**
- **Individual acceptance, responsibility & compliance to Alcohol Policy**
- **Individual record of advice/training attendance**
- **Examination test paper**
- **Induction guidance for new members of staff**
- **Incident reports & Evidence handling section**

USEFUL TELEPHONE NUMBERS

Malton XXXXXXXX XXXXX

Premise Licence Holder -

DPS -

Local Police Station Name

Tele. No

Local Beat Officer Name

Contact Tel. No. Office/Mobile

Police Community Support Officer

Contact Tel. No. Office/Mobile

D&B Licensing Consultants 07533831728 or 07521887292

Others

Pub/Shop Watch contact

Radio Partnership



Any Off Licence Middlesbrough.

The below named members/staff are hereby authorised by me to sell/deliver alcohol on behalf of the premise licence holder within the any Road Middlesbrough..

They have receivegh a course of alcohol license training from D&B Licensing Consultants and are considered to be fully competent to comply with our Premise License, alcohol legislation and our company age verification policy at all times.

- ❖
- ❖
- ❖
- ❖
- ❖
- ❖
- ❖
- ❖
- ❖
- ❖
- ❖
- ❖
- ❖
- ❖
- ❖

Signed. DPS.

Date ^{31st} **January 2021**

All staff must read and understand this company policy on the sale of alcohol and fully understand the companies Challenge 25 Age Verification Policy and confirm they will comply with it at all times.

1. All members of staff have been made aware that they will not sell or serve alcohol or other age restricted products to anyone who is under the legal age. Anyone who fails to comply with this policy, will commit an offence of gross misconduct and also commit a Criminal Offence and be liable to a fine and 14 days imprisonment.

2. Understand that a Challenge 25 Age Verification Policy is in place at these premises and that you must ask for identification from anyone who appears to be under the age of 25 years.

3. If someone appears to you to be under the age of 25 years or if you have any doubt about the age of a person buying alcohol or other age restricted product you **MUST** request proof of their age prior to completing any sale.

4. The only forms of Proof of Age you will accept are:

- x Valid Passport
- x UK Photo driving licence (Full or Provisional)
- x Pass (not approved) proof of age card. It is a valid UK/Citizen Card.

5. If you are challenged and you do not have a valid form of ID, you must challenge the person who appears to be under the age of 25 years. If you do not challenge the person, you will be liable for the sale. If you challenge the person, you will not be liable for the sale. If you challenge the person, you will not be liable for the sale. If you challenge the person, you will not be liable for the sale.

CHALLENGE CHALLENGE CHALLENGE
NO PROOF OF AGE - NO SALE - NEVER GAMBLE.

Remember it is **illegal to sell:**

**Alcohol or other age restricted products to anyone under legal age
To any person buying or attempting to purchase on behalf of an
underage person.**

**To anyone having the appearance of being under the age of 25 years without producing Proof
Of Age.**

Licence Protection & Due Diligence Manual



Employee acceptance of Responsibilities regarding the Sale of Alcohol

Employee name: Xxxxxx I hereby confirm that I have read, understood and will comply with both the Premise Licence and company policy on the sale of alcohol and Age Restricted Products and fully understand the companies Challenge 25 age verification policy.

- I also understand that if I fail to comply with this policy, I will commit an offence of gross misconduct and a **Criminal Offence** and I may be liable to a fine and/or imprisonment.
- I understand that a Challenge 25 policy dictates that I must ask for identification from anyone who looks to be under the age of 25 years.
- I understand that if someone appears under 25 or if I have any doubt about the age of a person trying to buy alcohol, I must ask for proof of their age.
- If I have reason to believe that someone is attempting to buy alcohol on behalf of an underage person I MUST refuse the sale.

- The only forms of identification I should accept are:-
- Valid Passport
- UK Photo Driving Licence (full or provisional)
- Pass Logo Approved Proof of Age Card e.g. Citizen Card

- I understand that if a customer fails to produce acceptable identification and I believe a person is under the age of 25 years, I will refuse to sell alcohol to such a person and when the customer has left the premises, will complete an entry in the refusals register.
- I hereby confirm that I have received advice and training from my employer regarding the sale of alcohol.

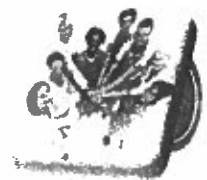
Employee Signature:
Date 10th March 2021

.....

I hereby confirm that I have explained our Age Verification Policy and provided training for them in relation to the sale of alcohol and other age restricted products and feel confident that they fully understand, are competent and will comply with our Premise Licence and our policy and procedures.

