

DELEGATED

Report to Statutory
Licensing Sub-Committee

23 December 2025

Report of Assistant Director
Transformation and
Regulated Services

Licensing Act 2003 Personal Licence Application - 160402

Summary

The purpose of this report is to advise the subcommittee that an application has been received for a personal licence under the Licensing Act 2003 ("the Act"). This application is the subject of an objection notice from the police, therefore a hearing is required.

Recommendation(s)

Members need to determine what action to take.

Detail

1. An application for a personal licence under section 117 of the Licensing Act 2003, has been received.
2. On reviewing the basic disclosure and the declaration, the applicant has been convicted of driving a motor vehicle with excess alcohol on 27 April 2025, which is a relevant conviction, under schedule 4 of the Act.
3. The police have made an objection notice (which had not been withdrawn), which includes personal details relating to applicant's conduct, and illustrates the police objection.
4. Therefore, under section 120(2)(d) the application could not be determined by licensing officers and a hearing is required.
5. The detailed grounds for the police objection are contained in appendix 1 (exempt).
6. Members will have an opportunity to consider all the information at the subcommittee hearing.
7. The subcommittee will be asked to determine whether discussion of appendix 1 requires exclusion of the public under regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

8. Under regulation 14 the subcommittee may exclude the public where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.
9. In addition, section 100A(4) of the Local Government Act 1972 allows the exclusion of the public from the meeting where exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act would otherwise be disclosed.

Legislation and Policy Considerations

10. When making decisions members should have regard to the following documents.
This report includes some extracts from these documents, but full copies can be found online.

The Licensing Act 2003	www.legislation.gov.uk/ukpga/2003/17/part/6
Revised guidance issued under section 182 of Licensing Act 2003	www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2023-accessible-version
Stockton-on-Tees Borough Council Licensing Policy Statement	www.stockton.gov.uk/personal-licence

The Licensing Act 2003

11. A personal licence authorises that individual to supply alcohol, or authorise the supply of alcohol, in accordance with a premises licence.
12. Where premises have a premises licence authorising the supply of alcohol, a personal licence must be held by the nominated individual responsible for the day-to-day running of the licensed premises, known as the designated premises supervisor.
13. More than one individual at the licensed premises may hold a personal licence, although it will not be necessary for all staff to be licensed. But all supplies of alcohol under a premises licence must be made by or under the authority of a personal licence holder.
14. To qualify for a personal licence an individual must be aged 18 or over, possess a recognised qualification, prove right to work and be able to show the licensing authority that they have not been convicted of certain relevant offences.
15. Relevant offences are set out in Schedule 4 to the 2003 Act.

Members' Options

16. The licensing authority carries out its functions under the Act with a view to promoting the following four objectives:

- the prevention of crime and disorder
- the prevention of public nuisance
- the protection of children from harm
- ensuring public safety

17. When an objection is lodged by the police, the licensing authority must hold a hearing to decide whether to reject or grant the personal licence and must give reasons for its decision.

18. The licensing authority must grant a personal licence unless it considers that doing so would undermine the crime prevention objective.

19. The need for a hearing may be dispensed with by agreement of the authority, the applicant and the police.

20. The licensing authority must give reasons for its decision.

21. The applicant and his representative have been invited to today's meeting.

Ward(s) and Ward Councillors:

Not ward related

Not ward related

Financial Implications

This application is being processed as part of normal duties, there are no additional costs involved.

Legal Implications

The applicant and the police have been notified of the hearing in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 and Licensing Act 2003 (Hearings) (Amendment) Regulations 2005 "the Regulations".

Information to accompany the notice of hearing was provided to the applicant and the police in accordance with the Regulations

Any decision made by the Committee carries a right of appeal to the Magistrates Court within 21 days.

Environmental Implications

None

Community Safety Implications

The licensing authority carries out its functions under the Act with a view to promoting the following four objectives:

- the prevention of crime and disorder
- the prevention of public nuisance
- the protection of children from harm

- ensuring public safety

Any action following the consideration of this report will aim to reinforce community confidence.

Background Papers

Appendices

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