

**FOR THE CHAIR AND MEMBERS OF  
THE LICENSING SUB-COMMITTEE  
FOR 29 SEPTEMBER 2020**

**APPLICATION FOR PREMISES LICENCE**

**Applicant:** Anne Thurlwell

**Ref.No.** PL/0192

**Premises:** The Junction, 2 Union Street, Middlesbrough, TS1 5PQ

**Application received:** 3 August 2020

**Summary of Proposed Licensable Activities:**

Sale of Alcohol (On & Off Sales)

Monday to Thursday	12 noon – 11.00pm
Friday & Saturday	12 noon – 11.30pm
Sunday	12 noon – 10.30pm

Recorded Music (Indoors & Outdoors)

Monday to Thursday	12 noon – 11.00pm
Friday & Saturday	12 noon – 11.30pm
Sunday	12 noon – 10.00pm

Performance of Dance

Monday to Saturday	12 noon – 11.30pm
Sunday	12 noon – 10.00pm

**Full details of the application and accompanying operating schedule have been reproduced at Appendix 1.**

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**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)

**2. Application advertised by the applicant:** Evening Gazette – 8 August 2020

### 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 previously operated for many years as a Public House with the benefit of a Premises Licence under the Licensing Act 2003 until it was surrendered by the previous licence holder on 3 March 2020.

The premises is situated on the junction of Borough Road and Union Street and is surrounded by a mix of commercial and residential properties. It is situated just outside the Council's Cumulative Impact Area for 'On Licensed' Premises and is within the Cumulative Impact Area set by the Council for 'Off Licensed' Premises.

On 21 August 2020 following receipt of the application Cleveland Police and Public Health agreed a number of additional conditions with the applicant. These additional conditions are attached at **Appendix 2**.

### 5. The Representations

On 3 August 2020 representations were received from Councillor Linda Lewis on behalf of herself and Councillors Storey and Uddin and Councillor Barrie Cooper objecting to the application on the grounds of all 4 Licensing Objectives. The Councillors refer to previous issues surrounding the management of the premises and anti social behaviour associated with the premises. A copy of those representations are attached at **Appendix 3 & 4**.

On 20 August 2020 a representation was received from Councillor Chris Cooke objecting to the application on the grounds of the prevention of crime & disorder and the prevention of public nuisance. A copy of that representations is attached at **Appendix 5**.

### 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. 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 para 2.6
Prevention of Public Nuisance	Starting at para 2.14
Protection of Children from Harm	Starting at para 2.21

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

## **8. Members' Options**

Members may consider the following options:

1. Grant the application subject to conditions consistent with the operating schedule modified to such extent as 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

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