Signature of Premise Licence Holder / DPS

Date: 10th March 2021



**Record of Advice and Training Given to a Member of Staff
Relating to the Sale of Alcohol and other Age Restricted Products**

I hereby confirm that we have delivered a course of instruction to

in relation to the sale of alcohol and other age restricted products and feel confident that he/she fully understands the relevant legislation, liabilities, policies, and procedures to be complied with.

Position held: Team Member.

Candidate signature

Name of Premises XXXXXXXXXXXXX

Trainer Name: David Lester.

Date of Training 10th March January 2021

Signature:

We recommend that refresher training is given at regular intervals



Overview/Due Diligence

D. & B. Licensing Consultants is a company operated and controlled by two former Police Officers, both having over thirty years experience in Policing and many years experience in alcohol retailing, having been employed for several years in a management role by a major North East Convenience Retailer and leading Supermarket Chain.

This resource is to help you the retailer to deal with sales of age restricted products including alcohol and cigarettes and to help you and your staff to deal with confrontational situations. The content will give you a brief guide to the law on the sale of alcohol, cigarettes and other age restricted products and guidance around “Due diligence” with a view to preventing underage sales and ultimately protecting you, your staff, your premises licence and your business from prosecution.

What is due diligence.

Basically this means that you as a seller of a restricted product, a personal licence holder, designated premises supervisor or premises licence holder have done everything within your power to prevent an underage sale taking place. Good quality CCTV. High visibility age restricted product signage, refusal registers, incident report forms, correctly documented staff training/refresher training records, partnership working with the statutory agencies, police, trading standards and local authority licensing departments all contribute towards showing good due diligence.

You have a statutory defence if as a person charged with selling alcohol to someone under the age of 18 years you can show that:-

You believed that the individual was aged 18 years or over and either:

**You had taken all reasonable steps to establish the individuals age,
Or**

Nobody could reasonably have suspected from the individual’s appearance that they were aged under 18 years.

A person is considered to have taken all reasonable steps to establish an individual’s age if:

He/She asked the individual for evidence of his/her age.

The evidence produced would have convinced a reasonable person.

However if you have a challenge 25 policy in your store and fail a test purchase this defence may be difficult to call on. However challenge 25 is still one of the best methods to adopt to protect your staff/colleagues from making a mistake and getting it wrong.

(Now view our brief introduction to the law on age restricted goods)

BEST PRACTICE

By following some or all of the steps listed here, you should reduce the possibility of an under-age sale occurring and also minimise the risk of prosecution.

GENERAL

Never assume the age of a young person. If in doubt, ask for their age and always seek proof. You must refuse to sell if they can't prove their age.

STAFF TRAINING

ALL staff (including temporary and part time staff) should be aware of their legal responsibilities and you should have staff meetings, reminders and updates regularly. New staff should be trained at induction as soon as they join the business. Keep a written record of individual staff training and updates given in order that you can prove that they have been given. (Proof of due diligence) We recommend that refresher training is carried out every three months and documented.

ASK FOR PROOF OF AGE

Consider adopting a 25 policy for Alcohol, cigarettes and other tobacco related products, intoxicating substances, fireworks and '18' videos/DVDs. You and your staff must ask for proof of age if the customer does not look 25

MAKE A RECORD OF REFUSALS

Keeping a record of refused sales is a good way of showing that you are being diligent and trying not to sell products to the under-aged. Recording refused sales can also provide a useful insight into which members of staff are refusing sales, therefore highlighting staff that may need further training. It can also act as a deterrent to young people attempting to buy. Refusal registers are available from D&B Licensing.

DISPLAY WARNING NOTICES FOR ALCOHOL AND CIGARETTES

If you sell alcohol, cigarettes or other tobacco products you should display warning notices as part of your requirement to have an age verification policy. You may wish to consider warning notices at the point of sale or entry to the store as deterrents to the under-aged customer.

KEEP AGE-RESTRICTED PRODUCTS BEHIND THE COUNTER

If a purchaser has to ask for a product this can act as a deterrent on its own. It may also prompt you to ask for proof of age.

IF POSSIBLE USE "TILL PROMPTS" AT THE POINT OF SALE

These reminders could take the form of an electronic display on the till, stickers or posters.

POSITIVE ACTIONS

Other steps you could take include: -

Implement a policy of not selling to anyone wearing school uniform.

Install good quality CCTV. Train key members of staff in its operation.

Keep high value age restricted goods behind the checkout.

