

**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 8 SEPTEMBER 2022**

APPLICATION FOR A PREMISES LICENCE

Applicant: One Stop Stores Limited

Ref.No. OL/22/04

Premises: 15 Shelton Court, Middlesbrough, TS3 9PD

Application received: 17 June 2022

Licensable Activities applied for:

The Sale of Alcohol “off” the premise 08:00 to 22:00 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 (Public Safety and Public Nuisance)	Home Office (Immigration Enforcement) Licensing Manager

2. Application advertised by the applicant: Teesside Gazette – 23 June 2022

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

Under Regulation 11 of the Licensing Act (Hearings) Regulations 2005 the time limit for this hearing to take place has been extended as the Council considered it is in the public interest and agreed by the Applicant to do so in order to enable the parties to the hearing to be present and to convene a panel of members following the Annual General Meeting, training and summer recess.

The premises will operate as a convenience store and are located in a parade of shops at Shelton Court. A location plan of the proposed site is attached at **Appendix 2**.

The application made was for the sale of alcohol off the premises each day from 6am to 11pm. Following discussions with Cleveland Police and the Responsible Authority for Public Health the applicant agreed to amend the hours for the sale of alcohol to 8am to 10pm each day and also to amend the operating schedule to include a number of conditions. This agreement is attached at **Appendix 3**. As a result of this agreement representations were not received from the Responsible Authorities.

5. The Representations

On 17 June 2022 a representation was received from the local ward Councillor, Graham Wilson objecting to the application on the grounds of the prevention of public nuisance. A copy of this representation is attached at **Appendix 4**.

On 20 June 2022 a representation was received from the local ward Councillor, Janet Thompson objecting to the application on the grounds of the prevention of crime and disorder and the prevention of public nuisance. A copy of this representation is attached at **Appendix 5**.

On 4 July 2022 a representation in support of the application was received from a local business owner, S Ayre. A copy of this representation is attached at **Appendix 6**.

In addition the following representation have been received

Appendix 7 - Anthony and Eleanor Longwoth, local residents – prevention of crime and disorder and public nuisance.

Appendix 8 - Spencer Steel, local resident – prevention of crime and disorder and public nuisance and the protection of children from harm.

Appendix 9 - Lisa Teasdale, local business owner – prevention of public nuisance and the protection of children from harm.

Appendix 10 - Margaret and Colin Brewster, local residents – prevention of public nuisance.

Appendix 11 - Mr Abbas, local business owner – prevention of crime and disorder and public nuisance.

Appendix 12 - local resident – prevention of public nuisance.

Appendix 13 - Mr J Timperley, local resident – prevention of public nuisance.

Appendix 14 - Kenny Cuthbert, local resident – prevention of public nuisance

Appendix 15 - Norman Bailey, John William, Jean Naylor, local residents – prevention of public nuisance.

Appendix 16 - 41 signatory petition – public safety, prevention of public nuisance, protection of children from harm.

Appendix 17 - 27 signatory petition – prevention of public nuisance.

Appendix 18 - 172 signatory petition – public safety, prevention of public nuisance, protection of children from harm.

Appendix 19 - Nicko, local resident – prevention of public nuisance, protection of children from harm.

Appendix 20 – O Boddy, local resident – prevention of public nuisance.

Appendix 21 - Mr Steven Owen, local business owner – prevention of crime and disorder, public safety, prevention of public nuisance, protection of children from harm.

Appendix 22 - 51 signatory petition – public safety, prevention of public nuisance, protection of children from harm.

Appendix 23 - 174 signatory petition – prevention of crime and disorder, public safety, prevention of public nuisance, protection of children from harm.

Appendix 24 – G Foster, local resident – public safety, prevention of public nuisance, protection of children from harm

6. The Licensing Policy

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

Prevention of Crime and Disorder	Page 20
Public Safety	Page 25
Prevention of Public Nuisance	Page 27
Protection of children from harm	Page 30

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

7. Revised Guidance to the Licensing Act 2003 (published April 2018)

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
Determining applications	Starting at para 9.1

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

8. Members' Options

Under the provisions of Section 18(4) the Licensing Act 2003 Members may consider the following options:

1. Grant the licence 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 Committee to the Magistrates' Court.

Contact Officer: Sarah Morris
Principal Licensing Officer
Tel. 728716