

Licensing Sub Committee

A meeting of Licensing Sub Committee was held on Monday, 28th April, 2008.

Present: Cllr Miss Tina Large, Cllr Alan Lewis and Cllr Bill Woodhead.

Officers: M Vaines (DNS); J Nertney (LD).

Also in attendance: Mrs Z Shaffique (Applicant).

Apologies: None.

**LSC
4/08** **Appointment of Chairman**

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

**LSC
5/08** **Declarations of Interest**

There were interests declared.

**LSC
6/08** **38-40 Bowsfield Lane, Stockton on Tees - Application for Grant of a
Premise Licence under the Licensing Act 2003**

The Licensing Officer presented the report to the Committee. Consideration was given to the application as outlined in the report by the Licensing Officer. Members noted and gave consideration to the representations that had been received. Representations had initially been received from Environmental Health but this had been withdrawn after conditions were agreed with the Applicant. A representation had been received from one person living within the vicinity of the premises. It was noted that this person was not in attendance at the meeting.

Members of the Committee also had regard to the written representation that had been received from a person living within the vicinity of the premises who was not in attendance at the meeting.

Mrs Shaffique (Applicant) stated that she did not have anything further to add to her application and asked for it to be noted that she had agreed conditions with Environmental Health and that the Police had not objected to the application.

In considering their decision members were mindful that they needed evidence on which to base their decision.

The Committee noted that the Objectors concerns were general in nature and were concerned about what may happen rather than having any evidence that this particular premise would cause a problem. The Objector had made reference to the fact that the area has experienced anti social behaviour in the past. Each application had to be considered on its merits and a responsible operator should not be prejudiced by problems caused by other premises. Members wished to remind residents that if they were experiencing problems that could be linked to a specific premise then they had the option to request a review of that premise licence.

Members noted that the person who had made a representation was not in attendance at the meeting. It was noted that of the statutory consultees who had made a representation, namely Environmental Health, conditions had been agreed which satisfied their concerns. Cleveland Police had not raised any objection to the application and were therefore satisfied that the crime and disorder objective would not be undermined.

Members appreciated the concerns of residents but there was no evidence that they would experience problems if the application was granted. Members noted the efforts made by the applicant and were satisfied that if granted it would not undermine the licensing objectives.

When considering their decision the Committee had regard to the Statutory guidance issued under Section 182 of the Licensing Act 2003 and the Councils Licensing Policy.

After giving due consideration to all of the evidence Members agreed to grant the application.

RESOLVED that the application for a premises licence be granted as detailed in the application form which could be summarised as follows:-

- Supply of alcohol between the following hours:-

Monday to Sunday:06:00 to 23:00

It was noted that mandatory conditions would be placed on the Licence as detailed under the Licensing Act 2003 and the steps set out in the Applicants operating schedule would be converted into conditions.