Do not place beer or wine display stacks near to the stores exit to help prevent theft and thereby helping to reduce crime and disorder

A GUIDE TO SAYING 'NO'

DISPLAY PROOF OF AGE MATERIAL

As from the 1st October 2010 there is a Mandatory requirement under the licensing Act 2003 which states that there must be an age verification policy in place to prevent underage sales. We recommend Challenge 25. It therefore follows that staff should be trained in that policy. The best way to gain your customers support is to display proof of age material throughout your store. Displaying proof of age material often makes youngsters think twice before attempting to buy.

WHEN PRESENTED WITH AN AGE RESTRICTED PRODUCT

Stop what you are doing.

Look up.

Take control of the product.

Assess the age of the customer. (Does the customer look 25 years old or not?)

If not then you must ask **"How old are you please"**.

This must always be followed up by then requesting an acceptable form of Identity (follow your store policy on acceptable forms of I.D)

Remember no I.D. No Sale. Never take a chance.

IN DIFFICULT SITUATIONS STAND YOUR GROUND

A refusal can embarrass a customer, so be tactful. Always be polite and calm, and don't antagonise by getting annoyed or aggressive. Be professional. Apologise.

If faced with a group, move the person you're talking to away from the rest. This lessens the chance of them playing to the crowd.

- **Be polite**
- **Apologise (Point out that the Law requires you to see I.D.**
- **Don't antagonise**
- **Be firm**
- **Use tact**
- **Don't humiliate**

AVOID BLAME

When refusing to serve someone, politely stress your legal obligations. If you're asking for identification for proof of age, emphasise it's nothing personal but the law requires it. State it's the policy of the shop to make this request to anyone suspected of being under-age.

- **De-personalise the situation**
- **Explain your legal obligation**
- **Blame the shop policy**
- **Don't get angry**

KEEP YOUR DISTANCE

- **Try to keep a barrier between you and the potential aggressor**

D & B Licensing Consultants

Incident Report

Date of incident:

Time of incident:

Name of person recording details:

Description of Incident (Theft, Disgrace, Intimidation, Assault)

1. Name of licensee: _____

2. Name of licensee: _____

3. Name of licensee: _____

4. Name of licensee: _____

Include names and contact details of witnesses, Staff and/or police

Notes for identity statement (if applicable)

Signature of licensee: _____

Signature of licensee: _____

Signature for TV, TV Images, SES, and/or other Licensor (if applicable)

Event Ref. Number (Request from Police)

Licence Protection & Due Diligence Manual



Request for evidential images from CCTV system.

DVD/USB (Indicate)

Time and date of request

Images downloaded by.....(Signature)

Time and date copied.....am/pm...../...../.....

Handed to.....(Police Officer/Other)

Time and date.....am/pm...../...../.....

Exhibit No.....

To be completed when any lawful request is made for CCTV images by Police, Trading Standards or other enforcement agency.

Samy Limited - Application for Premises Licence - Unit C, Rede House, 66-77 Corporation Road, Middlesbrough – Notice of Decision of Licensing Sub-Committee on 10 May 2018

1. The Committee considered an application for a Premises Licence under Section 18 of the Licensing Act 2003 ("the Act") to sell alcohol off the premises in respect of premises at Unit C, Rede House, 66-77 Corporation Road, Middlesbrough TS1 1LY between the proposed changed hours of 8.00am until 10.00pm daily. The Applicant is Samy Limited
2. The Committee noted that as relevant representations had been received to the Application a hearing must be held. The Committee noted under Section 18 of the Act that it must, having regard to the representations, take such steps if any as it considers appropriate for the promotion of the licensing objectives. The steps are to grant, to grant with conditions and /or modify conditions in the operating schedule, to exclude a licensable activity, to refuse the Designated Premises Supervisor or reject the application.
3. The Licensing Objectives are the promotion of the prevention of crime and disorder, public nuisance, the protection of children from harm and public safety.
4. The Committee carefully considered the Application on its own merits, it carefully considered the representations by the Applicant, the Responsible Authorities and the Councillors who made relevant representations, the Council's Statement of Licensing Policy and Guidance under Section 182 of the Act.

Decision

5. The Committee decided to grant the Premises Licence to sell alcohol between 8.00am and 10.00pm daily subject to the modification of the conditions by deleting the proposals in the operating schedule and imposing the conditions agreed between the Applicant, the Police, Public Health and Trading Standards produced at the hearing.

