

Licensing Act Sub Committee Hearing

Thursday 10th October 2013

Members of the Panel:	Councillors Morris (Chair), Ainslie and Tempest
Application:	Transfer of premises licence-Maram's Pizzeria 34 Church Street
Officers present:	Sylvia Pinkney, Public Protection Manager Tony Macnab, Solicitor Jo Stubbs, Democratic Services Officer
Applicant:	Mr Mohammed Hajajj
Objector:	Cleveland Police represented by Marie Nevison, Solicitor PC Yasmeen Hussain PC Andrew Thorpe
Decision:	
<p>The Licensing Sub-Committee considered an application from Mr Hajajj for the transfer of the premises licence for 34 Church Street into his name. The application had been objected to by the Chief Constable of Cleveland Police as the Chief Constable was satisfied that the exceptional circumstances of the case were that granting the application would undermine the crime prevention objective.</p> <p>The applicant outlined his application. He is also the premises licence holder for the takeaway at 77 Church Street which he stated is not as busy as 34 Church Street. He stated that he didn't have a door supervisor at 77 Church Street and didn't have any problems with customers. He said that due to a lack of money he was unable to comply with condition 4 (provision of door supervisor) of that licence and would be unable to comply with condition 2 (provision of door supervisors) of the licence for 34 Church Street.</p> <p>Marie Nevison outlined Cleveland Police's objection and PC Yasmeen Hussain gave evidence in accordance with her statement. PC Andrew Thorpe also gave evidence relating to the matters outlined in PC Hussain's statement that he had been involved in.</p> <p>The Police highlighted a number of incidents of non compliance by Mr Hajajj of his licence conditions for 77 Church Street in respect of provision of a door supervisor. The Police believed that had that condition been complied with, the incidents of Crime and Disorder may not have occurred.</p> <p>The Police also highlighted breaches by Mr Hajajj of the licence conditions relating to the provision of door supervisors since he took over the running of 34 Church Street</p> <p>PC Thorpe stated that there had not been any incidents at the premises but</p>	

was concerned that there are no door supervisors.

The Licensing Sub-Committee considered the application and representations put forward by the Police. The Licensing Sub-Committee also considered paragraph 8.95 of the Licensing Guidance in particular the reference to evidence that the business or individuals seeking to hold the licence or business or individuals linked to such persons are involved in crime or disorder.

The Licensing Sub-Committee accepted that Mr Hajajj had failed to comply with the relevant licence conditions at both premises but that this did not amount to him being involved in crime and disorder.

The Licensing Sub-Committee granted the application for transfer as it did not consider that rejecting the application was appropriate for the promotion of the crime prevention objective.

CHAIR