

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**COPROPRATE LEADERSHIP TEAM'S
REPORT TO**

Licensing Sub-Committee
Date: Wednesday, 24 June 2026

Report Title: Variation Premises Licence Application that has received a relevant representation.

Submitted by: Service Director – Regulatory Services/Licensing Lead Officer

Portfolios: Housing and Public Protection

Ward(s) affected: Town

Purpose of the Report

To inform the committee of a full variation application that has received a number of relevant representations from member of public on the grounds of Prevention of Crime and Disorder, Public Safety, and Prevention of Public Nuisance.

Recommendation

That Sub-Committee:

In accordance with the Licensing Act 2003, the statutory guidance, the National Licensing Policy Framework, and the Council's own Statement of Licensing Policy the Sub-Committee must consider the Premises Licence and have regard to the four licensing objectives, as below, when making its decision:

- (i) The Prevention of Crime and Disorder
- (ii) Public Safety
- (iii) The Prevention of Public Nuisance
- (iv) The Protection of Children from Harm

Reasons

An application to vary the premises licence for Tiny Tennessee was received on 6 March 2026. During the statutory consultation period, representations were received raising concerns in relation to the licensing objectives. Discussions subsequently took place between the applicant and responsible authorities, resulting in amendments to the application. However, representations from members of the public remain outstanding and the application has therefore been referred to the Licensing Sub-Committee for determination.

1. **Background**

1.1 An application has been received for the following premises:

Premises: Tiny Tennessee
Location: 117 High Street, Newcastle-under-Lyme, ST5 1PS

Licence Number: M-021930
Premises Licence Holder: Richard Lewis
Designated Premises Supervisor: Richard Lewis

A copy of the application is attached as **Appendix A**.

1.2 The premises currently benefits from a premises licence authorising licensable activities and opening hours as detailed at **Appendix B**.

1.3 The application originally sought the following licensable activities and opening hours:

Live Music	Monday to Sunday	07:00 hours until 00:00 hours
Recorded Music	Monday to Sunday	07:00 hours until 02:30 hours
Late Night Refreshment	Monday to Sunday	23:00 hours until 02:00 hours
Sale of Alcohol	Monday to Sunday	12:00 hours until 02:00 hours
Opening Hours	Monday to Sunday	07:00 hours until 02:30 hours

1.4 During consultation period, Staffordshire Police liaised with the applicant regarding the proposed variation application. Following those discussions, the applicant agreed to amend the application, including a reduction in the proposed hours and licensable activities. As a result, Staffordshire Police did not submit a representation in respect of the application. The following amended licensable activities and opening hours were agreed:

Live Music	Monday to Sunday	07:00 hours until 00:00 hours
Recorded Music	Monday to Sunday	07:00 hours until 00:00 hours
Late Night Refreshment	Monday to Sunday	23:00 hours until 00:00 hours
Sale of Alcohol	Monday to Sunday	12:00 hours until 00:00 hours
Opening Hours	Monday to Sunday	07:00 hours until 00:30 hours

Under the provisions of the Live Music Act 2012 and subsequent entertainment deregulation measures, live and recorded music do not require authorisation under a premises licence where alcohol is being sold for consumption on the premises and the entertainment takes place between the hours of 08:00 and 23:00 hours.

A copy of the email correspondence confirming the agreed reduction in the operating hours and licensable activities is attached as **Appendix C**.

1.5 The premises are located at 117 High Street, Newcastle-under-Lyme. A location plan showing the premises and surrounding area is attached as **Appendix D**.

1.6 The application was advertised and consulted upon in accordance with the requirements of the Licensing Act 2003.

1.7 During the consultation period, representations were received from five interested parties comprising local residents and local ward councillor.

1.8 At the time of preparing this report, four representations from local residents and one from the ward councillors remain outstanding and have not been withdrawn. Copies of these representations are attached as **Appendix E**.