Reasons

6. The Applicant amongst other matters informed the Committee that the Application should be granted subject to the amended conditions for the hours between 8.00 am and 10.00pm daily. The Applicant informed the Committee, in summary, that the original application was drafted in general terms in order for discussions to be had with the Responsible Authorities to identify what would resolve their concerns. The Applicant has a professional operation and will be investing heavily in the premises. It is not a small corner shop it is a mini supermarket with the investment to ensure the robust conditions will be met. Alcohol is only a small element and they will offer a full range of convenience goods. Outside professional training will be provided to staff. At least two staff will be present on each shift one of which will be qualified and have a Personal Licence. They will not sell high risk alcohol and the police, public health and trading standards have confirmed they consider the proposals with the conditions will not be detrimental to the objectives. The Applicant confirmed the franchise was with Londis who provides the produce. The Applicant confirmed that Londis can comply with the requirements in the conditions. The premises will also have Costa Coffee available. The Applicant advised it will enhance the area.

7. The Responsible Authorities agreed to the operation subject to conditions between the hours of 8.00am and 10.00pm. They were satisfied that the Applicant could ensure the conditions would be complied with and that they considered it to be professional responsible operation. They considered that the restrictions are aimed at preventing street drinkers, problem drinkers and those who go on to cause problems in the town. The Responsible Authorities confirmed they considered the application would not be likely to add to the problems in the area within the cumulative impact policy.
8. The Ward Councillor objector informed the Committee that it is within the cumulative impact area and there are serious alcohol related harms in the area. A high number of harms occur during the hours of operation and the Ward Councillor would like to see the hours further curtailed to 9am to 9pm to reduce the risk of those harms.
9. The Committee is satisfied that there is good reason to depart from its cumulative impact special policy in this particular case and grant the Application subject to the restrictions as it considers it will be unlikely to add to the problems in the area.
10. The Committee determined that the proposed operation as a mini market with alcohol being a small percentage of stock displayed, investment in the premises, responsible management and the specific conditions targeted to address the concerns in the area would result in the premises promoting the licensing objectives.
11. The Committee noted that in addition to the restrictions, the Responsible Authorities have confidence in the proposed Licence Holder, the operation and management of the Premises. It was also noted that the Premises Licence Holder will work with the Police and the Council so that issues will not arise.
12. It was noted that the Ward Councillor requested the hours to be reduced because of the amount of incidents in the area during its time of operation. However the Committee did not consider that was an appropriate step in the circumstances.
13. The Committee acknowledged there are a large number of alcohol harms in the area of the town centre.
14. There are many incidents that occur between the hours of 8.00am and 10.00pm, but the incidents appear to be a lot less during the hours of 8.00am and 9.00am and 9.00pm and 10.00pm. The cause may be the availability of alcohol generally or irresponsible premises, however, the Committee did consider that the Responsible Authorities had confidence in the Applicant and that his restricted operation within the amended hours of 8.00am until 10.00pm would not impact on those current problems.
15. The Committee considered that the restrictions in place and the operation will mean the mini supermarket will be ran responsibly and will promote the objectives.

Dated 14 May 2018

PREMISES LICENCE

Part A

Premises licence number

MBRO/PR0177/092250

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description Unit C Rede House 66-77 Corporation Road	
Post town Middlesbrough	Post code TS1 1LY
Telephone number	

Where the licence is time limited the dates N/A

Licensable activities authorised by the licence Sale of Alcohol

The times the licence authorises the carrying out of licensable activities SALE OF ALCOHOL OFF PREMISES Monday to Sunday: 8am to 10pm

The opening hours of the premises Monday to Sunday: 6am to 12 midnight
--

Where the licence authorises supplies of alcohol whether these are on and/or off supplies Alcohol sales permitted OFF the premises
--

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Samy Limited
73-75 Corporation Road
Middlesbrough
TS1 1LY

01642 473906

Registered number of holder, for example company number, charity number (where applicable)

07689168

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Saravanakumar Selvakumar

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

MBRO/PL1546/093461 issued by Middlesbrough Borough Council

Granted on 5 March 2020



Authorised Officer

Annex 3 - Conditions attached after a hearing by the licensing authority on 10 May 2018

The premises will amend its operating schedule to reduce the times for licensable activity to take place, namely the supply of alcohol to 8am-10pm seven days a week.

