

**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.

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Licence holder details

Name and Address of Premises

Address: 85 Borough Road, Middlesbrough TS1 3AA

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

Mr Muhammed Tayyeb Butt

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

Go Local

Representation

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

- | | |
|-------------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> | Prevention of Crime and Disorder |
| <input type="checkbox"/> | Prevention of Public Nuisance |
| <input checked="" type="checkbox"/> | Public Safety |
| <input checked="" type="checkbox"/> | 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 Mr Muhammed Tayyeb Butt , the applicant and Premises Licence holder for premises situated at 85 Borough 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, Public Safety and Protection of Children from Harm.

The application made is for the grant of a new premises licence from 08:00 – 22:00 hours seven days a week for the supply of alcohol. The proposed Premises Licence holder and Designated Premises Supervisor for the business is a male named Mr Muhammed Tayyeb Butt. The application was received from Mr Semper, Director of The Licensing Guys, acting on behalf of Mr Tayyeb Butt

In November 2021 and following receipt of an application for the grant of a new premises licence by Mr Muhammed Tayyeb Butt for premises situated at 85 Borough Road, Middlesbrough, a representation was made on behalf of Middlesbrough Council's Public Health service as there was a number of concerns regarding the application.

It was the opinion of Public Health representatives that the granting of these premises off licence would have a negative impact on the Crime and Disorder, Public Safety and Protection of Children from Harm licensing objectives.

On 27 January 2021, a licensing sub-committee hearing was held where members of Middlesbrough Council's Licensing Committee heard evidence from Public Health and Cleveland Police representatives as to their concerns regarding the application.

Please find attached the evidence provided by Public Health for the licensing sub-committee hearing on 27 January 2022 (Exhibit ref FMH/1).

The evidence provided by Public Health at this time included information around Middlesbrough Council's Cumulative impact policies for on/off licensed premises which were current at the time. These policies have since lapsed however there still remains a high density of both on/off licensed premises in Central ward and there is evidence of high levels of alcohol related crime and disorder, anti-social behaviour and alcohol related harm in the area where these premises are situated.

All other evidence provided by Public Health at the time of the hearing remains current and will be used for any future licensing sub-committee hearing.

After hearing the evidence from all parties concerned, members of the Licencing Committee made the decision to refuse to grant the premises licence, (Exhibit FMH/2).

On 22 March 2022, a conversation took place between Mr Semper and representatives from Public Health regarding the licensing application and licensing sub-committee hearing held in January 2022 in respect of these premises.

An email was received from Mr Semper later that day which briefly outlined the conversation that had taken place, his new proposal for a premises licence application, including a number of drafted proposed conditions which have been included in the current application.

This proposal was considered by representatives of Middlesbrough's Responsible Authorities however it was felt that no conditions would suffice due to the location that these premises are situated, the high density of licensed premises in this area and the

high levels of alcohol related crime and disorder, anti-social behaviour and health harms that the area already suffers.

These concerns were outlined within the Licensing sub-committees decision.

On 7 April 2022 a new application was received from Mr Muhammed Tayyeb Butt's licensing representative Mr Nick Semper, Director of The Licensing Guys in respect of 85 Borough Road.

It remains our opinion that the granting of this licence would undermine the Crime and Disorder, Public Safety and Protection of Children from Harm licensing objectives and will exacerbate the problems already experienced.

Further evidence will be submitted prior to any future licensing-sub committee hearing

Signed: 

Dated 03.05.22