

**DELEGATED**

**AGENDA NO.**

**REPORT TO LICENSING  
COMMITTEE**

**DATE:**

**LICENSING ACT 2003  
APPLICATION FOR GRANT OF A PREMISE LICENCE  
AL FORNO, 11/12 SANDGATE PARK SHOPPING CENTRE, BANCROFT DRIVE, INGLEBY  
BARWICK, STOCKTON ON TEES**

**SUMMARY**

The purpose of this report is for Members to determine an application for the grant of a premise licence under the Licensing Act 2003 to which there has been representations from interested parties.

**RECOMMENDATION**

That Members determine the application.

**THE APPLICATION**

1. An application for grant of a premise licence has been received from Ingleby Estates Limited, in relation to Al Forno, Unit 11/12 Sandgate Park Shopping Centre, Bancroft Drive, Inbleby Barwick.

The applicant has applied for a licence for the following:

|   |                                       |
|---|---------------------------------------|
| Late Night Refreshment                  | Monday to Sunday 23:00 until Midnight |
| Supply of Alcohol On & Off the Premises | Monday to Sunday 10:00 until Midnight |
| Live Music                              | Monday to Sunday 10:00 until Midnight |
| Recorded Music                          | Monday to Sunday 08:00 until Midnight |
| Facilities for Dancing                  | Monday to Sunday 12:00 until Midnight |

A copy of the application is attached at Appendix 1.

**RESPONSIBLE AUTHORITIES**

2. Following discussions with Cleveland Police and Environmental Health the applicant has agreed to conditions being attached to the licence. Copy of the agreed conditions are attached at Appendix 2.

**INTERESTED PARTIES**

3. Representations have been received from Interested Parties wishing to object to this application. The representations relate to the prevention of public nuisance, prevention of crime and disorder, protection of children from harm and public safety objectives. Copies are attached at Appendix 3.

## **ADDITIONAL INFORMATION**

4. Attached at Appendix 4 is a map showing the location of the premises.

## **POLICY CONSIDERATION**

5. Members are respectfully reminded of the need to give due consideration to Stockton Borough Councils Licensing Policy Statement which states:

*new or variation applications for the supply of alcohol for consumption on the premises before 9.00am or after 11.30pm (12 midnight on a Friday and Saturday night) in residential areas will normally be refused.*

*New or variation applications for late night refreshment in terms of hot food takeaways in residential areas will normally be refused beyond 12 midnight.*

6. Members are also respectfully reminded of the need to give due consideration the Section 182 Guidance issued under the Licensing Act 2003 when determining this application.
7. Members must carry out their 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

## **MEMBERS OPTIONS**

8. Members may consider the following options:
  1. To refuse the application
  2. To grant all or part of the application subject to the necessary conditions to promote the four licensing objectives.

## **ASSOCIATED PAPERS**

9. The following appendices are attached for information:
  - Appendix 1 - Application Form
  - Appendix 2 - Agreed conditions from Cleveland Police and Environmental Health
  - Appendix 3 - Representations from Interested Parties
  - Appendix 4 – Location Map

### **Head of Community Protection**

**Contact Officer:**

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**Financial Implications:**

None

**Environmental Implications:**

The Licensing Act 2003 requires the licensing authority to have regard to:

- Public safety; and
- The prevention of public nuisance

Any conditions imposed should reduce the potential for environmental harm.

**Community Safety Implications:**

The Licensing Act 2003 requires the licensing authority to have regard to:

- The prevention of crime and disorder

Any conditions imposed should reduce the potential for crime and disorder.

**Legal Implications:**

Depending upon the determination of this application Schedule 5 of the Licensing Act 2003 provides the applicant, the holder of a licence and/or any person who made a relevant representation in relation to the application, with the right of appeal to the Magistrates' court.

**Human Rights Implications:**

Members should have regard to Human Rights Act when determining this application

**Background Papers:**

Stockton Borough Council Licensing Policy Statement and Section 182 Guidance

**Ward(s) and Ward Councillors:**

Ingleby Barwick West  
Councillor Dixon  
Councillor Harrington  
Councillor Patterson