1. A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.

- The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed.
- CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition.
- Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs.
- The system will record and retain CCTV footage for a minimum of 31 days
- The system will record for 24 hours a day.
- The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.
- The Digital recorder will be password protected to prevent unauthorised access, tampering, or deletion of images.
- There will be at all times, when the premises is open, a member of staff on duty with access to the CCTV system who is trained in the use of the equipment.
- Upon receipt of a request for a copy of CCTV footage from Police, Licensing Officers or any other Responsible Authority, the member of staff will produce the footage within 24 hours or less if urgently required for investigations of serious crime.
- CCTV footage must be made available to be viewed by the Police, Licensing Officers or other Responsible Authorities on request during an inspection of or visit to the Premises

2. An incident book must be kept at the Premises and maintained up to date (no later than 24 hours after the incident) at all times and will record the following:

- Time date and details of all incidents/complaints of crime and disorder or anti-social behaviour
- All crimes reported to the venue
- All ejections of patrons
- All seizures of drugs or offensive weapons
- Any faults in the CCTV system, searching equipment or scanning equipment
- Any visit by a relevant authority or emergency service

3. The incident book must be made available to Police, Licensing Officers and all other Responsible Authorities on request or during an inspection.

4. The premises will not stock, display or sell any lager, beer, cider or perry product with an ABV content above 6.5%

5. The Premises will not sell any single cans of lager, beer or cider

6. No alcohol must be stocked within 5 metres of the entrance/exit door

7. Alcohol will only be displayed within a 5% area of the shop floor. Alcohol will be kept within the controlled area which will be in sight of the checkout area. The controlled area will be mapped out and outlined in red on the map provided by the Premises Licence Holder (copy of which will be attached to the Premises Licence).

8. The Premises Licence Holder/ Designated Premises Supervisor will participate in any 'Responsible Retailing' scheme and any relevant training / campaigns which the Police or Local Authority provide or recommend.

9. There will be a personal licence holder on duty at all times.

10. The Premises Licence Holder/Designated Premises Supervisor will participate in any local Off Licence forums held by the Local Authority.

11. The Premises Licence holder shall ensure that at all times when the premises are open for any licensable activity there is sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.

12. A Challenge 25 policy will be implemented at the premise.

13. Training in relation to Challenge 25, under age sales, sales to adults on behalf of minor (proxy sales), sales to intoxicated persons, refusals registers, incident records and all other conditions on the Premises Licence must be provided and undertaken by all members of staff (whether paid or unpaid) before he / she makes a sale, supply or delivery of alcohol and at least every six months thereafter.

14. Documented training records must be completed in respect of every member of staff and must include the name of the member of staff trained, date, time and content of the training. The record must be signed by the member of staff who has received the training, the Designated Premises Supervisor/ Premises Licence Holder or external training providers.

15. Documented training records must be kept at the Premises and made available to the Police, Licensing Officers and all other Responsible Authorities on request or during an inspection.

16. Staff must require ID in the form of a current ten year passport, photo card driving licence or PASS Hologram identity card from any customer who appears to be under the age of 25 and verify the customer is over the age of 18 before any sale of alcohol is made.

17. There will be at least four notices/posters in prominent positions inside the premise informing customers that a Challenge 25 policy is in operation

18. The premise will keep and maintain a refusals book/electronic register which will be used to record all incidents/occasions of where the premise refuses to sell alcohol to an individual. The refusals book/electronic register will be used solely as a refusals book. It will be kept at the premise and will be made available for inspection by the Police or any other Responsible Authority.

19. The Premises Licence Holder/Designated Premises Supervisor must monitor the refusals book/electronic register on a monthly basis and must sign and date the register to confirm when this has been

completed.

20. There must be a minimum of two signs in the premises visible at the points of sale stating that it is an offence:

- to sell alcohol to persons under 18 years of age.
- to purchase alcohol on behalf of any person under 18 years of age
- to sell alcohol to any persons who appear drunk or under the influence of other illegal substances

PREMISES LICENCE

Part A

Premises licence number

MBRO/PR0288/100323

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description B & M Store Unit E Middlehaven Gateway Heath Road	
Post town Middlesbrough	Post code TS3 6RS
Telephone number	

Where the licence is time limited the dates N/A

Licensable activities authorised by the licence Sale of Alcohol

The times the licence authorises the carrying out of licensable activities SALE OF ALCOHOL OFF PREMISES Monday to Sunday - 8am to 10pm During December - 7am to 11pm

The opening hours of the premises Monday to Sunday - 7am to 11pm
--

Where the licence authorises supplies of alcohol whether these are on and/or off supplies Alcohol sales permitted OFF the premises
--

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

B & M Retail Ltd
The Vault
Dakota Drive
Estuary Commerce Park
Speke
L24 8RJ

0151 7285400

alcohol@bmstores.co.uk

Registered number of holder, for example company number, charity number (where applicable)

