

The North Yorkshire Council
Statutory Licensing Sub-Committee

24 April 2026

Pomegranate Persian Tea Room– Application for a new Premises Licence

Report of the Corporate Director of Environment

1.0 PURPOSE OF REPORT
1.1 The purpose of this report is to determine a premises licence application under the Licensing Act 2003.

2.0 BACKGROUND

- 2.1 An application for the grant of a premises licence has been made for a premises at Pomegranate Persian Tea Room, 5 Park Square, Great Ayton, TS9 6BP. A copy of the application and associated plan is attached at **Appendix 1**.
- 2.2 The applicant is Hamideh Said Salehi and she also holds a Personal Licence issued by NYC.
- 2.3 A locality plan showing the premises and surrounding area is attached at **Appendix 2**, which indicates the location of the objectors in relation to the premises.
- 2.4 The application is for the following sole licensable activity:
Retail sale of alcohol on the premises
- Monday to Sunday 11:00hrs until 16:30hrs
- With opening hours of:**
- Monday to Sunday 09:00hrs until 18:00hrs
- 2.5 It should be noted that these are maximum hours permitted by the licence if granted and there is no requirement for the business to sell alcohol or open to the extent of these hours. Hours permitted by a premises licence may differ from those permitted by Planning.
- 2.6 It should also be noted that although regulated entertainment was not applied for, the provisions of the Live Music Act 2015 mean that many forms of entertainment do not require a licence e.g. a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

3.0 PROMOTION OF LICENSING OBJECTIVES

- 3.1 Section 4 of the Licensing Act 2003 places a duty on the Licensing Authority to carry out its functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm.

3.2 Each objective is of equal importance. It is important to note that there are no other licensing objectives, so that these four objectives are always paramount considerations.

4.0 CONSULTATION AND REPRESENTATIONS

4.1 Copies of the application were sent to all statutory responsible authorities in accordance with the provisions of the Licensing Act 2003.

4.2 Applicants are required to publish a notice in a local newspaper and to display a brief summary of the application on an A4 size notice in a prominent position immediately on or outside the premises for at least 28 consecutive days. A record of the application was also published on the Council's website, and the full application was made available for inspection at the Council offices. The consultation took place between 05 March 2026 and 01 April 2026.

4.3 North Yorkshire Police liaised with the applicant who has agreed conditions with them. See **Appendix 3**.

4.4 There have been four representations received from other persons which are attached at **Appendices 4, 5, 6 & 7**.

4.5 There have been 37 letters in support of the application, which are attached at **Appendices 8 to 44**.

4.6 There have been no other representations or comments received from any of the Responsible Authorities.

5.0 ALTERNATIVE OPTIONS CONSIDERED

5.1 All of the Sub-Committee's options are outlined in paragraph 13.0. No alternative options are available.

6.0 FINANCIAL IMPLICATIONS

6.1 Not applicable.

7.0 LEGAL IMPLICATIONS

7.1 Due to a number of relevant representations being received the Licensing Sub-Committee must hold a hearing to determine the application.

7.2 In making its decision, the Sub-Committee must have regard to the applicant's submissions, the relevant representations, the Council's Statement of Licensing Policy and the Guidance issued under section 182 of the Licensing Act 2003.

7.3 The Licensing Sub-Committee must also have regard to the promotion of the four licensing objectives in exercising its functions under the Licensing Act 2003.

7.4 The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

7.5 In accordance with Schedule 5 of the Licensing Act 2003 the applicant, and any person who has made a relevant representation, may appeal against any decision of the Licensing Sub-Committee.

7.6 Any appeal against a decision by the Licensing Sub-Committee must be made to the Magistrates' Court within the period of 21 days beginning on the day on which an appellant is notified by the Licensing Authority of that decision.

8.0 EQUALITIES IMPLICATIONS

8.1 Not applicable

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 Not applicable

10.0 POLICY CONSIDERATIONS

10.1 The following sections of North Yorkshire Council's Statement of Licensing Policy Licensing Act 2003 are relevant in considering the licensing objectives in relation to this application:

- Prevention of crime and disorder – paras 33 - 43
- Public Safety – paras 44 – 49
- The prevention of public nuisance – paras 50 - 52
- The protection of children from harm – paras 53 – 59
- Representations – paras 157 – 162
- Hearings – paras 163 - 164

10.2 **Other considerations** - The following sections of the guidance issued under Section 182 of the Licensing Act 2003 (updated February 2026) issued by the Home Office are relevant in considering the licensing objectives in relation to this application:

- Crime and disorder – section 2.1
- Public safety – section 2.8
- Public nuisance – section 2.21
- Protection of children from harm – section 2.28

10.3 A recent update to the Section 182 Guidance has been added to help ensure that, when determining licence applications and considering any conditions that may apply, Licensing Authorities have in mind the need to support the development of a thriving hospitality sector while still upholding the existing statutory licensing objectives.

10.4 Section 1.18 of the guidance states that when making licensing decisions, all licensing authorities should consider the need to promote growth and deliver economic benefits.

10.5 **Appendix 45** contains the mandatory conditions which would be imposed if a licence was granted, this would be in addition to those offered in the applicants operating schedule, conditions agreed with North Yorkshire Police and any conditions imposed by the Licensing Sub-Committee.

11.0 HUMAN RESOURCES IMPLICATIONS

11.1 Not applicable

12.0 REASONS FOR OPTIONS

12.1 In accordance with section 18 of the Licensing Act 2003, the licensing authority must hold a hearing to consider the application and any relevant representations.

12.2 The Sub-Committee must, having had regard to the application and any relevant representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

13.0 OPTIONS

- 13.1 To take any of the following steps as the Licensing Sub-Committee considers appropriate for the promotion of the licensing objectives:
- i. Grant the licence as applied for (subject to the added conditions as agreed with North Yorkshire Police).
 - ii. To grant the licence and modify the conditions of the licence.
(for this purpose, the conditions of the licence are modified if any of them are altered or omitted, or any new condition is added).
 - iii. To reject the application in whole or part.

14.0 CONCLUSIONS

14.1 An application has been made for the grant of a premises licence for Pomegranate Persian Tea Room, 5 Park Square, Great Ayton, TS9 6BP.
If granted, conditions agreed with North Yorkshire Police will form part of the licence as well as any conditions imposed by the Licensing Sub-Committee.

APPENDICES:

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| Appendix 1 | - Copy of the application and premises plan |
| Appendix 2 | - Locality plan |
| Appendix 3 | - NYP conditions and agreement |
| Appendices 4-7 | - Representations received from residents |
| Appendices 8-44 | - Letters in support of this application |
| Appendix 45 | -Mandatory conditions |

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Northallerton
08 April 2026

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Presenter of Report – Helen Tait, Licensing Enforcement Officer, West

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.