

DELEGATED

AGENDA NO.

**REPORT TO THE
STATUTORY LICENSING
COMMITTEE**

7th September 2023

**LICENSING ACT 2003
APPLICATION FOR REVIEW OF A PREMISES LICENCE
THE DOG HOUSE 3 MACMILLAN CHAMBERS, PRINCE REGENT STREET, STOCKTON-ON-TEES, TS18 1DB.**

SUMMARY

The purpose of this report is for Members to consider an application for a review of a premises licence from Cleveland Police on the grounds of the prevention of crime and disorder and prevention of public nuisance.

RECOMMENDATION

That Members determine the application.

THE APPLICATION

1. An application for a review of premises licence in respect of above the premises has been received from Cleveland Police. A copy of the application and supporting evidence is attached at Appendix 1 and 2 respectively.
2. The application relates to the undermining of the licensing objectives of:
 - The Prevention of Crime and Disorder
 - The Prevention of Public Nuisance
3. A copy of the current premises licence showing licensable activities and licensable hours is attached at Appendix 3.
4. A map showing the location of the premises is attached at Appendix 4.

RESPONSIBLE AUTHORITIES

5. A representation in support of the review on the grounds of the Crime and Disorder objective has been received from the Licensing Service and is attached at Appendix 5.

ADDITIONAL INFORMATION

PREMISE LICENCE HOLDER (PLH)	Leadwise Leisure Limited 12 Parton Street, Hartlepool, TS24 8NN	13/4/2023 - Present
DESIGNATED PREMISES SUPERVISOR (DPS)	Mr Edward James Leslie Hayes	13/04/2023 - Present

POLICY CONSIDERATION

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

7. Members are respectfully reminded of the need to give due consideration to Stockton Borough Councils Licensing Policy Statement and the Section 182 Revised Guidance issued December 2022 under the Licensing Act 2003 when considering this application for review. Details regarding the full range of powers available to members can be found at section 11 of the Guidance.
8. Copies of these documents can be found at:
www.stockton.gov.uk/article/1672/Welcome-to-Stockton-on-Tees-Borough-Council-s-Statement-of-Licensing-Policy
www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003

MEMBERS OPTIONS

9. Members are advised that under the provisions of Section 51(4) The Licensing Act 2003 the authority may, at any time, reject any ground for review if it is satisfied: -
- that the ground is not relevant to one or more of the licensing objectives, or
 - in the case of an application made by a person other than a responsible authority, that-
 - the ground is frivolous or vexatious, or
 - the ground is a repetition.
10. If Members are not minded to reject this application, then under the provisions of Section 52(3) The Licensing Act 2003, the authority must, having regard to the application and any relevant representations take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the four licensing objectives. The steps are: -
- a) to modify the conditions of the licence which could include reducing opening hours or requiring door supervisors at a particular time;
 - b) to exclude a licensable activity from the scope of the licence;
 - c) to remove the designated premise supervisor for example, because they consider that the problems are the result of poor management;
 - d) to suspend the licence for a period not exceeding three months;
 - e) to revoke the licence
 - f) and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Where the authority takes a step mentioned in (a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

11. The Committee also have the option to leave the licence in its existing state.

ASSOCIATED PAPERS

The following appendices are attached for information:

- Appendix 1 Application for review
- Appendix 2 Supporting documents
- Appendix 3 Copy of the existing licence
- Appendix 4 Location Map
- Appendix 5 Representation from Licensing Service

Assistant Director Community

Safety and Regulated Services:

Contact Officer:

Telephone No.

Email Address:

Financial Implications:

Marc Stephenson

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None

Community Safety Implications:

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

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Legal implications

Any decision made in respect of the review application can be appealed to the magistrate's court within 21 days by: -

1. The applicant
2. The premises licence holder
3. Any other person who made relevant representations

Any decision made in respect of the review does not have effect until:-

- a. the end of the period given for appealing against the decision, or
- b. If the decision is appealed against, the time the appeal is disposed of.

Human Rights

Members should have regard to the Human Rights Act when conducting this hearing.

Background Papers:

Stockton Borough Council Licensing Policy Statement and Section 182 Guidance.

Ward(s) and Ward Councillors:

Stockton Town Centre
Councillor Pauline Beall
Councillor Paul Rowling