01357507


Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Andrew Wicks
13 Rushyford Avenue
Stockton-on-Tees
TS19 9BE

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

SBC 146393 issued by Stockton -on-Tees Borough Council

Granted on 24 November 2020



Authorised Officer

Annex 2 - Conditions consistent with the operating Schedule

LICENSING OBJECTIVES

GENERAL - ALL FOUR LICENSING OBJECTIVES

This Licence does not permit any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

THE PREVENTION OF CRIME AND DISORDER

1. Staff must require ID in the form of a current passport, photo card driving licence or PASS logo identity card from any customer who appears to be under the age of 25 and verify the customer is over the age of 18 before any sale of alcohol is made
2. Notices must be placed in a prominent position advising customers the Premises operates a challenge 25 policy and all customers who appear under the age of 25 will be challenged for ID proving they are over 18 in the form of a current passport, photo card driving licence or PASS logo identity card
3. Training in relation to Challenge 25, under age sales, sales to adults on behalf of minor (proxy sales), sales to intoxicated persons, refusals registers and incident records must be provided and undertaken by all members of staff (whether paid or unpaid) before he / she makes a sale, supply or delivery of alcohol and at least every six months thereafter.
4. Documented training records must be completed in respect of every member of staff and must include the name of the member of staff trained, date, time and content of the training. The record must be signed by the member of staff who has received the training and the person providing the training on behalf of the Premises Licence Holder
5. Documented training records must be kept at the Premises and made available to the police, trading standards or licensing officers on request.
6. There will be an electronic incident recording system used at the Premises and kept up to date at all times recording the time date and details of all incidents of crime and disorder or anti-social behaviour at the premises or directly outside of the premises. The incident book must be made available to the police, trading standards and / or licensing officers on request.
7. There will be an electronic refusals system used at the Premise and kept up to date at all times recording the date time and reasons for every refusal to sell alcohol to a customer. The refusals record must be made available to the police, trading standards and / or licensing officers on request
8. A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.
 - The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed.
 - CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition.
 - Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs.
 - The system will record and retain CCTV footage for a minimum of 31 days
 - The system will record for 24 hours a day.
 - The system will incorporate a means of transferring images from the

hard-drive to a format that can be played back on any desktop computer.

- The Digital recorder will be password protected to prevent unauthorised access, tampering, or deletion of images.
 - There will be at all times, when the premises is open, a member of staff on duty with access to the CCTV system who is trained in the use of the equipment.
 - Upon receipt of a request for a copy of CCTV footage from Police, Licensing Officers or any other Responsible Authority, the member of staff will produce the footage within 24 hours or less if urgently required for investigations of serious crime.
 - CCTV footage must be made available to be viewed by the Police, Licensing Officers or other Responsible Authorities on request
- The premises will place and maintain CCTV signs on all exits from the premises both inside and out as a reminder to customers and staff that their behaviour is being monitored.
9. No beer, lager or cider of 6.5 ABV (alcohol by volume) or above shall be displayed or sold at any time at the premises.
 10. The display of alcohol will not exceed the area specified and identified as alcohol display areas on the plan attached to the application or such other areas within the store equivalent to and not exceeding the shelf and floor space identified on the said plan for the display of alcohol, without the consent of the police and licensing officers.
 11. The Premises Licence Holder/ Designated Premises Supervisor will participate in any 'Responsible Retailing' scheme and any relevant training / campaigns which the Police or Local Authority provide or recommend.
 12. The Designated Premises Supervisor will participate in any local Off Licence forums held by the Local Authority.
 13. Plain clothes security staff shall be employed at the premises when deemed necessary by the Licence Holder.
 14. All staff will be trained in Security Awareness as part of their induction training.
 15. Notices to be displayed inside the premises stating that it is an offence for any person under 18 years of age to purchase alcohol.
 16. B&M operate a zero tolerance to aggressive and/or violent behaviour towards staff members.

THE PREVENTION OF PUBLIC NUISANCE

1. The area immediately in front of the store shall be inspected on a regular basis and management and staff shall use their best endeavours to prevent B&M customers from loitering in the said areas, persons refusing to move shall be subject of a report to the Police to facilitate safe dispersal.

