

DELEGATED

AGENDA NO.

REPORT TO THE STATUTORY LICENSING COMMITTEE

15 December 2020

LICENSING ACT 2003 APPLICATION FOR GRANT OF A PREMISE LICENCE THE HARDWICK, 2 HIGH NEWHAM ROAD, STOCKTON-ON-TEES, TS19 8RQ

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 have been representations from Responsible Authorities, Local Residents and a Local Councillor.

RECOMMENDATION

That Members determine the application.

THE APPLICATION

1. An application for the grant of a premise licence has been received from Mr Craig Robinson, in relation to The Hardwick, 2 High Newham Road, Stockton-On-Tees. A copy of the application is attached at Appendix 1.
2. A map and photo's showing the location of the premises, the old Simply Drinks unit, is attached as Appendix 2.

RESPONSIBLE AUTHORITIES

3. Cleveland Police have agreed conditions with the applicant, these are attached at Appendix 3.
4. A representation was received from the Local Councillor on the grounds of the Prevention of Crime & Disorder, Prevention of Public Nuisance, Protection of Children from Harm and Public Safety, which is attached at Appendix 4.
5. A representation was received from Environmental Health and conditions were agreed, and the representation was withdrawn. The agreed conditions attached at Appendix 5.
6. A representation was received from Planning on the ground of Public Nuisance and is attached at Appendix 6.
7. Representations from local residents have been received and are attached as Appendix 7.

POLICY CONSIDERATION

8. 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 April 2018 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.'

9. 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

10. 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

11. The following appendices are attached for information:
- Appendix 1 - Application Form
 - Appendix 2 – Map & photo's showing the location
 - Appendix 3 - Cleveland Police – Agreed Conditions
 - Appendix 4 - Representation from Local Councillor
 - Appendix 5 – Environmental Health – Agreed Conditions
 - Appendix 6 - Representations from Planning
 - Appendix 7 - Representation from Local Residents

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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
- Protection of children from harm

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 Licensing Act 2003 Section 182 Guidance

Ward(s) and Ward Councillors:

Hardwick & Salters Lane
Councillor Nigel Cooke
Councillor Norma Stephenson