- 1.9 The outstanding representations from members of the public raise concerns in relation to the licensing of the prevention of crime and disorder, public safety and the prevention of public nuisance. In particular, concerns have been expressed regarding the potential for increased noise disturbance, anti-social behaviour, crime and disorder, and the impact of extended operating hours on nearby residents and businesses.
- 1.10 Members are therefore requested to determine the application, as amended, having regard to the representations received, the Council's Statement of Licensing Policy, the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003, and the promotion of the licensing objectives

2. **Issues**

- 2.1. The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives;
- (i.) The Prevention of Crime and Disorder
 - (ii.) Public Safety
 - (iii.) The Prevention of Public Nuisance
 - (iv.) The Protection of Children from Harm
- 2.2. The Licensing Act 2003 requires the Council to publish a "Statement of Licensing Policy" that set out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act. Copies of the Council's Statement of Licensing Policy, the National Licensing Policy Framework (NLPF) and the Government's Statutory Guidance are available online.
- 2.3. In making their decision on the application the Sub-Committee are obliged to have regard to the Statutory Guidance and the Council's own Statement of Licensing Policy. The Sub-Committee must also have regard to the representations made and the evidence heard at the hearing. However, the Sub-Committee must disregard any representations that do not relate to the promotion of the four licensing objectives. The Sub-Committee may also consider sustainable economic growth and local economic benefits, but this is optional and cannot outweigh the licensing objectives.

3. **Recommendation**

- 3.1 The Sub-Committee, where it considers that action under its statutory powers is appropriate, may take any of the following steps for the promotion of the four licensing objectives. The steps available to the Sub-Committee are listed in Section 5.1 of this report.
- 3.2 For this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.
- 3.3 The Sub-Committee are asked to note that they may not modify the conditions or take any other steps merely because they consider it desirable to do so. Any action taken must be appropriate in order to promote the licensing objectives.

4. **Reasons**

- 4.1 To ensure that the Council promote the licensing objectives in accordance with their statutory duty.

5. **Options Considered**

- 5.1 The relevant options considered in relation to this application are:
- (a) to modify the conditions (including timings) of the licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the designated premises supervisor;
 - (d) to suspend the licence for a period not exceeding three months; or
 - (e) to revoke the licence

6. **Legal and Statutory Implications**

- 6.1 To power to review a premises licence falls under Section 51 of the Licensing Act 2003.
- 6.2 Hearings will be carried out in a fair, proportionate and consistent manner in line with:
- Article 6(1) guarantees an applicant a fair hearing
Article 14 guarantees no discrimination

7. **Equality Impact Assessment**

- 7.1 Not Applicable

8. **Financial and Resource Implications**

- 8.1 Premises Licence Holder and the parties who have submitted representations have the right to appeal the decision at the Magistrates Court and if successful could apply for the award of costs.

9. **Major Risks & Mitigation**

- 9.1 As above

10. **UN Sustainable Development Goals (UNDSG)**

- 10.1



11. **One Council**

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council
We will make investment to diversify our income and think entrepreneurially.

One Digital Council
We will develop and implement a digital approach which makes it easy for all residents and businesses to engage with the Council, with our customers at the heart of every interaction.

One Sustainable Council

We will deliver on our commitments and make all decisions with sustainability as a driving principle.



12. **Key Decision Information**

12.1 Not Applicable

13. **Earlier Cabinet/Committee Resolutions**

13.1 The Licensing Committee has previously resolved to have regards to its Licensing Policy.

14. **List of Appendices**

- 14.1 **Appendix A** – Variation Application
- Appendix B** – Current Premises Licence Summary
- Appendix C** – Correspondence confirming reduction hours
- Appendix D** – Premises Location Plan
- Appendix E** – Representations

15. **Background Papers**

- 15.1 [Licensing Policy 2025 – 2030](#)
- 15.2 [Licensing Act 2003 Statutory Guidance](#)
- 15.3 [National Licensing Policy Framework](#)