

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE LICENSING SUB-COMMITTEE**

**TUESDAY, 5TH MAY 2009 AT 11.05 A.M.**

PRESENT: Councillors Mrs. R. L. Dent, Mrs. C. J. Spencer and L. J. Turner

Officers: Mrs. S. Sellers, Mrs. S. Smith, Mr. J. Davies, Ms. P. Ross and Mrs. V. Brown (observing)

31/08 **APPOINTMENT OF CHAIRMAN FOR THE MEETING**

**RESOLVED** that Councillor Mrs. R. L. Dent be appointed Chairman of the Sub-Committee for the meeting.

32/08 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

33/08 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

34/08 **APPLICATION FOR A PREMISES LICENCE - TASTY CHICKEN, 160 NEW ROAD, RUBERY**

The Sub-Committee was asked to consider an application for a premises licence in respect of Tasty Chicken, 160 New Road, Rubery. The application was subject to a Hearing in the light of a representation which had been made by a resident living near to the premises. The basis of their representation related to an increase in anti social behaviour and noise nuisance in a residential area. No representations had been received from any of the Responsible Authorities.

The Principal Licensing Officer informed the Sub-Committee that the applicant had been delayed. In his absence the Principal Licensing Officer introduced the report and, in doing so advised that an additional statement had been received from the applicant, a copy of which was circulated.

The Principal Licensing Officer informed those present that Members of the Sub-Committee had carried out an announced Site Visit to the premises prior to the Hearing.

35/08    **PROCEDURE**

At 11:19am, the Sub-Committee was informed by the Principal Licensing Officer that the applicant had arrived.

The Chairman introduced the Members of the Sub-Committee and officers present to the applicant.

The Chairman invited the applicant to introduce himself.

The Chairman reminded all parties of the procedure to be followed during the Hearing and that those parties present could be represented by a legal representative at their own expense, or by a Ward Councillor.

36/08    **APPLICATION FOR A PREMISES LICENCE - TASTY CHICKEN, 160 NEW ROAD, RUBERY**

The Senior Solicitor explained to the applicant, that in his absence the Principal Licensing Officer had introduced the report. The Chairman invited the applicant to put any relevant questions to the Principal Licensing Officer. Mr. Mohammed Zubair the applicant put forward the case for the application.

Having had regard to:

- The licensing objectives set out in the Licensing Act 2003
- The Councils Statement of Licensing Policy
- The guidance issued under section 182 of the Act
- The application and representations made by the Applicant
- The relevant representation made by the Interested Party

**RESOLVED:**

that the application for a premises licence for the provision of Late Night Refreshment on and off the premises be granted as follows:

- 11:00pm – 12 midnight every Monday through to Wednesday
- 11:00pm – 1:00am every Thursday
- 11:00pm – 2:00am Friday and Saturday

The reasons for the Sub-Committee's decision were as follows:

- The Sub-Committee was satisfied with the measures the applicant has proposed to address the Licensing objectives as referred to in Appendix A.
- The Sub-Committee noted that other hot food outlets open for similar hours in the vicinity and that they had observed on their site visit that the Tasty Chicken was not located in a predominantly residential location.
- The Sub-Committee considered the objection letter but noted that the issues raised had been addressed by the applicant and in terms of weight to attach to it noted that it had been the only representation received against the application.

- In all the circumstances and taking into account that there were no significant objections against the application the Sub-Committee was of the view that it be granted.

The Chairman reported that the applicant and Interested Party would be notified of the decision in writing within 5 working days, and that an appeal against the decision could be made to the Magistrates' Court within 21 days from the date of the decision.

The meeting closed at 11.49 a.m.

Chairman