

**FOR THE CHAIR AND MEMBERS OF  
THE LICENSING SUB-COMMITTEE  
FOR 26 APRIL 2024**

**APPLICATION FOR A PREMISES LICENCE**

**Applicant:** Motor Fuel Limited

**Ref.No.** 706738

**Premises:** Middlesbrough Service Station, Berwick Hills, Middlesbrough, TS3 7RP

**Application received:** 22 February 2024

**Licensable Activities applied for:**

The Sale of Alcohol "Off" the premise	06:00 to 23:00 daily
Late Night Refreshment	23:00 to 05:00 daily

**Full details of the application and accompanying operating schedule and plan 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	Home Office (Immigration Enforcement)
(Public Safety and Public Nuisance)	Licensing Manager

**2. Application advertised by the applicant:** Teesside Gazette – 28 February 2024

**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 located at the petrol forecourt at Berwick Hills Centre, Ormesby Road, Middlesbrough, TS3 7RP. It is currently branded as Morrison's.

The application seeks to allow the sale of alcohol for Off Sales and to provide Late Night Refreshment.

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

On 20 February 2024 a representation was received from Councillor Donna Jones, Ward Councillor for Berwick Hills & Pallister Ward, objecting to the application on the grounds of the prevention of crime and disorder. A copy of the representation is attached at **Appendix 2**.

On 22 February 2024 a representation was received from Fiona Helyer on behalf of the Director of Public Health, 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 this representation is attached at **Appendix 3**.

On 22 February 2024 a representation was received on behalf of the Chief Constable of Cleveland Police 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 this representation is attached at **Appendix 4**.

#### **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
Cumulative Impact Policies	Page 41

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

#### **7. Revised 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

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.

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