

## Licensing Sub-Committee

A meeting of the Licensing Sub-Committee was held on Tuesday, 20<sup>th</sup> December 2005.

**Present:** Councillors Leonard, Rix and Woodhead.

**Officers:** D Jobson (DNS), J Nertney (LD); M.Hodgson (Cleveland Police).

### 933 Appointment of Chairman

RESOLVED that Councillor Leonard be appointed Chairman for this meeting only.

### 934 **Todays News, 53 Thorntree Road, Thornaby** **Application under Schedule 8 of the Licensing Act 2003 - Application to convert an existing licence to a premise licence under Schedule 8 of the Licensing Act 2003 and application to vary the Premises Licence simultaneously**

The Committee gave consideration to the report, the application and all the representations which had been received. The Committee noted that representations had been received from one person 'living within the vicinity of the premises'. The Police had also submitted a representation.

RESOLVED that the application be granted for the hours requested and the conditions as requested by Cleveland Police:-

The supply of alcohol between the following hours:-

- Monday to Sunday: 07:00 to 23:00 with the premises to be closed to the public at 23:00

The Committee also attached the following conditions to the grant of the licence, namely:-

1. Premises to be fitted with both internal and external CCTV (digital and colour). Tapes or hard drives to be retained for a period of one calendar month or such longer period as may be agreed with the Police and produced on request to the Police and Council Officers.
2. A refusals book to be maintained and kept up to date on the premises and available for inspection by the Police and Local Authority on request.

The Committee noted that mandatory conditions under the Licensing Act 2003 would be attached to the licence along with any embedded restrictions from existing licensing legislation. It was also noted that the steps set out in the Applicants Operating Schedule at Section P of the application will also be converted into conditions to be placed on the licence where it is reasonably practicable for them to be converted.

It was noted that the Applicant would be in breach of his existing planning consent if he opened till the terminal hour that has been granted under the licence. The Applicant has been made aware that he should obtain the appropriate variation to his planning consent before he opens after 23:00.

### 935 **Marharaja Tandoori, Unit 16, Myton Road, Ingleby Barwick** **Application under Schedule 8 of the Licensing Act 2003 - Application to convert an existing licence to a premise licence under Schedule 8 of the Licensing Act 2003 and application to vary the Premises Licence simultaneously**

The Sub Committee gave consideration to the report, the application and all the representations which had been received. The Committee noted that representations had not been received from any persons 'living within the vicinity of the premises'. The Police had not made any objection to the application and there was therefore no evidence before the Committee of any crime and disorder connected with the premise.

It was noted that the Planning Officer had made a representation as the premise currently had their hours of operation restricted so that they do not open outside the hours of 08:00 and 23:00.

The Environmental Health Officer had initially submitted a representation and had agreed a number of conditions with the Applicant which would be placed on the premises licence if granted by the Committee

RESOLVED that the application for a premises licence be granted as detailed in the application form and subject to conditions as agreed with the Environmental Health Officer:-

The provision of Late Night Refreshment for the following hours:-

Friday to Saturday 23:00 to 00:00 with the premises to be closed to the public at 00:00

The Committee noted that the requirements for late night refreshment only applied after 23:00 hours. It was noted from the application that the premises intended to open for business on the following days and times:-

Sunday to Thursday: from 16:00 to 23:00

Friday to Saturday : from 16:00 to 00:00

The Sub Committee also attached the following conditions to the grant of the licence, namely:-

1. Any odours created from cooking on the premises shall be adequately vented and/or provided with odour control so that they do not cause a nuisance to nearby premises.
2. There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained, and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.
3. Where the premises provide food for consumption off the premises, the public area immediately surrounding the premises shall be cleared of waste food, food containers, wrapping etc at the end of trading on each day. Such refuse shall be placed in a container designed for the storage and disposal of refuse and waste foods which shall be constructed, maintained and located so that access to it by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.
4. Have appropriate systems in place to control pest infestations, such as a pest control contract.
5. Use appropriate management controls to reduce the likelihood of customers causing noise disturbance to local residents when using the premises.

The Sub Committee noted that mandatory conditions under the Licensing Act 2003 would be attached to the licence along with any embedded restrictions from existing licensing legislation. It was also noted that the steps set out in the Applicants Operating Schedule at Section P of the application will also be converted into conditions to be placed on the licence where it is reasonably practicable for them to be converted.

**936 Welcome Chinese Takeaway, Highfield House, 3 Holly Street, Norton  
Application under Schedule 8 of the Licensing Act 2003 - Application to  
convert an existing licence to a premise licence under Schedule 8 of the  
Licensing Act 2003 and application to vary the Premises Licence  
simultaneous**

Members were informed that as the representation from Environmental Health had been withdrawn the above application had been withdrawn from the agenda.