THE PROTECTION OF CHILDREN FROM HARM

1. Staff will be trained on induction (and undergo 3 monthly refresher training (in the form of a written test)) in respect of the sale of all age restricted goods (including awareness/prevention of proxy sales, signs and symptoms of intoxication, dealing with refusal of sales and any subsequent confrontational behaviour from customers) - such training sessions to be documented and records made available to authorised persons from Responsible Authorities and kept on site for a minimum of 2 years.
2. The cash tills used for the sale of alcohol to have the benefit

of an electronic prompt for operators in respect of age restricted sales.

3. Refusals registers for each store will be printed, checked and signed by the DPS or duty manager on a weekly basis.

PREMISES LICENCE

Part A

Premises licence number

MBRO/PR0297/100306

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Iceland The Food Warehouse Unit B Gateway Retail Park	
Post town	Post code
Middlesbrough	TS3 6AT
Telephone number	

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
Sale of Alcohol

The times the licence authorises the carrying out of licensable activities
SALE OF ALCOHOL OFF PREMISES
Monday to Sunday - 8am to 10pm
Seasonal Variations
From the 1st December through to 2nd January annually, the supply of alcohol shall be permitted from 7am - 11pm daily. In the week prior to and the week proceeding Easter Sunday in any given year, the supply of alcohol shall be permitted from 7am - 11pm daily.

The opening hours of the premises
Monday to Sunday - 7am to 11pm

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Alcohol sales permitted OFF the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Iceland Foods Ltd
Second Avenue
Deeside Industrial Park
Deeside
CH5 2NW

01244843 699

robert.hayes@iceland.co.uk

Registered number of holder, for example company number, charity number (where applicable)

1107406

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Ashley Stephen Triplett
5 Buckthorn Grove
Middlesbrough
TS8 9BF

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

SBC 133823 issued by Stockton-on-Tees Borough Council

Granted on 17 December 2020



Authorised Officer

Annex 2 - Conditions consistent with the operating Schedule

LICENSING OBJECTIVES

GENERAL - ALL FOUR LICENSING OBJECTIVES

This Licence does not permit any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

THE PREVENTION OF CRIME AND DISORDER

CHALLENGE 25

1. Staff must require ID in the form of a current ten year passport, photo card driving licence or PASS logo identity card from any customer who appears to be under the age of 25 and verify the customer is over the age of 18 before any sale of alcohol is made
2. Notices must be placed in a prominent position advising customers the Premises operates a challenge 25 policy and all customers who appear under the age of 25 will be challenged for ID.

STAFF TRAINING

1. All relevant staff shall be trained in relation to their responsibilities under the Licensing Act 2003 including but not limited to the companies Age Verification Policy, Under Age Sales, Proxy Sales and Sales to Intoxicated Persons.
2. In addition, relevant staff shall also be trained on specific Premises Licence condition attached to this Premises Licence.
3. Such training will be provided upon company induction and at regular intervals of no longer than six months.
4. Documented training records must be completed in respect of every member of staff and must include the name of the member of staff trained, date, time and content of the training.
5. Documented training records must be kept at the Premises and made available to the police, trading standards or licensing officers on request and / or during an inspection.

INCIDENT BOOK

1. An incident book must be kept at the Premises and maintained up to date at all times recording the time date and details of all incidents of crime and disorder or anti-social behaviour at the premises or directly outside of the premises. The incident book must be made available to the police, trading standards and / or licensing officers on request or during an inspection.

REFUSALS REGISTER

1. A refusals register must be kept at the Premise and maintained up to date at all times recording the date time and reasons for every refusal to sell alcohol to a customer. The refusals record must be made available to the police, trading standards and / or licensing officers on request or during an inspection

CCTV

A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.

The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed.
CCTV will be capable of providing pictures of evidential

quality in all lighting conditions, particularly facial recognition. Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs.

The system will record and retain CCTV footage for a minimum of 31 days

The system will record for 24 hours a day.

The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.

The Digital recorder will be password protected to prevent unauthorised access, tampering, or deletion of images.

There will be at all times, when the premises is open, a member of staff on duty with access to the CCTV system who is trained in the use of the equipment.

Upon receipt of a request for a copy of CCTV footage from Police, Licensing Officers or any other Responsible Authority, the member of staff will produce the footage within 24 hours or less if urgently required for investigations of serious crime.

CCTV footage must be made available to be viewed by the Police, Licensing Officers or other Responsible Authorities on request during an inspection of or visit to the Premises

The premises will place and maintain CCTV signs on all exits from the premises both inside and out as a reminder to customers and staff that their behaviour is being monitored.

