

DELEGATED

AGENDA NO.

**REPORT TO THE
STATUTORY LICENSING
COMMITTEE**

DATE:

**LICENSING ACT 2003
APPLICATION FOR VARIATION
BLACKWELL'S BUTCHERS LIMITED, 122 HIGH STREET, NORTON, STOCKTON ON TEES**

SUMMARY

The purpose of this report is for Members to determine an application for the variation of a premise licence under the Licensing Act 2003 to which there has been a representation from an Interested Party.

RECOMMENDATION

That Members determine the application.

THE APPLICATION

1. An application for variation has been received from Blackwell's Butchers Limited, in relation to Blackwell's Butcher, 122 High Street, Norton, Stockton on Tees. The proposed variation is for the following:
 - To extend the hours for recorded music and supply of alcohol on and off the premises on Wednesday, Thursday, Friday & Saturday from: 09.00 until 21.00 to 09.00 until 23.00
 - To add Sunday 09.00 until 20.00
 - To extend the opening hours from: 07.30 until 18.30 to 07.00 until 23.00
 - To add Sunday 09.00 until 20.00
 - These extensions are to allow the shop to open on an evening and weekends for private catering events and small dining experiences (maximum 20 guests) and not for general retail purposes.

A copy of the application is attached at Appendix 1.

A copy of the existing licence is attached at Appendix 2 for information.

RESPONSIBLE AUTHORITIES

2. Following discussions with Cleveland Police the applicant has agreed to conditions being attached to the licence. Copy of the agreed condition is attached at Appendix 3.

INTERESTED PARTIES

3. Seven representations have been received from Interested Parties. Copies of these are attached at Appendix 4.

One other representation was withdrawn as their objection was to about the 09:00am start on a Sunday and the applicant did agree to amend this to 11:00am.

ADDITIONAL INFORMATION

4. Attached at Appendix 5 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 and the Section 182 Guidance issued under the Licensing Act 2003 when determining this application.
6. 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

7. Members may consider the following options:
 1. To reject all or part of the application for variation.
 2. To modify the conditions of the licence.

ASSOCIATED PAPERS

8. The following appendices are attached for information:
 - Appendix 1 Application Form
 - Appendix 2 Copy of Existing Licence
 - Appendix 3 Agreed Conditions from Cleveland Police
 - Appendix 4 Representation from an Interested Party
 - Appendix 5 Location Map

Assistant Director Administration Democratic And Electoral Services

Contact Officer:

Telephone No.

Email Address:

Margaret Waggott
Polly Edwards
(01642) 528544
polly.edwards@stockton.gov.uk

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.

Legal Implications:

i) Where a licensing authority rejects (in whole or in part) an application to vary a premises licence the applicant may appeal against that decision.

ii) Where an application to vary a premises licence is granted (in whole or in part) the applicant may appeal against any decision to modify the conditions of the licence; and where a person who made relevant representation in relation to the application desires to contend -

a) that any variation made ought not to have been made, or

b) that, when varying the licence, the licensing authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way, he may appeal against that decision.

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.

Human Rights Implications:

As a licence is deemed to be a personal possession Members should have regard to the Human Rights Act when determining this application.

Background Papers:

Stockton Borough Council Licensing Policy Statement and Section 182 Guidance

Ward(s) and Ward Councillors:

Norton North Ward
Councillor K Nelson
Councillor S Nelson