

DELEGATED

AGENDA NO.

**REPORT TO THE
STATUTORY LICENSING
COMMITTEE**

5 JUNE 2018

**LICENSING ACT 2003
APPLICATION FOR GRANT OF A PREMISE LICENCE
HERON FOODS, 11 REDHILL ROAD, STOCKTON ON TEES TS19 9BX**

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 Heron Foods Limited, in relation to Heron Foods, 11 Redhill Road, Stockton on Tees

The applicant has applied for a licence for the following:

Supply of Alcohol Off The Premises
Monday to Saturday 08.00 – 20.00
Sunday 10.00 – 16.00

A copy of the application is attached at Appendix 1.

RESPONSIBLE AUTHORITIES

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

INTERESTED PARTIES

3. Representations have been received from Interested Parties. These representations relate to crime and disorder, protection of children from harm, public safety and public nuisance 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 and Section 182 Revised Guidance issued on 6 April 2017 under the Licensing Act 2003 when determining this application. Paragraph 41 of the Council Policy states, *'The Council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of concern. An operating schedule should include information which is necessary to enable any responsible authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory.'*
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 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

8. The following appendices are attached for information:
 - Appendix 1 - Application Form
 - Appendix 2 - Agreed Conditions from Environmental Health & Trading Standards
 - Appendix 3 - Representations from Interested Parties
 - Appendix 4 - Location Map

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Financial Implications: None

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

- Public safety;
- 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:

Roseworth Ward
Councillor Beall
Councillor Inman