

**BROMSGROVE DISTRICT COUNCIL**

**LICENSING SUB-COMMITTEE**

**THURSDAY 6TH AUGUST 2015**

**LICENSING ACT 2003**

**APPLICATION FOR VARIATION OF A PREMISES LICENCE**

**DOG AND PHEASANT – 24-26 WORCESTER ROAD, BROMSGROVE, B61 7AE**

<b>PUBLIC HEARING</b>	
<b>Director:</b>	<b>Acting Head of Worcestershire Regulatory Services</b>
<b>Contact Officer:</b>	<b>Sayful Alom Licensing Technical Officer 01562 738010 <a href="mailto:sayful.alom@worcsregservices.gov.uk">sayful.alom@worcsregservices.gov.uk</a></b>
<b>Ward(s) affected:</b>	<b>Central Ward</b>
<b>Appendices:</b>	<b>List of appendices: Appendix 1 – Application Form Appendix 2 – Existing Licence and plan Appendix 3 – Representations from Police Appendix 4 – Representations from members of the public</b>

**1. PURPOSE OF REPORT**

- 1.1 To consider and determine an application for variation of the premises licence in respect of the premises below:

**Dog And Pheasant  
24-26 Worcester Road  
Bromsgrove  
Worcestershire  
B61 7AE**

A copy of the application is attached at Appendix 1.

- 1.2 The premises currently benefits from an existing premises licence. A copy of the existing licence and plan is attached at Appendix 2.

## **2. BACKGROUND**

- 2.1 On 12 June 2015 an application was received from Elmswyne Leisure Ltd for variation of the premises licence in respect of  
Dog And Pheasant [ph]  
24-26 Worcester Road  
Bromsgrove  
Worcestershire  
B61 7AE
- 2.2 The application contained all the requisite documentation including the fee.
- 2.3 It can be confirmed that the application has been advertised in accordance with the requirements of the Licensing Act 2003 and associated regulations and that the application has also been served on all responsible authorities.
- 2.4 The applicant is applying for the following variations to their existing licence:  
To extend the hours for Indoor sporting, Live/Recorded Music (indoors & outdoors), Performance of Dance (indoors): Fridays, Saturdays and Bank holidays 10:00 – 04:00.  
Late Night Refreshments: Fridays, Saturdays and Bank holidays 23:00 – 04:00.  
Sale of Alcohol: Fridays, Saturdays and Bank holidays (Indoors) 10:00 – 03:30.

## **3. REPRESENTATIONS**

### Responsible Authorities

- 3.1 A relevant representation from Inspector Sarah Corteen of West Mercia Police, on the grounds of Crime & Disorder and Public Nuisance, was received on the 8<sup>th</sup> July 2015. This representation is attached at Appendix 3.

### Other Persons

- 3.2 Worcestershire Regulatory Services have received 8 representations from other persons on the grounds of public nuisance and crime & disorder. The representations are attached at Appendix 4.

## **4. LOCAL POLICY CONSIDERATIONS**

- 4.1 The Sub-Committee should have regard to the Council's Statement of Licensing Policy under the Licensing Act 2003.
- 4.2 The Council's Statement of Licensing Policy is available to download from the Council's website or, to request a hard copy, contact Worcestershire Regulatory Services on 01905 822799, or email [wrsenquiries@worcsregservices.gov.uk](mailto:wrsenquiries@worcsregservices.gov.uk)

## **5. LEGAL IMPLICATIONS**

- 5.1 The Committee is obliged to determine this application with a view to the promotion of the licensing objectives which are:
- the prevention of crime and disorder;
  - public safety;
  - the prevention of public nuisance;
  - the protection of children from harm.
- 5.2 In making its decision, the Sub-Committee is also obliged to have regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.
- 5.3 The Sub-Committee must also have regard to the representations made and the evidence it hears.
- 5.4 The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- (a) Grant the application as requested
  - (b) Modify the conditions of the licence, by altering or omitting or adding to them.
  - (c) Reject the application in whole or in part.
- 5.5 The Sub-Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.
- 5.6 All parties to the hearing will be notified of the Sub-Committee's decision in writing within five working days of the conclusion of the hearing.
- 5.7 Any party aggrieved by a decision taken by the Sub-Committee may appeal against the decision to a Magistrates' Court within 21 days of being notified of the decision in writing.

## **6. FOR DECISION**

- 6.1 The Sub-Committee must consider and determine the application.