

**BROMSGROVE DISTRICT COUNCIL**

**LICENSING SUB-COMMITTEE**

**10TH MARCH 2016**

**LICENSING ACT 2003**

**APPLICATION FOR THE GRANT OF A PREMISES LICENCE**

**BAYLEY'S OF BROMSGROVE**

<b>PUBLIC HEARING</b>	
<b>Director:</b>	<b>Head of Worcestershire Regulatory Services</b>
<b>Contact Officer:</b>	<b>Dave Etheridge Senior Licensing Practitioner 01905 822799 Dave.etheridge@worcsregservices.gov.uk</b>
<b>Ward(s) affected:</b>	<b>Bromsgrove Central</b>
<b>Appendices:</b>	<b>List of appendices Appendix 1 – Application Form Appendix 2 – Plans Appendix 3 – Representations received</b>

**1. PURPOSE OF REPORT**

1.1 To consider and determine an application for grant of a premises licence in respect of:

**Bayley's Of Bromsgrove  
6 Worcester Road  
Bromsgrove  
Worcestershire  
B61 7AE**

A copy of the application is attached at **Appendix 1**.

**2. BACKGROUND**

2.1 On 20 January 2016 an application was received from Mr Jack Bayley for grant of a premises licence in respect of:

Bayley's Of Bromsgrove  
6 Worcester Road  
Bromsgrove  
Worcestershire  
B61 7AE

2.2 The application contained all the requisite documentation including the fee and a plan of the premises. The plan of the premises can be seen at **Appendix 2**.

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 licensable activities:-

<b>Activity</b>	<b>Days</b>	<b>From</b>	<b>To</b>	<b>Indoors/Outdoors</b>
Exhibition of Films	Everyday	08:00	- 00:00	Indoors
Playing of Recorded Music	Everyday	08:00	- 00:00	Indoors
Sale of Alcohol	Everyday	08:00	- 00:00	Indoors

2.5 The designated premises supervisor identified in the application is Jack Bayley.

### **3. REPRESENTATIONS**

#### Responsible Authorities

3.1 No representations were received from responsible authorities

#### Other Persons

3.2 A total of three emails were received making representations in respect of the application. The emails have all been sent from the operators of other local businesses in Worcester Road. The representations are attached to this report at **Appendix 3**.

3.3 The representations include concerns about noise and disturbance emanating from music being played at the premises. Concerns are also raised about the potential for noise and anti-social behaviour arising from customers of the premises.

#### **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 Sub-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 Sub-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.

5.8 The hearing should be conducted in accordance with the agreed procedure.

**6. FOR DECISION**

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