TYPES / STRENGTH / DISPLAY OF ALCOHOL

1. No beer, larger or cider of 6.5 ABV (alcohol by volume) or above shall be displayed or sold at any time at the premises.
2. The Designated Premises Supervisor will participate in any 'Responsible Retailing' scheme and any relevant training / campaigns which the Police or Local Authority provide or recommend.
3. The Premises Licence Holder/Designated Premises Supervisor will participate in any local Off Licence forums held by the Local Authority.

The premises will be fitted with a burglar alarm system.

The premises will be fitted with a panic button system for staff to utilise in the case of an emergency.

THE PREVENTION OF PUBLIC NUISANCE

A complaints procedure shall be in operation at the premises, details of which will be made available in store.

THE PROTECTION OF CHILDREN FROM HARM

No member of staff will be permitted to sell alcohol until such time as they have successfully completed the training.

A till prompt system will be utilised at the premises in respect of alcohol.

IN THE LEEDS MAGISTRATES COURT

BETWEEN :-

BREWDOG BARS LIMITED

Appellant

- and -

LEEDS CITY COUNCIL

Respondent

NOTE OF DECISION OF
DISTRICT JUDGE ANDERSON
6th SEPTEMBER 2012

No doubt when the 2003 Licensing Act came into being, no-one foresaw the emergence of an operation such as Brewdog. They are a Scottish company specialising in craft beers with a devoted clientele. They do not operate large public houses selling cheap lager or cheap food. They have outlets in other cities including in cumulative impact areas where they operate well and without police objection. Now they seek to come to Leeds.

The company takes a didactic approach, with books on brewing, and customers invited to watch instructional videos playing at their premises. Their customers could be described as "alcohol geeks." They are not run of the mill or everyone's cup of tea, but there is a demand for outlets selling a good quality of beer.

If they had identified a site outside the City's Cumulative Impact Policy area, there is absolutely no doubt that they would already have their licence. They are an intelligent, well-run company, and in a short space of time they have shown themselves to be an effective operator.

However, this site does fall foul of the Cumulative Impact Policy which was introduced with the best possible motives to control the grant of licences to new premises. There is a presumption within it that new applications shall not be granted, unless the applicant can discharge the reverse burden in establishing that they will not add to the cumulative impact, and that is the issue in this case.

I can deal with one conclusion briefly, the issue of noise and nuisance. The Court heard evidence from Miss Ludford that she had gone to the trouble of circulating a letter to all residents in the neighbouring block of flats but received no objections. Against that was the more general evidence of Mr Kenny, which showed noise complaints to the Council. But most of those complaints were amplified music and Brewdog does not seek to be able to provide amplified music and so there is no risk of noise from regulated entertainment emanating from the premises. The capacity is small and any noise generated as people leave the premises will be very marginal indeed. It seems to me that the premises of this public house would not be a significant impact on the Cumulative Impact area regarding public nuisance and so I do not intend to mention this further.

That leaves the more important objection of the Police and the potential impact of another premises on the levels of crime in the area. There are a number of clubs around the Corn Exchange and the late

hours they trade, the marketing operations and the type of customer they attract means that there is regular disorder and violence. they run with late hours, attracting a different sort of customer. Their presence causes violence. That is a sad fact of modern life. The situation cannot be assisted by the sort of promotion I saw advertised by Chilli White with cheap vodka and free vodka, but they have their licence.

It cannot be the policy of the Cumulative Impact Policy to bring the iron curtain clanging down to allow such clubs to continue to trade while shutting out Brewdog which attracts more discerning customers who do not engage in binge drinking, though I do accept the requirement of the Cumulative Impact Policy is to ascertain specifically whether there will be impact.

If I accept, as I do, that the enterprise sells expensive beers in expensive measures, then I think I can conclude that the people likely to be attracted are not "get it down your neck" drinkers but rather better heeled customers. The type of clientele a premises attracts has a material part to the play in the decision, because if I am not worried about their clientele and am impressed by the running of their bars elsewhere, it follows that it is unlikely that their clientele will have any adverse impact on the area here.

The Police argued that customers may accidentally cause impact. Their argument that customers could get caught up in a melee caused by others is not a valid one. A simple increase in footfall isn't a rational reason to refuse entry to Leeds by Brewdog.

I have listened carefully but have heard nothing which causes me to believe that the application should not be granted. I am satisfied that the appellants have discharged the burden of proof placed on them.

I accept that the Committee and the Police did their best but their application of the Policy was too rigid. They seemed to take the view that man was made for the Policy, when the Policy should be made for man.

The appeal is upheld, and the licence granted in the terms set out in the bundle served on the Court.